Ordinance No. #_____
Case No. TEXT2026-03

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF ROCKDALE COUNTY, GEORGIA, TO AMEND SUBPART B – PLANNING AND DEVELOPMENT OF THE CODE OF ORDINANCES OF ROCKDALE COUNTY, GEORGIA; TO REPEAL AND REPLACE SPECIFIED CHAPTERS, ARTICLES, AND SECTIONS OF THE UNIFIED DEVELOPMENT ORDINANCE; TO INCORPORATE THE ADOPTED ARTICLES INTO THE CODE OF ORDINANCES OF ROCKDALE COUNTY, GEORGIA; TO ADOPT THE OFFICIAL ZONING MAP OF ROCKDALE COUNTY, GEORGIA; TO AUTHORIZE CODIFICATION, RENUMBERING, AND TECHNICAL CORRECTIONS; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

WHEREAS, Rockdale County is authorized to exercise zoning and land development powers pursuant to Article IX, Section II, Paragraph IV of the Constitution of the State of Georgia and the Zoning Procedures Law, O.C.G.A. § 36-66-1 et seq.; and

WHEREAS, the Board of Commissioners has conducted the required public hearings following recommendation by the Planning Commission; and

WHEREAS, the Board of Commissioners finds that certain existing chapters, articles, and sections of the Unified Development Ordinance should be repealed, amended, reorganized, or replaced with new Articles in order to modernize the County's development regulations, eliminate obsolete provisions, improve administrative procedures, and implement current planning practices; and

WHEREAS, the Board of Commissioners has reviewed the "UDO Crosswalk and Coverage Audit" attached hereto as Exhibit A, which identifies each chapter, article, and section repealed by this Ordinance and the corresponding Article or provision adopted in its place, and finds that said schedule accurately reflects the legislative intent of this Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of Rockdale County, Georgia, as follows:

SECTION 1. REPEAL AND REPLACEMENT OF SPECIFIED PROVISIONS OF SUBPART B – PLANNING AND DEVELOPMENT.

The Board of Commissioners hereby finds that the provisions identified in Exhibit A, entitled "UDO Crosswalk and Coverage Audit," have been reviewed and determined to require repeal, amendment, reorganization, consolidation, or replacement in order to modernize the Unified Development Ordinance, improve its organization and administration, eliminate obsolete provisions, and implement the goals and policies of the Rockdale County Comprehensive Plan.

Accordingly, those chapters, articles, divisions, sections, and subsections of Subpart B – Planning and Development of the Code of Ordinances of Rockdale County identified in Exhibit A are hereby repealed effective upon the effective date of October 1, 2026.
Simultaneously with the repeal of such provisions, the replacement Articles identified in Exhibit A are hereby adopted as the successor provisions of the Unified Development Ordinance and

shall constitute the official land development regulations of Rockdale County as codified in Subpart B – Planning and Development.

The repeal and replacement authorized by this Ordinance includes provisions that have been:

1. Reorganized into new Articles;
2. Consolidated with other provisions;
3. Renumbered for improved organization;
4. Amended to reflect current federal, state, and local law;
5. Removed where determined to be obsolete, duplicative, or no longer necessary; or
6. Replaced by newly adopted provisions addressing the same or substantially similar subject matter.

The repeal and replacement of existing code provisions shall not be construed to invalidate any administrative interpretation, permit, approval, condition, variance, development agreement, or other lawful action previously taken under the former regulations except as otherwise expressly provided in this Ordinance.

The specific chapters, articles, and sections repealed and the corresponding replacement Articles are identified in Exhibit A, which is attached hereto and incorporated herein by reference as though fully set forth herein.

Unless expressly identified in Exhibit A as being repealed, amended, or superseded, all remaining provisions of the Code of Ordinances of Rockdale County shall remain in full force and effect.

Without limiting the foregoing, Chapter 310, Article V – Stormwater Utility, including all sections contained therein, is expressly excluded from the repeal authorized by this Ordinance and shall remain in full force and effect until amended or repealed by subsequent ordinance of the Board of Commissioners.

SECTION 2. ADOPTION OF NEW SUBPART B – UNIFIED DEVELOPMENT ORDINANCE.

The Board of Commissioners hereby adopts the document entitled "Unified Development Ordinance of Rockdale County, Georgia," as amended, a true and correct copy of which is attached hereto as Exhibit B and incorporated herein by reference as though fully set forth in this Ordinance. The Unified Development Ordinance was adopted in phases on August 25, 2026, and September 22, 2026, with the exception of Section 9.5.3, which was subsequently adopted on October 6, 2026:

1. Articles and Sections adopted August 25, 2026: Article 1; Article 2; Article 3; Article 4; Article 10 with the exception of Section 10.5; Article 13; Article 14; Sections 16.1, 16.4, 16.9, 16.10.
2. Articles and Sections adopted September 22, 2026: Article 5; Article 6; Article 7; Article 8; Article 9 with the exception of Section 9.5.3; Section 10.5; Article 11; Article 12; Article 15; Sections 16.2, 16.3, 16.5, 16.6, 16.7, 16.8, 16.11; Article 17; Article 18, Article 19, Article 20.
3. Section adopted October 6, 2026: Section 9.5.3.

The Unified Development Ordinance shall constitute Subpart B – Planning and Development of the Code of Ordinances of Rockdale County and shall supersede those provisions repealed pursuant to Section 1 of this Ordinance and as identified in Exhibit A.

The Unified Development Ordinance is organized into Articles for the purpose of improving the administration, interpretation, and application of the County's land development regulations. The adoption of the Articles shall not be construed as creating new zoning districts, approvals, or entitlements except as expressly provided therein.

SECTION 3. ADOPTION OF OFFICIAL ZONING MAP.

The Board of Commissioners hereby adopts the document entitled "Official Zoning Map of Rockdale County, Georgia," a true and correct copy of which is attached hereto as Exhibit C and incorporated herein by reference as though fully set forth in this Ordinance.

The Official Zoning Map adopted as Exhibit C shall constitute the official zoning map of Rockdale County, Georgia, and shall be maintained by the Department of Planning and Development in accordance with the Unified Development Ordinance and applicable law.

The Official Zoning Map may be maintained in an electronic or digital format and may be updated to reflect zoning map amendments lawfully adopted by the Board of Commissioners. Such updates shall not constitute an amendment to the zoning regulations except as otherwise authorized by law or expressly approved by the Board of Commissioners.

The Official Zoning Map adopted as Exhibit C shall supersede and replace the zoning map previously adopted by Rockdale County, to the extent of any conflict.

SECTION 4. CONTINUATION OF PRIOR APPROVALS AND CONDITIONS.

All zoning conditions, special use permits, variances, development approvals, permits, vested rights, and other legislative or quasi-judicial decisions lawfully granted prior to adoption of this Ordinance shall remain valid and enforceable in accordance with their terms. Such prior approvals and conditions shall not be deemed nonconforming solely as a result of adoption of this Ordinance.

SECTION 5. TRANSITIONAL APPLICATIONS.

Applications submitted prior to the effective date of this Ordinance shall be governed by the transitional provisions contained within the Unified Development Ordinance adopted herein.

SECTION 6. CODIFICATION; RENUMBERING; TECHNICAL CORRECTIONS.

It is the intent of the Board of Commissioners that the Unified Development Ordinance adopted herein be fully integrated into the Code of Ordinances of Rockdale County and codified as Subpart B – Planning and Development.

The County Attorney, Clerk, and codifier (including Municode) are hereby authorized to:

1. Renumber, re-letter, and reformat sections and subsections as necessary for codification;
2. Correct typographical, grammatical, citation, and formatting errors;
3. Update internal cross-references to conform to final codified numbering;

4. Make editorial changes necessary to ensure consistency with the Code of Ordinances; Provided that no such editorial changes shall alter the substantive meaning or intent of any provision adopted by this Ordinance.

SECTION 7. SEVERABILITY.
Should any section, subsection, sentence, clause, or phrase of this Ordinance or the Unified Development Ordinance adopted herein be declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions, which shall remain in full force and effect.

SECTION 8. REPEAL OF CONFLICTING ORDINANCES.
All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 9. EFFECTIVE DATE.
This Ordinance shall become effective October 1, 2026.

ADOPTED AND APPROVED THIS _____ DAY OF _____, 2026.

(Signatures on following page)

Ordinance No. #_____
Case No. TEXT2026-03

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: March 3, 2026
Second Reading: August 25, 2026;
September 22, 2026; October 6, 2026

Chapter 102 - General Provisions	**New Article Section**
Sec. 102-1 - Title	1.1
Sec. 102-2 - Purpose	1.2
Sec. 102-3 - Authority	1.3
Sec. 102-4 - Jurisdiction	1.4
Sec. 102-5 - Application of Ordinance	1.5 & 1.6
Sec. 102-6 - Relationship to existing ordinances	1.6
Sec. 102-7 Powers and Duties	1.7
Sec. 102-8 - Adoption of Certain Codes	1.8
Chapter 106 - Definitions	**New Article Section**
106-1 - Definitions	3.3
106-2 - Abbreviations	3.4
Chapter 110 - Enforcement	**New Article Section**
110-1 - Violations of UDO	19.1
110-2 - Inspections & Right of Entry	19.2
110-3 - Inspection Warrants	19.2
110-4 - Correction Notices	19.2
110-5 - Stop work orders & Revocations	19.3
110-6 - Other Enforcement & Penalties	19.3
110-7 - Penalties for Violations	19.3
110-8 - Other remedies & penalties	19.3
Chapter 202 - General Provisions	**New Article Section**
202-1 - Purpose	1.2
202-2 - Authority	1.3
202-3 - Incorporation of official zoning map	2.2
202-4 - Division of county into districts	2.1
202-5 - Interpretation of zoning district boundaries	2.3
202-6 - Relationship to comprehensive plan	2.4
202-7 - Zoning verification	2.3
202-8 - Zoning classification of de-annexed properties	2.8
202-9 - Enforcement & Penalties	19.1, 19.2, 19.3
Chapter 206 - Base Zoning Districts	**New Article Section**
206-1 - WP	7.2
206-2 - AR	5.1.1
206-3 - R-1	5.1.2
206-4 - R-2	Removed
206-5 - CRS	5.1.5
206-6 - CSD	Removed
206-7 - MRU	6.1.4
206-8 - RM	5.1.3
206-9 - CID	Removed
206-10 - O-I	6.1.5

206-11 - NC	6.1.3
206-12 - C-1	6.1.1
206-13 - C-2	6.1.2
206-14 - MXD	6.1.4
206-15 - OBP	Removed
206-16 - M-1	6.1.6
206-17 - M-2	6.1.7
206-18 - CSO	Removed
Chapter 210 - Overlay Districts	**New Article Section**
210-1 - Procedures governing overlay zoning	Removed
210-2 - SRCO	8.1
210-3 - Stonecrest Overlay	Removed
210-4 - Milstead Historic Overlay	Removed
Chapter 214 - Standards Applying to All Distrcits	**New Article Section**
214-1 - Dimensional standards of zoning districts	5.3.1
214-2 - Building projections into yards	10.1
214-3 - Corner Lots	4.9
214-4 - Height Limits	10.2
214-5 - One principal use per lot	10.14
214-6 - Fences, walls, hedges	11.8
214-7 - Exterior building materials	10.5
214-8 - Minimum lot sizes	10.6
214-9 - Minimum space between buildings	10.7
214-10 - Uses requiring occupation tax and business license	Removed
214-11 - Truck stops prohibited	Removed
214-12 - Business license requirements	Removed
214-13 - Mailbox support structures	10.8
214-14 - Architectural Design Standards	10.5
Chapter 218 - Use Regulations	**New Article Section**
218-1 - Table of Permitted Uses	5.2, 6.2, 7.2
218-2 - Special event permits	9.9.4
218-3 - 218-6 - Reserved	Removed
218-7 - Accessory Use Standards	5.2.3, 6.2.3, 9.8
218-8 - 218-11 - Reserved	Removed
218-12 - Purpose and Intent	Removed
218-13 - Standards of use & development	9
218-14 - 218-9 - Reserved	Removed
218-20 - Telecommunication General	9.6
218-21 - Scope of Regs	9.6
218-22 - Application requirements & standards	9.6
218-23 - Requirements for all telecommunications facilities	9.6
218-24 - District regulations	9.6
218-25 - Decisions	9.6
218-26 - Conflicts	9.6

218-27 - 218-29 - Reserved	Removed
218-30 - Small Wireless General	9.6
218-31 - Permits Small Wireless	9.6
218-32 - Removal, relocation, reconditioning, replacement, & abandonment	9.6
218-33 - Standards Small Wireless	9.6
218-34 - 218-39 - Reserved	Removed
Chapter 222 - Parking	**New Article Section**
222-1 - General Requirements	15.1
222-2 - Parking space requirements	15.2
222-3 - Reduction in minimum parking requirements	15.2.4
222-4 - Parking structures	15.3
222-5 - Handicap accessible parking	15.2.5
222-6 - Bicycle Parking	15.5.1
222-7 - Construction & Dimensional requirements of parking areas	15.6.1
222-8 - Driveways	15.6.2
222-9 - Landscaping in parking lots	15.6.3
222-10 - Lighting in parking lots	15.6.4
222-11 - Parking vehicles in residential districts	15.1.4
Chapter 226 - Off-Street Loading & Unloading Space	**New Article Section**
226-1 - Provision of off-street loading spaces	15.4.1
226-2 - Construction & dimensions of off-street loading spaces	15.4.2
226-3 - Dumpsters	Removed
Chapter 230 - Sign Regulations	**New Article Section**
230-1 - Short Title	Removed
230-2 - Findings & Purpose	20.1.1
230-3 - Effect of provision & administration	20.1.2
230-4 - Definitions	Removed
230-5 - Applicability	20.1.3
230-6 - Permit Application	20.2.1
230-7 - Sign permit fees	20.2.2
230-8 - Permit approval, denial, or revocation	20.2.3
230-9 - Permit expiration	20.2.4
230-10 - Measurements & computation	20.3
230-11 - Construction & maintenance of signs	20.4
230-12 - Illumination of signs	20.5
230-13 - Electronic signs	20.6.1
230-14 - Prohibited signs & sign devices	20.7
230-15 - Vehicle signs	20.6.2
230-16 - Temp Signs	20.6.3
230-17 - Signs exempt from permitting	20.6.8
230-18 - Flags	20.6.4
230-19 - Signs for specific uses	20.6.5
230-20 - Sign table	20.6.6

230-21 - Billboards	Removed
230-22 - Variances	20.9
230-23 - Nonconforming & obsolete signs	20.6.7
230-24 - Enforcement & Penalties	20.8
230-25 - Severability	20.10
Chapter 234 - Nonconformities	**New Article Section**
234-1 - Statement of intent & pupose	19.4.1
234-2 - Nonconforming use of land	19.4.2
234-3 - Nonconforming lot of record	19.4.3
234-4 - Nonconforming use of land & buildings in combination & nonconforming use of land & structures in combination	19.4.4
234-5 - Nonconforming characteristics of buildings & structures	19.4.5
234-6 - Nonconforming uses requiring special use permit	19.4.6
234-7 - Reconstruction	19.4.7
234-8 - Buildings & Structures	19.4.8
234-9 - Buildings & Structures where	19.4.8
234-10 - Prior authorization	19.4.8
234-11 - Reversions and changes	19.4.9
234-12 - Area extensions prohibited	19.4.10
234-13 - Sign provisions	19.4.11
Chapter 238 - Procedures	**New Article Section**
238-1 - Administrative Bodies	17.1
238-2 - BOC	17.2
238-3 - PC	17.3
238-4 - Amendments	18.4, 18.5, 18.6
238-5 - Developments of Regional Impact	18.3
238-6 - Special use permits	18.7
238-7 - BOA	17.4
238-8 - Appeals	18.10
238-9 - Variances	18.8
238-10 - Variance to the requirements of flood damage prevention	Removed
238-11 - Burden of proof in appeals and variances	18.8.4
238-12 - Effect of decisions of BOA	Removed
238-13 - Appeals of decisions of the BOA	18.10
238-14 - Administrative variances	18.9
238-15 - Conditional approval & alterations to conditions	18.11
238-16 - Orientation & Continuing Education	17.5
238-17 - Conflict of interest	17.6
238-18 - Disclosure of campaign contributions	18.1.4
Chapter 302 - Subdivision & Site Development	**New Article Section**
302-1 - Purpose	16.1
302-2 - Short title	Removed
302-3 - 302-7 - Reserved	Removed
302-8 - Subdivision & site design	16.2

302-9 - Design of lots	16.2.10
302-10 - Streets & driveways	13.1
302-11 - Monumentation	16.2.11
302-12 - Property numbering	10.9
302-13 Community mailboxes	10.10
302-14 - 302-19 - Reserved	Removed
302-20 - Application & authority	16.2.3
302-21 - DRI	18.3
302-22 - Subdivisions not requiring preliminary plat	16.2.4
302-23 - Subdivisions requiring preliminary plat	16.2.5
302-24 - Site development plans	16.2.7
302-25 - Approval of development conformance to subdivision	Removed
302-26 - Final plat approval	16.2.9
302-27 - Procedures for revising a final plat	16.2.15
302-28 - Guarantees and Sureties	16.10
302-29 - 302-33 - Reserved	removed
302-34 - Construction Plans	removed
302-35 - Effect of construction plan approval	removed
302-36 - Initiation of development activities	16.4
302-37 - Development inspections	19.2.2
302-38 - Stop work order	19
302-39 - 302-43 - Reserved	removed
302-44 - Land disturbance permits	16.4.3
302-45 - Process for approval of LDP	16.4.5
302-46 - Issuance of LDP	16.4.7
302-47 - Expiration of permit	16.4.7
302-48 - Flood area permit	14.2.2
302-49 - Building permits	16.5.2
302-50 - Driveway permits	13.1.3
302-51 - Swimming pool permit	9.8.9
302-52 - Moved-in house	removed
302-53 - Certificate of Completion or Certificate of occupancy	16.8
302-54 - 302-60 - Reserved	removed
302-61 - Preliminary plats	16.2.8
302-62 - Site development plans	Removed
302-63 - Buffer plan & tree protection & replacement plan	12
302-64 - Grading plan	13.1.7
302-65 - Street, sidewalk, and bicycle improvement plan	13.1.9
302-66 - Final plat specifications	16.2.9
302-67 - As-built drawings	14.5.4(F)
302-68 - Structure location plans	16.2.9
302-69 - Reserved	removed
302-70 - Private Streets & Gated Standards & Procedures	13.1.14 & 13.2
302-71 - Design and construction standards	13.2
302-72 - Gate installation	13.1.14
302-73 - Property associations required	16.2.18
302-74 - Private street parcel	13.2.1(I)

302-75 - Construction and maintenance cost	13.2.1 (I)(7)
302-76 - Water & Sewer	Not Captured
302-77 - Plans and inspections	13.2.1 (G)
302-78 - Waiver of services	Not Captured
302-79 - Petition to convert public streets	13.2.2
302-80 - Hold harmless	13.2.1 (I)(6)
302-81 - Sidewalks	13.1.9
302-82 - Drainage & Stormwater	13.2.1 (D)
302-83 - 302-84 - Reserved	removed
Chapter 306 - Soil & Erosion	**New Article Section**
306-1 - Title	14.6
306-2 - Definitions	3.3
306-3 - Exemptions	14.6.2
306-4 - Minimum requirements for erosion & sedimentation control using best management practices	14.6.3
306-5 - Application & Permit process	14.6.4
306-6 - Inspection & Enforcement	19
306-7 - Penalties & Incentives	19
306-8 - Education & certification	14.6.5
306-9 - Administrative appeal, judicial review	18
306-10 - Effectivity, validity, and liability	14.6.6
Chapter 310 - Stormwater	**New Article Section**
310-1 - Definitions	3.3
310-2 - Pollution & littering	Removed
310-3 - Penalty for violation	19
310-4 - 310-10 - Reserved	Removed
310-11 - Illicit discharge & Illegal Connections Purpose & Intent	14.7
310-12 - Applicability	14.7.1
310-13 - Responsibility for administration	14.7.1C
310-14 - Prohibitions	14.7.2
310-15 - Industrial or construction activity discharges	14.7.3
310-16 - Access and Inspection of properties & facilities	19
310-17 - Notification of accidental discharges and spills	14.7.4
310-18 - Violations and Penalties	19
310-19 - 310-30 - Reserved	removed
310-31 - PostDevelopment SW Management Purpose and Intent	14.5.7
310-32 - GSMM adoption and implementation	14.5.3
310-33 - Designation of stormwater director	removed
310-34 - Applicability criteria for SW management standards	14.5.2
310-35 - Exemptions from SWM Standards	14.5.2
310-36 - Stormwater Management Standards	14.5.3
301-37 - Pre-submittal meeting, SW concept plan, SWM requirements	14.5.6
310-38 - Application fee	14.5.8
310-39 - Application procedures	14.5.5

310-40 - Compliance with approved SWM plan	14.5.10
310-41 - Inspections to ensure plan compliance	14.5.10
310-42 - Final inspection; as-built drawings, delivery of inspection & maintenance agreement	14.5.10
310-43 - Violation & Penalties	19
310-44 - Maintenance by owner of SWM systems predating current GSMM	14.5.10
310-45 - Inspection and maintenance guarantees	14.5.10
310-46 - Right of entry for maintenance inspections	14.5.10
310-47 - Owners failure to maintain the SWM system	14.5.10
310-48 - 310-100 - Reserved	removed
310-101 - Stream Buffer Protection Purpose & Intent	14.3.1
310-102 - Applicability	14.3.2
310-103 - Land development stream buffer requirements	14.3.5
310-104 - Exemptions	14.3.4
310-105 - Variances	18
310-106 - Additional info requirements for development on buffer zone properties	14.5.10
310-107 - Inspections	14.3.6
310-108 - Violations, penalties, and enforcement	19
310-109 - Compatibility with other buffer regs and req.	removed
310-110 - Responsibility for damages	14.6.6
310-111 - 310-130 - Reserved	removed
310-131 - SW Utility Findings	14.8.1
310-132 - Definitions	14.8.2
310-133 - SW Utility and enterprise fund establishment	14.8.3
310-134 - Scope of responsibility for SWM systems and facilities	14.8.4
310-135 - SW Service Area	14.8.5
310-136 - Use fee charges	14.8.6
310-137 - SW User fee charge rates	14.8.7
310-138 - SW User fee charge exemptions	14.8.8
310-139 - SW User fee charge credits	14.8.9
310-140 - Enforcement methods & inspections	14.8.10
310-141 - SW User fee charge billing, delinquencies, collections, adjustments	14.8.11
310-142 - Appeals, hearings	18.10
Chapter 320 - Flood Damage Prevention	**New Article Section**
320-1 - Introduction	14.4.1
320-2 - General Provisions	14.4.1
320-3 - Permit procedures and requirements	14.4.2(D)
320-4 - Standards for development	14.4.3
320-5 - Provisions for flood damage reduction	14.4.4
320-6 - Variance and appeal procedures	18
320-7 - Violations, enforcement, and penalties	19
Chapter 324 - Environmental Planning Criteria	**New Article Section**

324-1 - Protection of groundwater recharge areas	Article 14
324-2 - Protection of Wetlands	14.2
324-3 - Protected river corridor regulations	14.3
Chapter 328 - Buffers, Landscaping, & Trees	**New Article Section**
328-1 - Screening requirements and transitional buffers	11.1
328-2 - Supplemental plantings in transitional buffers	11.2
328-3 - Non-vegetative screening	11.3
328-4 - Disturbance or encroachments	11.4
328-5 - Protection during land disturbing activities	11.5
328-6 - Location and width of transitional buffers	11.6
328-7 - Outdoor screening	11.7
328-8 - 328-13 - Reserved	removed
328-14 - Landscaping, Tree Protection & Replacement Short title	12.1
328-15 - Authority, findings, purpose, and intent	12.1.1
328-16 - Administration	12.1.2
320-17 - Exemptions	12.1.3
320-18 - Permit procedures, application and plan review	12.1.4
320-19 - Landscape and tree protection and replacement plan requirements	12.1.5
320-20 - Landscape and tee protection and replacement review procedures	12.1.5
320-21 - Density requirements	12.2.1
320-22 - Tree protection standards	12.3
320-23 - Tree replacement and landscape standards	12.4
320-24 - Requirements of single and two-family residential subdivision developments	12.4.2
320-25 - Requirements for other developments	12.4.3
320-26 - Specimen trees	12.3.2
320-27 - Maintenance period for all developments	12.5.1
328-28 - Performance Bonds	16.10
328-29 - Tree replacement fund for alternative compliance	12.5.2
328-30 - Inspections	Article 19
328-31 - Remedial care of trees and tree save areas	12.5.3
328-32 - Suspension, revocation, and modification of permits, stop-work orders, and citations	Article 19
328-33 - Tree topping	12.5.4
328-34 - Fees	14.5
328-35 - Appeals of decisions of administrative officials	18.10
328-36 - Administrative guidelines	14.1
328-37 - Timber harvesting	12.6
Chapter 332 - Public Improvements	**New Article Section**
332-1 - Street classification and ROW requirements	13.1.1
332-2 - Access Management	13.1.2 & 13.1.13
332-3 - Driveway design standards	13.1.3
332-4 - Requirements for new streets and roadways	13.1.4

332-5 - Street intersections	13.1.5
332-6 - Geometric street design standards	13.1.6
332-7 - Street construction standards and specifications	13.1.7
332-8 - Curbs and gutters	13.1.8
332-9 - Sidewalks and bikeway requirements	13.1.9
332-10 - Traffic calming devices	13.1.10
332-11 - Traffic control devices	13.1.11
332-12 - Unpaved county roads	13.1.12
332-13 - 332-15 - Reserved	Removed
332-16 - Drainage system requirements	10.4.1
332-17 - Bridges and concrete box culverts	10.4.2
332-18 - Walls	11.8.3
332-19 - 332-23 - Reserved	removed
332-40 - Street Lighting Authority and Responsibility	10.11.1
332-41 - Applicability	10.11.2
332-42 - Procedures	10.11.3
332-43 - Creation of district	10.11.4
332-44 - Costs and Assessments	10.11.5
332-45 - Standards of installation and operation	10.11.6
Chapter 336 - Impact Fees	**New Article Section**
336-1 - Short title, authority, and applicability	16.11
336-2 - Findings, purpose and intent	16.11
336-3 - Rules of construction and definitions	16.11
336-4 - Imposition of development impact fees	16.11
336-5 - Fee assessment and payment	16.11
336-6 - Deposit and expenditure of fees	16.11
336-7 - Credits	16.11
336-8 - Refunds	16.11
336-9 - Private contractual agreement	16.11
336-10 - Periodic review and amendments	16.11
336-11 - Administrative appeals	16.11
336-12 - Enforcement and Penalties	16.11
336-13 - Fee schedule	16.11

Article 1: General Provisions

1.1 Title.

Subpart B shall be officially known as "The Unified Development Ordinance of Rockdale County, Georgia" and may be referred to herein as “this Code,” or “UDO,” or “this Ordinance.”

1.2 Purpose.

The UDO is enacted by the Board of Commissioners in order to promote the public health, safety, and welfare of current and future residents of Rockdale County, Georgia and to implement the Rockdale County Comprehensive Plan. The UDO is intended to achieve the following purposes:

A. To guide and regulate the orderly growth, development, redevelopment, and preservation of Rockdale County in accordance with the adopted comprehensive plan and with long-term objectives, principles, and standards deemed beneficial to the interest and welfare of the people.
B. To protect the established character and the social and economic well-being of both private and public property.
C. To promote, in the public interest, the efficient utilization of land.
D. To promote the preservation of open space.
E. To provide for adequate light, air, convenience of access, and safety from fire, flood, and other dangers.
F. To reduce or prevent congestion in the public streets.
G. To facilitate the creation of a convenient, attractive, and harmonious community.
H. To encourage an aesthetically attractive environment, both built and natural, and to provide for regulations that protect and enhance these aesthetic considerations.
I. To provide a basis for establishing the future need for law enforcement and fire protection, transportation, water, sewage, flood protection, schools, parks, recreational facilities, and other public facilities and services.
J. To protect against the destruction of, or encroachment upon, historic areas.
K. To protect against overcrowding of land, undue density of population in relation to the community facilities existing or available, obstruction of light and air, danger and congestion in travel and transportation, and loss of life or health from fire, flood or other danger.
L. To encourage economic development activities that provide desirable employment and enlarge the tax base.
M. To ensure the perpetual conservation, preservation, and enjoyment of the unique natural and physical resources of the county, including forested areas, watersheds,

streams, viewsheds, and archaeological sites and the protection of water quality as the county grows.

N. To achieve compliance with all applicable state and federal laws and regulations.
O. To provide for and promote housing for all income groups and all citizens within the county.
P. To establish high quality standards for buildings, land development, and subdivision regulations for the protection of the environment and the security of buyers and users of developed property in Rockdale County.
Q. To provide adequate and safe construction standards for streets, sidewalks, drainage, utilities, and other public improvements.
R. To provide a method of administration and procedure that ensures due process and equal protection for the citizens and property owners of Rockdale County.
S. To establish a just balance between the rights of owners of property and the public interest of all the citizens of Rockdale County.
T. To provide for protection of the constitutional rights and obligations of all citizens within the county.
U. To provide penalties for violations and remedies for enforcement hereof; and for other purposes.

1.3 Authority.

This UDO is enacted based on the authority vested in Rockdale County by the State of Georgia, including but not limited to the Georgia Constitution Article IX, Section 2, Paragraph IV, the Zoning Procedures Law, O.C.G.A. Chapter 36-66-1 et seq, as amended.

1.4 Jurisdiction.

The provisions of this UDO shall apply to all properties, public and private, within unincorporated Rockdale County, Georgia and shall govern the use and development of land. No use shall commence and no existing use shall be changed except in conformity with this UDO. No land, water body, or structure shall be used or reused, no structure shall be erected, and no existing structure shall be moved, relocated, added to, enlarged, or altered except in conformity with this UDO.

1.5 Application of Ordinance.

A. Minimum Requirements.
    1. The provisions of this UDO are intended to be minimum requirements, unless otherwise specified. Where the provisions of this UDO impose greater restrictions than other ordinances, the provisions of this UDO shall prevail. Where the provisions of another ordinance impose greater restrictions, the other ordinance shall prevail.
B. Conflicting Provisions.

1. These regulations are not intended to abrogate, annul, repeal, or in any way impair or interfere with the existing provisions of other public laws, ordinances, or regulations, unless otherwise specified. Where these regulations conflict with other provisions of County laws, ordinances and regulations, the more restrictive requirements shall apply.
2. The enforcement and interpretation of this UDO shall not be affected by deed restrictions, covenants, private agreements, or easements to which the County is not a party other than those made as a condition of approval under this UDO, other ordinances, or any predecessor ordinances.
3. The issuance of any approval, certificate, or permit in accordance with the standards and requirements of this UDO shall not relieve the recipient of such approval, certificate, or permit from the responsibility of complying with all other applicable requirements from any other city, county, state, or federal agency having jurisdiction over structures or land for which the approval, certificate, or permit was issued.
4. If any provision of this UDO is inconsistent with Georgia or federal law, the more restrictive provision shall control, to the extent permitted by law.

C. Delegation of Authority. The head of an agency or department or other officer referenced in this UDO may authorize subordinates to perform any action or duty which such officer is authorized to perform under this UDO unless the terms of the provision or section specify otherwise. In the event of a vacancy, the individual serving in a supervisory or acting capacity may delegate such authority as necessary to carry out the provisions of this UDO.

D. Effective Date.
    1. The provisions of this Code become effective October 1, 2026 upon adoption. Likewise, the term “Effective Date” shall refer to any subsequent adoption of any amendments.

E. Severability.
    1. It is the intent of the Board of Commissioners to adopt each and every provision of this Unified Development Ordinance. In the event any provision is found to be unenforceable, it is the intent of the Board of Commissioners that the reviewing Court give said provision the broadest legally permissible interpretation. In the event that a provision is found to be unconstitutional or unlawful and not otherwise amenable to a narrowing constriction, it is the intent of the Board of Commissioners that the offending language be severed, and all remaining and independent provisions of this UDO remain in full force and effect.

1.6 Transitional Provisions.

A. Purpose.
    1. The following transitional provisions shall apply to various activities, actions, and other matters pending, approved, or occurring as of: October 1, 2026.

B. Violations Continue.
    1. Any violation of previous regulations shall continue to be a violation under this UDO and be subject to penalties and enforcement under this UDO unless the use, development, or activity complies, in its entirety, with the provisions of this UDO. The prosecution of violations which occurred under previous ordinances shall continue until resolved.

C. Prior legal nonconformities and nonconforming uses.
    1. Any use, structure, site condition, or property that was legally nonconforming under prior ordinances shall be considered a legal nonconformity under this UDO as long as the situation that resulted in the legal, nonconforming status under the previous ordinance continues to exist. The provisions of Section 19.4, Legal Nonconformities, shall be applicable to all nonconformities that existed prior to adoption of this UDO. Any use, site condition, structure, or property that was previously legal, nonconforming that becomes conforming because of adoption of this UDO shall no longer be considered a nonconformity, provided that all applicable provisions of this UDO are complied with.

D. Approved or Existing Special Use Permits, Rezonings, and Variances
    1. Any rezoning (i.e. legislative decision), special use permit (i.e. quasi-judicial decision), or Board of Adjustment-issued variance (i.e. quasi-judicial decision) lawfully approved prior to the effective date of this Ordinance remains valid and in effect. In the event of any inconsistency between an approved variance and the requirements of this Ordinance, development in accordance with the approved variance shall be permitted.
    2. Any administrative variance lawfully approved prior to the effective date of this Ordinance remains valid and in effect, subject to the period of validity per Section 18.9.
    3. Any use, in legal existence prior to October 1, 2026, and still in legal existence and in compliance with all regulations on October 1, 2026, that is now subject to special use permit approval under this Ordinance shall be deemed to have special use permit approval. Any expansion of such use shall require a new special use permit approval in compliance with applicable procedures.

E. Pending Special Use Permit, Rezoning, and Variance Applications
    1. Any activity for which a valid and complete rezoning (i.e. legislative decision), special use permit (i.e. quasi-judicial decision), or Board of

Adjustment variance (i.e. quasi-judicial decision) application, authorized by a previous ordinance, has been received prior to the adoption of this Ordinance, may proceed to completion of the respective legislative or quasi-judicial review process, subject to the provisions in effect at the time of acceptance.

F. Approved or Existing Permits (e.g. building permits, sign permits, and similar permit approvals)
    1. The adoption of this Ordinance shall not be construed to affect the validity of any permit lawfully issued prior to October 1, 2026, so long as:
        a. Such permit has not expired by its own terms;
        b. Actual construction or use activity commenced prior to the expiration of such permit and in compliance with existing regulations as of the date of adoption of this Ordinance; and
        c. Actual construction or use activity is carried on pursuant to said permit and limited to and in strict accordance with said permit.
    2. Any future change in the use or development of the property or any structure thereon, including any discretionary modification to the permit, shall conform with the most recent version of this UDO.

G. Pending Permit Applications (e.g. building permits, sign permits, and similar permits)
Any development for which a valid and complete application for a Permit has been received prior to October 1, 2026, may, at the applicant's option, proceed to completion, and obtain subsequent customary permits, occupational tax certificates, certificates of completion or occupancy and other authorizations subject to the provisions in effect prior to October 1, 2026.

H. Approved or Existing Preliminary and Final Plats
    1. Nothing contained herein shall require any changes to a preliminary plat, final plat, boundary line adjustment, or lot combination plat lawfully approved prior to October 1, 2026, subject to expiration provisions in place prior to October 1, 2026.

I. Pending Preliminary and Final Plat Applications
    1. Any development for which a valid and complete application for a preliminary plat, final plat, boundary line adjustment, or lot combination plat has been received prior to October 1, 2026, may, at the applicant's option, proceed to completion of the respective review process, subject to expiration provisions in place prior to October 1, 2026.

J. Approved Land Disturbance Permits and other developmental approvals
    1. The adoption of this Ordinance shall not be construed to affect the validity of any permit lawfully issued prior to October 1, 2026, so long as:
        a. Such permit has not expired by its own terms;
        b. Actual construction or development activity commenced prior to the expiration of such permit; and

c. Actual construction or development activity is carried on pursuant to said permit and limited to and in strict accordance with said permit.

2. Any future change in the use or development of the property or any structure thereon, including any discretionary modification to the permit, shall conform with the most recent version of this UDO.

K. Pending Land Disturbance Permit Applications and other developmental approvals

1. Any development for which a valid and complete application for a land disturbance permit or site development plan has been received prior to October 1, 2026, may, at the applicant's option, proceed to completion of the respective review process, subject to expiration provisions in place prior to October 1, 2026.

L. Conditions of Approval

1. In some cases, those conditions were imposed by action of the Board of Commissioners to apply specifically to an approved decision and in some cases, those conditions reference the text of a prior zoning ordinance which specifically applies as a condition of rezoning and incorporated into the text of the rezoning condition.
2. It is the intent under this UDO to incorporate and maintain those same conditions as they apply to those certain properties although conditions may reference a prior zoning ordinance.
3. Enforcement of those conditions shall remain in full force and effect under this ordinance as it was under the ordinance in effect at the time the zoning districts and conditions were adopted. In those cases where the requirements of this Ordinance conflict with a specific condition of approval, the condition shall supersede the requirements of this Ordinance. If a previously approved development, site plan, or condition does not address a particular development standard or requirement of this ordinance, the new standard or requirement of this ordinance shall apply.
4. In no event shall these zoning conditions imposed thereon be considered nonconforming as that term is defined and used in this UDO. However, any amendments to the aforesaid zoning conditions applicable thereto applied for after the adoption of this ordinance shall be subject to and governed by the procedures, requirements, and restrictions of this UDO.

M. Concurrent Application Provision

1. If a development or building activity requires a series of applications (e.g., land disturbance permit, variance, building permit, occupational tax certificate, etc.), and at least one complete application was lawfully filed prior to the Effective Date of this UDO, then, at the applicant's request, all

concurrent or related applications necessary to complete the same development or building activity may be reviewed under the ordinance in effect at the time the first application was deemed complete, provided that:

a. Same owner/applicant. The property owner and applicant remain the same as identified in the vested application. A change in ownership/applicant terminates this provision unless a written assignment and assumption of the vested application is filed with the Director of Planning and Development within sixty (60) days of the change, expressly agreeing to be bound by the same plans and procedures.
b. Substantial conformity. Each related application implements the same development plans or building activity shown in the vested submittal (e.g., approved or reviewed site plan) and does not materially increase intensity, change the proposed use, or alter key conditions.
c. Filing window (sunset). All related applications must be filed within twenty-four (24) months from the approval date of the concurrent application request. The Director of Planning and Development may grant one written extension of up to twelve (12) months based on continued diligent pursuit of project development. The filing window is tolled for periods of county or external agency-caused delay, a duly adopted moratorium, or a court-ordered stay, as documented in the record. Change of ownership/applicant shall not constitute grounds for a time extension.
d. Identification. Related applications authorized under this section shall be identified during review of the vested application or included in the documentation submitted with it (e.g., a development site plan that demonstrates the intent for such applications).
e. Compliance standard. Related applications shall be approved if they comply with the prior ordinance referenced above and all applicable conditions of approval for the vested application.
f. Expiration. If the applicant fails to obtain the specified application approvals for the development project or building activity in a timely manner, as required in Subsection C (above), the applicant may complete the applicable approval phase subject to the previous Ordinance. However, any subsequent phases of listed development applications shall be subject to an additional surcharge of 50% of the original application fee per application type.

1.7 Delegation of Duties

Duties. Without limitation, the directors of planning and development, stormwater management, transportation, and water resources (or their designees) shall ordinarily administer and enforce the provisions of this Ordinance. The aforementioned directors, as they may be charged by the chief executive officer, shall administer duties and responsibilities as referenced in Table 1.7 below:

Table 1.7: UDO Department Duties Matrix				
Legend: R = plan/project reviewing body D= decision making body I = issues official code interpretations A = code administration				
Application/Process/Code Administration	**Planning**	**Stormwater**	**Transportation**	**Water**
Article 2	I, A, D			
Articles 4 - 9	R, I, A, D			R
Article 10 (excluding Secs 10.4, 10.8, 10.10, & 10.11)	R, I, A, D			
Article 10 – Secs: 10.4, 10.8, 10.10, & 10.11 only			R, I, A, D	
Article 11 (excluding Secs 11.4, & 11.5)	R, I, A, D			
Article 11 - Secs :11.4, & 11.5)		R, I, A, D		
Sec. 11.8	R, I, A, D	R, I, A, D		R
Article 12 (excluding Sec. 12.1.5-12.1.8; 12.2; 12.3; 12.4; 12.5; & 12.6)	I, A			
Article 12		I, A, D		
Article 13	R		R, I, A, D	

Article 14		R, I, A, D		R
Article 15	R, I, A, D		R	
Article 16 (excluding Secs: 16.4, 16.5.4, 16.5.5, & 16.10)	R, I, A, D	R	R	R
Article 16 - Secs: 16.4, & 16.10)	R	R, I, A, D	R	R
Article 16 - Secs: 16.5.4 & 16.5.5)	R			R, I, A, D
Articles 17	I, A			
Development of Regional Impact	A, R		R	R
Comprehensive Plan Amendment	I, A, R	R	R	R
Rezoning	I, A, R	R	R	R
Administrative Variance	R, I, A, D			
BOA Variance	I, A, R			
Stream Buffer Variance		I, A, R		
Zoning Text Amendment	I, A, R			
Non-zoning Text Amendments		I, A, R	I, A, R	I, A, R
Special Use Permit	I, A, R	R	R	R
Appeals	R	R	R	R
Article 19	A	A	A	A
Article 20	R, I, A, D			

1.8 Adoption of Certain Codes.

A. Pursuant to O.C.G.A. § 8-2-25 and other applicable authority, the latest edition of each of the following Georgia State Minimum Standard Codes, as adopted and amended by the Georgia Department of Community Affairs (“DCA”), including any re-naming of such codes when adopted by DCA, shall be applicable and enforced within unincorporated Rockdale County:

1. International Building Code.
2. International Fuel Gas Code.
3. International Mechanical Code.
4. International Plumbing Code.
5. International Fire Code.
6. International Energy Conservation Code.

7. International Residential Code.
8. International Property Maintenance Code.
9. National Electrical Code.

B. In each of the codes referenced above, when reference is made to the duties of certain officials named in the codes, the county officer who has duties corresponding to those of the named official in the code shall be deemed to be the county officer responsible for enforcing the provisions of the code.

Article 2: Establishment of Districts

2.1 Establishment of Districts.

In order to regulate, restrict, and segregate the use of land, buildings, and structures; to regulate and restrict the height and bulk of buildings and the area of yards and other open spaces surrounding buildings; to regulate intensity of development; and to implement the intent of this Ordinance, unincorporated Rockdale County, is hereby divided into the following zoning districts:

Residential	
AR	Agricultural Residential District
PV	Preservation Village District
CRS	Collaborative Residential Subdivision District
R-1	Single-Family Residential District
MR	Multi-Family Residential District
Mixed-Use	
MXD	Mixed-use Development District
Commercial	
CC	Community Commercial District
OI	Office Institutional District
C-1	Local Commercial District
C-2	General Commercial District
Industrial	
M-1	Light Industrial District
M-2	General Industrial District
Special Purpose	
WP	Watershed Protection District
PUD	Planned Unit Development District

2.2 Zoning Map.

The "Official Zoning District Map for Rockdale County," which may be referred to herein as “Zoning Map,” with all appendices, notations, references and other information shown thereon, shall be the official map and is incorporated by this reference and hereby made part of Article 2 of this UDO. The Official Zoning Map adopted concurrently with this Ordinance shall be dated as of the same date and signed by the Rockdale County Clerk. Said map shall be made a public record and shall be kept permanently in the Department of Planning and Development of Rockdale County, where the maps or accurate reproductions thereof, will be accessible to the general public. Certified copies of said map shall be prepared by the Rockdale County Clerk, upon request.

2.3 Zoning District Boundary Interpretations.

Where uncertainty exists with respect to the boundaries of any of the districts as shown on the Official Zoning Map for Rockdale County, the following rules shall apply:

A. Unless indicated, the district boundaries are intended to approximately follow property lines, land lot lines, centerlines of streets, highways, alleys or railroads, and they shall be construed to follow such lines.
B. Where district boundaries are approximately parallel to the centerlines of streets, highways, railroads, right-of-way of the same, or the centerlines of streams, reservoirs, other bodies of water, or said lines extended, such district boundaries shall be construed as being parallel thereto and at such distance there from as indicated on the official zoning maps. If no distance is given, such dimensions shall be determined by the Director of Planning and Development using the scale shown on the official zoning maps.
C. In case the exact location of a boundary cannot be determined by the foregoing methods, the Board of Commissioners shall, upon application, determine the location of the boundary pursuant to a regularly advertised public hearing.
D. Existing Lots of Record with Split Zoning Designations
    1. It is highly recommended that an owner of property containing split zoning districts, apply for a rezoning (zoning map amendment) to eliminate multiple zoning designations.
    2. No new parcel with split zoning districts shall be created. A property boundary line may be created to eliminate the existing split zoning districts, provided the proposed parcels meet the minimum lot requirements for each zoning district.
    3. When a parcel is split by a zoning district boundary, each such portion of the parcel shall be used only for the uses authorized within the zoning district that each such portion is classified.
    4. These provisions do not apply to mixed-use or multi-parcel development comprised of different zoning districts.

E. Zoning Verification. Upon request, the Director of Planning and Development shall have authority to issue written zoning verifications stating the existing zoning of a particular parcel of property. Requests to the director shall be made in writing, accurately identifying the property, and accompanied by a fee established by the Board of Commissioners.

2.4 Relationship to Comprehensive Plan.

A. Land use role of the Comprehensive Plan.

1. The Comprehensive Plan is hereby established as the official policy of the County concerning designated land uses and development types, under which the unincorporated areas of the County are divided into land use categories and character areas.

2. Rockdale County has adopted the Comprehensive Plan to include a Future Land Use Map and a Character Area Map. The two maps shall work in tandem with one another to provide guidance in the request for zoning map amendments. The Character Area map is mandated to identify the broad character of the landscape, including where limited growth is desirable, and areas where more intense development is preferred.

B. The land use categories and character areas established in the adopted Comprehensive Plan and shown on the Future Land Use Map are intended to guide legislative decisions related to rezoning requests and special use permits. Consistency between the Future Land Use Map and the Official Zoning Map is subject to the legislative zoning process, and may be phased in over time taking into account the criteria for zoning decisions set forth in this UDO. These land use categories are implemented through the approval of zoning map amendments to zoning districts identified in Table 2.4: Zoning Districts Permitted by Future Land Use Designations.

1. The Comprehensive Plan does not change existing zoning districts, does not effectuate an amendment to the Official Zoning Map, and does not itself permit or prohibit any specific land use. Rather, the Comprehensive Plan establishes broad planning policies for current and future development and identifies land use categories within which certain zoning districts may be considered.
2. The Future Land Use Map represents the general location and intensity of future land uses and is intended to assist staff, the Planning Commission, and the Board of Commissioners in evaluating the appropriateness and compatibility of existing development, proposed rezonings, and special use permits.

3. Zoning districts that may be approved within each land use category shall be limited to those identified in the table of zoning districts permitted within each land use category contained in this section.

Table 2.4: Zoning Districts Permitted by Future Land Use Designations												
	Future Land Use Designations											
Permissible Zoning District	Water/Watershed Protection	Parks and Natural Resources	Low Density Residential/Agriculture	Medium Density Residential	High Density Residential	Neighborhood Commercial	Commercial	Mixed-Use/Employment Center	Historic Village	Office/Institutional	Light Industrial	Technology Park
Agricultural Residential (AR)		X	X									
Preservation Village (PV)		X	X						X			
Collaborative Residential Subdivision (CRS)		X	X						X			
Single-Family Residential (R-1)		X	X	X								
Multi-Family Residential (MR)				X	X							
Mixed-Use Development (MXD)		X	X	X	X	X	X	X	X	X	X	X
Community Commercial (CC)					X	X	X		X			
Office Institutional (O-I)						X	X	X		X	X	X
Local Commercial (C-1)						X	X		X			

General Commercial (C-2)							X	X		X		
Light Industrial (M-1)								X			X	X
General Industrial (M-2)										X	X	X
Planned Unit Development (PUD)	X	X	X	X	X	X	X	X	X	X	X	X
Watershed Protection (WP)	X	X	X									

2.5 District Conversions.

Zoning districts established under prior Rockdale County ordinances are hereby renamed as the zoning districts set forth in Table 2.5. On and after the Effective Date, all provisions of this UDO applicable to a zoning district shall govern properties previously classified in the corresponding zoning district. All references in any prior approvals or documents to the former zoning district shall be construed to refer to the new zoning district name and designation. This renaming does not change any previously approved boundaries, conditions, or entitlements.

Table 2.5: District Conversions	
Base and Special Purpose Zoning District Conversions	
Zoning Districts under previous UDO	**Zoning Districts under new UDO**
A-R, Agricultural- Residential	AR, Agricultural Residential District
CSD, Conservation Subdivision Development District	CRS, Collaborative Residential Subdivision
CRS, Collaborative Residential Subdivision	
CSO, Conservation Subdivision Ordinance	PV, Preservation Village District
R-1, Single-family residential district	R-1 Single-Family Residential District
R-2, Two-family (duplex) residential district	MR, Multi-Family Residential District
RM, Residential multifamily district	
MRU, Mixed residential multi-family district	MXD, Mixed-Use Development District
C-1, Local Commercial District	C-1, Local Commercial District
C-2, General Commercial District	C-2, General Commercial District
NC, Neighborhood Commercial	CC, Community Commercial District
MxD, Mixed-use development district	MXD, Mixed-Use Development District
OPB, Office-business Park district	OI, Office Institutional District
O-I, Office-Institutional District	
CID, Civic-Institutional District	
W-P, Watershed Protection District	WP, Watershed Protection District

M-1, Limited Industrial District	M-1, Light Industrial District
M-2, General Industrial District	M-2, General Industrial District
--	PUD, Planned Unit Development District
Overlay District Conversions	
Overlay Districts under previous UDO	**Overlay Districts under new UDO**
Salem Road Corridor Overlay (SRCO) Stonecrest Area Overlay District Milstead Historic Area Overlay District	Salem Road Corridor Overlay District (SRCO) Housing Corridor Overlay District

2.6 De-annexed Properties.

A. De-annexations of property from a municipality shall be processed in accordance with O.C.G.A. §36-36-22, as amended, and any other applicable provisions of Georgia law.
B. Property de-annexed from a municipality in Rockdale County shall automatically be deemed to be zoned to the least intense zoning district in Rockdale County that permits the current use and intensity of the subject property at the time of de-annexation; provided, however, that official action to rezone such property shall be taken within sixty (60) days of the effective date of such de-annexation.
C. Such de-annexation shall be reflected on the future land use map of the Rockdale County Comprehensive Plan and a future land use designation shall be assigned to de-annexed property by the department based on the following standards:
    1. The future land use category shall take into consideration the land use classification of adjacent properties as shown on the adopted future land use map of the Rockdale County Comprehensive Plan.
    2. The future land use category shall be consistent with the zoning district assigned in subsection B.
D. Property owners of property proposed for de-annexation may present an application for amendment to the comprehensive plan and amendment of the official zoning map; however, no final action shall be taken on such application until de-annexation has occurred. Any such application shall be considered based on the standards and procedures of the Rockdale County Comprehensive Plan and this UDO.

Article 3: Rules for Construction and Language Interpretations

3.1 Rules for Construction of Language.

When used in this ordinance, the following terms and phrases shall have the meanings provided herein, subject to Section 3.3 (Definitions). The meaning of terms not defined in this ordinance

shall be as defined by the most recent edition of A Planners Dictionary from the American Planning Association. All remaining words used in this ordinance are intended to have the commonly accepted definitions contained in the most recent edition of the Merriam-Webster dictionary.

3.2 Rules for Interpretation.

3.2.1 Rules of interpretation.

A. Words used in the present tense include the future tense. Words used in the singular include the plural; and words in the plural include the singular; words used in the masculine gender include the feminine and are intended to be gender neutral.
B. The words "shall," “will,” and “must” are always mandatory, and the words "may" and “should” are permissive.
C. The word “and” indicates that all connected items, conditions, provisions, or events apply. The word “or” indicates that one or more of the connected items, conditions, provisions, or events may apply.
D. The word "person" includes a firm, association, organization, partnership, trust, company, entity, or corporation, as well as an individual.
E. The word "used" or "occupied," as applied to any land or building, shall be construed to include the words "intended," "arranged," or "designed to be used or occupied."
F. The word "erected" shall be deemed also to include "constructed," "reconstructed," "altered," "moved" or "placed."
G. The word "land use" and "use of land" shall be deemed also to include "building use" and "use of building."
H. Unless otherwise specified, all distances shall be measured along a straight line, horizontally.
I. Unless indicated otherwise, reference to zoning districts refer to the most recent copy of the "Official Zoning Map for Rockdale County, Georgia." Whenever reference is made to a resolution, ordinance, statute, regulation, or document that reference shall be construed as referring to the most recent edition of such regulation (as amended), resolution, ordinance, statute, regulation, or document or to the relevant successor document, unless otherwise expressly stated.
J. In case of any difference of meaning, conflict, or implication between the text of this Ordinance and any heading, drawing, table, figure, or illustration, the text shall control.
K. Unless otherwise specifically indicated, lists of items or examples that use terms such as "including," "such as," or similar language are intended to provide examples; not to be exhaustive lists of all possibilities.
L. Whenever reference is made to a public official's title or name of a public agency, that reference shall be construed as referring to the most up-to-date title or agency name, or to the relevant successor official or agency.

M. All references to "days" are to Rockdale County Government business days unless otherwise expressly stated. The time in which an act is to be done shall be computed by excluding the first day and including the last day. If the last day is a Saturday, Sunday, or holiday observed by Rockdale County Government, that day shall be excluded.

3.2.2 Rules for interpreting uses.

A. Uses not Specifically Listed.

1. Any use not specifically listed is expressly prohibited unless the Director of Planning and Development determines that the use is similar to a permitted use listed in this UDO using the criteria in this Section below. Where the similar permitted use is subject to any supplemental use standard contained in Article 9 or subject to a special use permit, the proposed use shall also be subject to such standard and/or permit approval.
2. The Director of Planning and Development shall apply the following criteria in determining whether an unlisted use is comparable to a listed use for the purposes of interpreting and regulating a use in accordance with the provisions herein:
    a. The actual or projected characteristics of the activity in relationship to the stated characteristics of each group of uses; and,
    b. The relative amount of site area or floor space and equipment devoted to the activity; and,
    c. The existence, number and frequency of residents, customers, or employees; and,
    d. The types of equipment and processes to be used; and,
    e. Hours of operation; and,
    f. Building arrangement and programming; and,
    g. Parking demands associated with the use; and,
    h. The relative number of vehicle trips generated; and
    i. Other factors deemed relevant, as set forth in the Rockdale County Comprehensive Plan.
3. If a use can reasonably be classified in multiple categories, sub-categories, or specific use types, the Director of Planning and Development shall categorize the use in the category, sub-category, or specific use type that provides the most exact, narrowest, and appropriate match.
4. Where a use not listed is found by the Director of Planning and Development not to be in a category, sub-category, or specific use type, the use shall be permitted only following a text amendment to this UDO.
5. Decisions of the Director of Planning and Development regarding use interpretations may be appealed to the Board of Adjustment, in accordance with the procedures of Sec. 18.10 (Appeals).

3.2.3 Rules of precedence.

A. The following rules set forth the order of precedence that determines which definition applies in a specific instance within the provisions of the UDO:
    1. When definitions are provided within an individual chapter, article, or section of the UDO, those definitions are to be applied within said chapter, article, or section. If the same term or phrase is also defined in this section, the definition in section 3.3, Definitions, shall not apply in that instance.
    2. When no definitions are provided within an individual chapter, article, or section of the UDO, words and phrases used in the UDO shall have the meaning established by the definitions provided in section 3.3.
    3. In the event of a conflict, ambiguity, or uncertainty regarding the applicable definition, the appropriate subject matter Director shall determine the prevailing definition. In making such determination, the Director shall consider the intent of the UDO, the context in which the term is used, consistency with related provisions, and the purpose of the regulation being applied. The Director's determination shall be final unless otherwise provided by law.

3.3 Definitions.

As used in the UDO, the following terms shall have the meaning set forth below, except where otherwise specifically set forth in Section 3.2.3, Rules of precedence.

Absorption field: A configuration of absorption trenches installed in a portion of land and used for the absorption and final treatment of wastewater.

Abutting: Touching at any point or along a common boundary or property line. Properties separated by a street or right-of-way are adjacent, but not abutting.

Accessory building: See Building, accessory.

Accessory Dwelling Unit: A residential dwelling unit, but not a mobile home, located on the same lot as a single-family dwelling unit. Secondary dwelling units shall be developed in accordance with the standards set forth in the UDO and only in those zoning districts where the use is listed as a special review use. The secondary dwelling is in conjunction with, and clearly subordinate to, a primary dwelling unit on the same lot.

Accessory ground sign: A ground sign which is secondary and subordinate in size and appearance to a primary ground sign.

Accessory structure: See Structure, accessory.

Accessory use: See Use, accessory.

Accidental discharge: A discharge prohibited by ordinance, which occurs by chance, and without planning or thought prior to occurrence.

Acre: A unit of area equal to 43,560 square feet.

Addition (to an existing building): Any walled and roofed expansion to the perimeter or height of a building.

Adjacent: Located near or next to another property, including properties separated by a street, alley, easement, or other right-of-way, but may not share a common boundary or property line.

Adjacent to an interstate highway: Located within 250 feet of the nearest outer edge of the pavement of Interstate 20 within the county, regardless of the existence of intervening streets or lots.

Administrative official: Any member of the Department of Planning and Development, Department of Transportation, Department of Stormwater Management, or Department of Water Resources when exercising the duties authorized in the UDO.

Adult: Any competent individual 18 years of age or older.

Adult day center: A facility serving aging adults that provides adult day care or adult day health services for compensation to three or more persons.

Adult entertainment establishment: See Rockdale County Code of Ordinances, chapter 22, article V.

Aging adults: Persons 60 years of age or older or mature adults below the age of 60 whose needs and interests are substantially similar to persons 60 years of age or older who have physical or mental limitations that restrict their abilities to perform the normal activities of daily living and impede independent living.

Aggregate: Washed gravel or washed stone meeting the GDOT standards for hardness or other materials approved by the GDOT.

Agriculture: Raising, harvesting, or storing of products of the field or orchard; feeding, breeding, or managing livestock or poultry; producing or storing feed for use in the production of livestock or poultry; growing plants, sod, and trees for sale; the production of horticultural, diary, poultry, eggs, and apiarian products.

Agri-tourism: An agriculturally based operation or activity, conducted on a farm, that is open to the general public or invited guests for direct-to-consumer sales, agricultural education, hospitality, recreation, and/or entertainment.

Aggrieved party: A person who can demonstrate that their property will be specially damaged by a decision of a county official or board involved in the enforcement of the UDO.

Air or gas filled device: An inflatable sign using forced air or other gas to support its structure. Air or gas filled devices may require the use of a power source to remain inflated.

Airport: A transportation terminal facility where aircraft take off and land, usually including hangars, facilities for refueling and repair, and various accommodations for passengers.

Airstrip, private: An area designated for the landing of private, noncommercial aircraft with no terminal facilities and no scheduled takeoffs and landings.

Alley: See Street classifications.

Alteration: Any change, addition or modification in construction or type of occupancy; any change in the structural members of a building, such as walls, partitions, columns, beams, girders, doors, windows, means of ingress or egress, or any enlargement to, or diminution of a building or structure, whether horizontally or vertically, or the moving of a building from one location to another.

Alternative on-site sewage management system: Any approved on-site sewage management system which differs in design or operation from the conventional or chamber septic tank.

Alternative tower structure: Manmade trees, clock towers, bell steeples, light and power poles, water storage tanks, outdoor advertising signs and similar alternative design mounting structures that effectively camouflage the presence of antennas or towers and are compatible with and resemble the scale of the surrounding natural setting and/or structures.

Animal services, limited: A use that provides grooming or training services for dogs, cats, or other small domestic animals, where animals are not boarded, housed overnight, or kept on the premises except during service hours.

Animal services, general: A use that provides animal care or handling services beyond those classified as limited animal services, including boarding, daycare, overnight care, breeding, or similar activities for dogs, cats, or other animals, and where animals may be kept on the premises outside normal service hours.

Animated sign: A sign or portion of a sign which changes physical position by any movement including rotation; or which gives the visual impression of movement; or which displays blinking, flashing or varying intensity of light.

Antenna: Any exterior apparatus designed for wireless telecommunication, radio, or television communications through the sending and/or receiving of electromagnetic waves.

Antenna, amateur radio: A freestanding or building-mounted device, intended for airway communication purposes by a person holding a valid amateur radio (HAM) or Citizens Band (CB) license issued by the Federal Communications Commission.

Antenna, satellite: A specific device, the surface of which is used to transmit and/or receive radio frequency signals, microwave signals, or other signals transmitted to or from other antennas.

Apartment: A multi-family dwelling held through a lease or rental agreement.

Apartment, efficiency: An apartment consisting of two or fewer rooms, not including a separate bedroom.

Apiary: A place where one or more managed colony(s) or hive(s) is located. An apiary consists of managed honeybee colony(s) or hive(s) that are kept in a structure(s) intentionally provided by the beekeeper for honeybee housing. Apiary classes defined:

A. Class A: Up to 6 colonies per parcel
B. Class B: 7 to 14 colonies per parcel
C. Class C: 15 or more colonies per parcel

Appeal: A request for a review to hear and decide where it was alleged there was an error in any order, requirement, permit, decision, determination, or refusal made by any officer of Rockdale County in the enforcement of the UDO.

Applicant: A person or entity that submits an application under this UDO, including a property owner or a duly authorized agent of the owner.

Application: A document and associated documentation filed by any person seeking approval to undertake any activity regulated by Rockdale County.

Aquifer: Any stratum or zone of rock beneath the surface of the earth capable of containing or producing water from a well.

Area of future-conditions flood hazard: The land area that would be inundated by the one-percent-annual-chance flood based on future-conditions hydrology (100-year future-conditions flood).

Area of shallow flooding: A designated AO or AH Zone on a community's flood insurance rate map (FIRM) with a one percent or greater chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

Area of special flood hazard: the land area subject to a one percent or greater chance of flooding in any given year. This includes all floodplain and flood prone areas at or below the base flood elevation designated as Zones A, A1-30, A-99, AE, AO, AH, and AR on a community's flood insurance rate map (FIRM).

Arterial: See Street classifications.

Authorized use: A use authorized in a zoning district pursuant to this UDO.

Automobile: A motorized vehicle with two axles and not more than six wheels, designed for carrying ten passengers or less and used for the transportation of persons.

Automobile impound lot: A facility that provides temporary outdoor storage for automobiles that are to be claimed by title holders or their agents. No vehicle shall be stored at said facility for more than 30 days and must remain mechanically operable and licensed at all times.

Automobile repair services, major: General repair, rebuilding, or reconditioning of engines, motor vehicles or trailers, including body work, framework, welding, major painting services, and the dismantling, crushing, or recycling of motor vehicles or vehicle components. This is distinguished from a salvage yard.

Automobile repair services, minor: The replacement of any part or repair of any part of an automobile or light truck that does not require removal of the engine head or pan, engine transmission or differential; incidental body and fender work, minor painting, and upholstering service.

Awning: A shelter projecting over a window or door that is attached to the exterior wall of the building over a window or door that extends from the exterior wall of a building and is supported by or attached to a frame.

Balloon: An inflatable device typically made of latex, vinyl or mylar using forced air or other gas to support its structure.

Banner: A type of temporary sign made of fabric or similar material, intended to be hung either with or without a frame.

Bar: Uses that cater primarily to adults, 21 years of age and older and that sell and serve beer, wine, or alcoholic liquor for on-premises consumption as their principal business. Typical uses include bars, taverns, brewpubs, and tasting rooms.

Barber pole, traditional: A type of wall sign utilized by a licensed barber, made of a striped vertical cylinder which may rotate and may have a ball on top.

Base flood: The flood having a one percent chance of being equaled or exceeded in any given year, also known as the 100-year flood.

Base flood elevation: The highest water surface elevation anticipated at any given location during the base flood.

Basement: That portion of a building that is partly or completely below grade and has at least six and one-half feet vertical interior clearance from floor or grade to ceiling or underside of structure.

Beacon: A stationary or revolving light which flashes or projects single color or multi-colored illumination, in any manner which does or is intended to attract or divert attention, providing this term shall not include any lighting device required by regulations prescribed by the Federal Aviation Administration or similar government agencies.

Beekeeper(s): A person(s) who maintains beehives of honeybees and the extraction of honey from beehives.

Bed and Breakfast: (B&B) owner-operated lodging establishment that offers overnight accommodation and breakfast, and in accordance with the standards set forth in the UDO and only in those zoning districts where the use is listed as a special review use.

Berm: An earthen mound designed to screen undesirable views, reduce noise, or fulfill other such purposes.

Best management practices (BMPs): These include sound conservation and engineering practices to prevent and minimize erosion and resultant sedimentation, which are consistent with, and no less stringent than, those practices contained in the 'Manual for Erosion and Sediment Control in Georgia' published by the commission as of January 1 of the year in which the land-disturbing activity was permitted.

Bike lane: A paved lane on a street or roadway that is reserved by pavement marking and/or signs for the exclusive use by bicycles.

Block: A piece or parcel of land entirely surrounded by public highways or streets, other than alleys.

BMP landscaping plan: A design for vegetation and landscaping that is critical to the performance and function of the BMP, including how the BMP will be stabilized and established with vegetation. It shall include a layout of plants and plant names (local and scientific).

Board: Board of Commissioners of Rockdale County.

Board of adjustment: The Rockdale County Board of Adjustment, formerly known as the Rockdale County Board of Zoning Appeals.

Board of Commissioners: The Rockdale County Board of Commissioners.

Boulevard: See Street classifications.

Buffer, transitional: That portion of a lot set aside for open space and visual screening purposes, pursuant to applicable provision of this ordinance, to separate different use districts, or to separate uses on one property from uses on another property of the same use district or a different use district.

Buffer, state waters: The area of land immediately adjacent to the banks of state waters in its natural state of vegetation, which facilitates the protection of water quality and aquatic habitat, as referenced in O.C.G.A. § 12-2-8.

Buildable area: The area of a lot remaining after the minimum front, side and rear yard setback requirements of the zoning district have been met.

Building: Any structure having a roof and supported by columns or walls, intended for the shelter, enclosure, or support of persons, animals, or property.

Building, accessory: A building detached from the principal building located on the same lot and customarily incidental and subordinate in area, extent, and purpose to the principal building or use.

Building, elevated: A non-basement building which has its lowest elevated floor raised above the ground level by foundation walls, shear walls, posts, piers, pilings, or columns.

Building permit: See Permit, building.

Building, principal: A building in which the main or dominant use of the lot is conducted, on which such building is situated.

Building wall: An exterior loadbearing or non-loadbearing vertical structure that encompasses the area between the final grade elevation and eaves of the building and used to enclose the space within the building.

Caliper: The diameter measurement of a tree in inches measured six inches above ground. When the tree caliper is greater than six inches, the diameter measurement shall be made at breast height (four and one-half feet) and shall be called diameter at breast height (DBH).

Cambium: Tissue within the woody portion of trees and shrubs which gives rise to the woody water and nutrient conducting system, and the energy substrate transport system in trees. Cambium growth activity results in a tree's radial development, i.e., increase in diameter.

Cambial dieback: The irreparable radial or vertical interruption of a tree's cambium, usually caused by mechanical damage, such as "skinning bark"; or from excessive heat.

Campground: See Recreational vehicle parks and campgrounds.

Canopy: A roof structure constructed of rigid materials, including, but not limited to, metal, wood, concrete, plastic, or glass, which is attached to and supported by a building, or which is free-standing and supported by columns, poles or braces extended to the ground. Unlike an awning, a canopy is generally supported by vertical elements rising from the ground at two or more corners.

Canopy sign: A type of wall sign affixed to, superimposed on or painted on any canopy, which is a roof-like structure extended over a sidewalk or walkway or vehicle access area.

Capital improvement: An improvement with a useful life often years or more, by new construction or other action, which increases the service capacity of a public facility.

Capital improvements element: A component of the Rockdale County Comprehensive Plan that sets out projected needs for system improvements during the planning horizon established therein, a schedule of capital improvements that will meet the anticipated need for system improvements, and a description of anticipated funding sources for each required improvement, as most recently adopted or amended by the county Board of Commissioners.

Car wash, conveyor: A commercial car wash where the car moves on a conveyor belt during the wash. The driver of the vehicle can remain in the vehicle or wait outside of the vehicle.

Car wash, in-bay automatic: A commercial car wash where the driver pulls into the bay and parks the car. The vehicle remains stationary while a machine moves back and forth over the vehicle to clean it, instead of the vehicle moving through the tunnel.

Car wash, self-service: A commercial car wash where the customers wash their cars themselves with spray wands and brushes.

Cellar: That portion of a building that is partly or completely below grade and has a height less than six and one-half feet.

Cemetery: Any plot of ground, churchyard, building, mausoleum, or other enclosure used for the burial of deceased persons.

Cemetery, pet: Property used for the interring of dead domestic animals.

Cemetery, private: Any plot of ground, building, mausoleum, or other enclosure used for the burial of deceased persons of one collateral line of descent.

Center line of street: See Street, centerline of.

Certified personnel: A person who has successfully completed the appropriate certification course approved by the Georgia Soil and Water Conservation Commission.

Chairman: Chairman of the Rockdale County Board of Commissioners.

Channel: A natural or artificial watercourse with a definite bed and banks that conducts continuously or periodically flowing water.

Child: Any person under 18 years of age.

Childcare learning center: Any place operated by a person, society, agency, corporation, institution, or group wherein are received for pay for group care, for fewer than 24 hours per day without transfer of legal custody, 19 or more children under 18 years of age and which is

required to be licensed by Bright from the Start, Georgia Department of Early Care and Learning.

Clean Water Act (CWA): The Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), and any subsequent amendments thereto.

Clear cutting: The clearing or removal of trees from a site in a manner contrary to the best management practices of the Georgia Forestry Commission, except as consistent with activity authorized by a development permit or building permit.

Clearing: The removal of trees and brush from the land but not including removing roots and stumps or the ordinary mowing of grass.

Clerk: The clerk serving the Board of Commissioners of Rockdale County, Georgia.

Clinic: A medical or dental establishment where patients, who are not lodged overnight, are admitted for examination and treatment.

Club, private: A noncommercial establishment organized for a common purpose to pursue common goals, interests, or activities and usually characterized by certain membership qualifications, payment of fees and dues, regular meetings, and a constitution or bylaws.

Collateral: Belonging to the same ancestral stock but not in a direct line of descent.

Collector: See Street classifications.

Colleges, universities, and professional schools: Establishments primarily engaged in furnishing academic courses and granting degrees at baccalaureate or graduate levels.

Co-location: The placement of the antennas of two or more service providers upon a single tower or alternative tower structure.

Columbarium: A structure or building substantially exposed above ground intended to be used for the interment of the cremated remains of deceased persons.

Combination, lot: The process of legally joining two lots of record to form a single conforming lot in accordance with this UDO, with or without re-subdivision of such lots.

Commencement of construction: Initiation of physical construction activities as authorized by a development or building permit.

Commercial use: An occupation, place of employment, or enterprise that is carried on for profit by the owner, lessee, or licensee.

Common plan of development (or larger common plan of development): A contiguous area where multiple separate and distinct construction activities will be taking place at different times on different schedules under one plan of development for sale.

Community water system (CWS): A public drinking water system permitted by the Georgia Environmental Protection Division per chapter 391-3-5 that serves at least 15 service connections used by year-round residents or regularly serves at least 25 year-round residents.

Community work program: The component of the Rockdale County Comprehensive Plan that lays out the specific activities the county plans to undertake during the five years following adoption of the plan.

Completion of construction: The issuance of the final certificate of occupancy or completion by the appropriate governmental jurisdiction. The date of completion is the date on which such certificate is issued.

Composting facility, municipal solid waste: An establishment converting municipal solid waste to humus through a controlled process of degrading organic matter by microorganisms.

Composting facility, yard trimmings: An establishment converting yard trimmings to humus through a controlled process of degrading organic matter by microorganisms. This definition does not include composting conducted on a residential lot for home gardening purposes.

Comprehensive plan: Any part or element of the overall plan for development adopted by the Board of Commissioners as provided by O.C.G.A. § 50-8-1 and DCA Regulations chapter 110-3-2, Minimum Standards and Procedures for Local Comprehensive Planning, including the future land use map and all other maps, exhibits, and appendices.

Concert: a public performance (as of music or dancing).

Conditional approval: The imposition of conditions in the grant of an application for approval of a rezoning, special use permit, variance, concept plan, preliminary plat, or permit that are in addition to or different from the regulations set forth in this land development ordinance and which are related to the promotion of the public health, safety, morals, or general welfare and designed to minimize the negative impact on surrounding property.

Condominium: A building, or group of buildings, in which dwelling units, offices, or floor areas are owned individually, and the structure, common areas, and facilities are owned by all the owners on a proportional, undivided basis.

Coniferous: Belonging to the group of cone-bearing evergreen trees or shrubs.

Construction activity: Activities including, but not limited to, activities subject to the Georgia Erosion and Sedimentation Control Act or NPDES General Construction Permits, such as clearing and grubbing, grading, excavating, and demolition. These include construction projects resulting in land disturbance, erecting new structures and buildings, as well as redevelopment, remodeling or modification of an existing building or structure.

Construction/demolition waste: Waste building materials and rubble resulting from construction, remodeling, repair, and demolition operations on pavements, houses, commercial buildings, and other structures. Such wastes include, but are not limited to asbestos containing waste, wood, bricks, metal, concrete, wall board, paper, cardboard, inert waste landfill material, and other non-putrescible wastes which have a low potential for groundwater contamination.

Construction, existing: Any structure for which "the start of construction" commenced before the effective date of these regulations.

Construction, new: Structures for which the "start of construction" commenced on or after the effective date of the UDO; other structures that are built on previously undeveloped land and are not additions or alterations.

Construction sequencing plan: A document noting the sequence of construction and identification of infiltration zones for protection during staged installation of permanent post-construction BMPs to ensure suitable site conditions such as avoiding soil compaction by heavy equipment in areas designated for infiltration BMPs.

Convention center: A large-scale commercial facility designed and operated for hosting conventions, conferences, trade shows, exhibitions, and similar events that typically attract regional or national attendance. Convention centers consist of one or more large assembly spaces, such as exhibition halls, auditoriums, and meeting rooms, and are specifically designed to accommodate high occupant loads and multiple concurrent events.

Cottage food consumer: A person who is a member of the public, who takes possession of food, is not functioning in the capacity of an operator of a food sales establishment or food processing plant, and does not offer the food for resale.

Cottage food operator: A person who produces cottage food products only in the home kitchen of that person's primary domestic residence and only for sale directly to the consumer.

Cottage food products: Non-potentially hazardous baked goods, jams, jellies, preserves, and other non-potentially hazardous foods produced in the home kitchen of a domestic residence.

County: Rockdale County, Georgia.

County arborist/urban forester: The agent of Rockdale County, having enforcement responsibilities under the UDO, and charged with the responsibility, as the designee of the Director of Stormwater, of approving all tree protection plans for land development or building construction in unincorporated Rockdale County required pursuant to the UDO.

CPESC: Certified Professional in Erosion and Sediment Control with current certification by EnviroCert, Inc., which is also referred to as CPESC or CPESC, Inc.

Cremation: As described in O.C.G.A. § 10-14-3 G, cremation includes any mechanical or thermal process whereby a deceased human being is reduced to ashes. Cremation also includes

any other mechanical or thermal process whereby human remains are pulverized, burned, re-cremated, or otherwise further reduced in size or quantity.

Crematory: A location containing properly installed, certified apparatus intended for use in the act of cremation.

Crisis Center: Crisis centers shall include the following subcategories:

A. Crisis Service Center (CSC): A facility providing short-term, time-limited crisis intervention, generally consisting of a single episode of care, designed to stabilize individuals and transition them to an appropriate level of service. CSCs are generally open twenty-four (24) hours per day, seven (7) days per week, and provide walk-in capacity for assessment, stabilization, and referral.
B. Crisis Stabilization Unit (CSU): A medically monitored, short-term residential program licensed by the Georgia Department of Behavioral Health and Developmental Disabilities (DBHDD) and designated as an emergency receiving and evaluating facility. A CSU provides psychiatric stabilization and detoxification services twenty-four (24) hours per day, seven (7) days per week. Where a CSU operates a CSC and/or temporary observation area in conjunction with the CSU, such components shall be considered part of the CSU.

Cul-de-sac: A local street or road with one outlet and having an appropriate terminal for the safe and convenient reversal of traffic movement.

Curb cut: The opening along the curb line or edge of pavement of a public street at which point a driveway begins for vehicular ingress and egress from a parcel.

Cut: A portion of land surface or area from which earth has been removed or will be removed by excavation; the depth below original ground surface to the excavated surface. Also known as excavation.

Dam: Any artificial barrier, including appurtenant works, which impounds or diverts water and which the improper operation or failure of such would result in probable loss of human life as determined pursuant to the Georgia Safe Dam Act, and which:

A. Is 25 feet or more in height from the natural bed of the stream or water course measured at the downstream toe or the lowest elevation of the outside limit of the barrier (whichever is lower) to the maximum water storage elevation; or
B. Has an impounding capacity at maximum water storage elevation of 100 acre-feet or more.
C. Any artificial barrier, including appurtenant works, constructed in conjunction with the reclamation of surface mined land, and meeting the requirements of subsection A above, and when improper operation or failure would result in probable loss of human life.

Data Management and Processing: Uses involving a building or premise in which the majority of the use is occupied by computers and/or telecommunications and related equipment, including supporting infrastructure, cooling systems, electrical systems, and water-based or energy-intensive processes, where information is processed, transferred and/or stored.

A. Data Center. A physical room, building, or facility that houses infrastructure for building, running, delivering, or transmitting technological applications and services, or for storing and managing the data associated with technological equipment, applications, systems or services.

Daycare: Uses providing care and supervision for children or adults away from their primary residence for less than 24 hours per day.

Small daycare. A daycare use for four (4) or fewer individuals.

Large daycare. A daycare use for five (5) or more individuals.

Deciduous tree: A tree that sheds its leaves annually.

Density: The total number of square feet of a building, or number of lots or dwelling units per acre of land unless specifically provided otherwise in the UDO.

Density, gross: The number of square feet of a building, or number of lots or dwelling units on a tract of land divided by the total acres of a parcel or tract of land prior to development or subdivision, including all streets or rights-of-way, open space, floodplain, and other un-subdivided or unused portions of the tract of land.

Density, net: The number of square feet, lots, or dwelling units on a tract of land, less area for streets, rights-of-way, open space, floodplain, and other un-subdivided or unused portions of the tract of land.

Design professional: A professional licensed by the State of Georgia in the field of: engineering, architecture, landscape architecture, forestry, geology, or land surveying; or a person that is a Certified Professional in Erosion and Sediment Control (CPESC) with a current certification by EnviroCert, Inc. Design Professionals shall practice in a manner that complies with applicable Georgia law governing professional licensure.

Detention: The temporary storage of stormwater runoff in a stormwater management facility for the purpose of controlling the peak discharge.

Detention facility: A permanent basin or structure designed for the detention of stormwater runoff and gradual release of stored water at controlled rates in accordance with the Georgia Stormwater Management Manual.

Developer: A person who undertakes land development activities.

Development: Any manmade change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, clearing, grubbing, grading, paving, any other installation of impervious cover, excavation, or drilling operations or and storage equipment or materials.

Development approval: Any written authorization, such as issuance of a building permit, land disturbance permit, or other approval for grading or site development, or other forms of official action required by local law or regulation which authorizes the commencement of construction.

Development impact fee: A payment of money imposed upon development as a condition of development approval to pay for a proportionate share of the cost of system improvements needed to serve new growth and development.

Land disturbance permit: An official authorization issued by the Director of Stormwater Management allowing clearing, grubbing, grading or other alteration of the site that entails land disturbance related to construction activities in compliance with the UDO.

DHR: The Georgia Department of Human Resources.

Diameter at breast height (DBH): A standard measure of the diameter of a tree trunk measured in inches at a height of four and one-half feet above the ground. If a tree splits into multiple trunks below four and one-half feet, then the trunk is measured at its most narrow point beneath the split.

Direct discharge: See Discharge, direct.

Distillery or winery: An establishment where wine or malt beverages are manufactured (brewed, rectified, or blended), bottled, packaged, and/or distributed for wholesale and/or retail distribution.

Double-faced sign: A sign which has two display areas against each other or where the interior angle formed by the display areas is 60 degrees or less, where one face is designed to be seen from one direction and the other face from another direction.

Drainage area: That area contributing runoff to a single point; measured in a horizontal plane that is enclosed by a ridge.

Drainage basin: An area defined by topography within which any water that falls is tributary to the specified watercourse as shown on an official map identifying the drainage basins existing within Rockdale County promulgated and maintained by the department of water resources.

Drainage easement: See Easement, drainage.

Drainage structure: A device composed of a virtually nonerodable material such as concrete, steel, plastic or other such material that conveys water from one place to another by intercepting the flow and carrying it to a release point for stormwater management, drainage control, or flood control purposes.

Dripline: A vertical line extending from the outermost edge of the tree canopy or shrub branch to the ground.

Driveway: A vehicular access, or curb cut that is in private ownership, except for that portion lying within the public right-of-way, and provides access primarily to one property.

Drug rehabilitation center: Structures and land used for treatment of drug abuse where neither meals nor lodging is provided.

Dry cleaning and laundry services: A business that provides for the cleaning of laundry and dry cleaning, excluding self-service, and contains on the premises, equipment necessary for the processing of laundry and dry cleaning.

Dumpster: A portable container used for temporary storage of garbage, trash, or other refuse or receptacle material that has a capacity of one cubic yard or more.

Dwelling: A building or portion thereof designed, arranged, or used principally for residential occupancy (not including buildings designed for transient use such as hotels and motels), and which complies with the provisions of the UDO and the International Building Code.

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, principal: The building that is used as the primary residence on a lot.

Dwelling, single-family: A dwelling structure that is designed for the use of one family.

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.

Dwelling, single-family barndominium style: A detached single-family dwelling designed for permanent occupancy and construed using post-frame, metal-frame, conventional wood frame, or similar building methods. The dwelling may include attached storage, workshop, garage, or hobby spaces within the same structure, provided the residential portion complies with all applicable building, fire, health, and zoning regulations.

Dwelling, single-family detached: A free-standing building designed for or containing one dwelling unit.

Dwelling, two-family (duplex): A single building designed for and containing two dwelling units located on one lot or one parcel of land.

Dwelling unit: One or more rooms, designed, occupied, or intended for occupancy as a separate living quarter, with cooking, sleeping and sanitary facilities provided within the dwelling unit for the exclusive use of a single housekeeping unit. Does not include rooms in a hotel, motel, boarding house, bed and breakfast, or extended stay hotel.

Dwelling, single-family zero lot line: A single-family dwelling unit erected as a detached dwelling unit with no required side and/or front setback on one side so as to allow the dwelling unit to be built on the property line but not attached to another dwelling.

Easement: An acquired legal right for the specific use of land owned by others.

Easement, access: An easement created for the purpose of providing vehicular or pedestrian access to or across a property.

Easement, conservation: A recorded agreement between a landowner and government agency or land trust that permanently protects open space or greenspace on the owner's land by limiting the amount and type of development that can take place but continues to leave the remainder of the fee interest in private ownership.

Easement, drainage: Land required for the installation of storm water sewers or drainage ditches and/or required for the preservation or maintenance of a natural stream or watercourse or other drainage facility.

Easement, utility: A grant by a property owner for the use of real property for the specified purpose of constructing and maintaining utilities; including, but not limited to sanitary sewers, water mains, electric lines, telephone lines, cable lines, storm sewer or storm drainage ways and gas lines.

Easement rights: An easement right which shall inure to the benefit of the county in the form of either: (i) a conservation easement in relation to the reservoir buffer area; (ii) a conservation easement in relation to water quality protection; or (iii) an ingress/egress easement.

Electric vehicle: Vehicle powered in full or in part by electricity and requiring to be charged periodically, with a maximum speed of at least 65 miles per hour, and in compliance with Title 49 of the Code of Federal Regulations, Section 571.

Electric vehicle battery exchange station: A facility where an electric vehicle can exchange its depleted battery for a fully charged battery.

Electric vehicle charging station: A stand-alone apparatus dedicated to the charging of electric vehicle batteries, by providing a connection to a power source.

Electric vehicle charging unit: A wall-mounted apparatus with an electrical outlet dedicated to the charging of electric vehicle batteries.

Electronic sign: A type of sign where the message may be changed at intervals by electronic process or by remote control. Electronic signs are generally internally illuminated.

Elevated building: A non-basement building which has its lowest elevated floor raised above the ground level by foundation walls, shear walls, posts, piers, pilings, or columns.

Encumber: To legally obligate by contract or otherwise commit to use by appropriation or other official act of Rockdale County, Georgia.

EPA: The U.S. Environmental Protection Agency, or where appropriate the term may also be used as a designation for the administrator or other duly authorized official of said agency.

EPD: A state agency, being a division within the Georgia Department of Natural Resources, charged with protecting Georgia's air, land, and water resources through the authority of state and federal environmental statutes.

EPD director: The director of the Environmental Protection Division of the Department of Natural Resources.

Equestrian training and sales facility: Establishments providing equestrian training and the sale of horses, mules, donkeys, and other equines and related tack or feed.

Erosion: The process by which land surface is worn away by the action of wind, water, ice or gravity.

Erosion, sedimentation and pollution control plan: A plan required by the Erosion and Sedimentation Act, O.C.G.A. Chapter 12-7, that includes, as a minimum protection at least as stringent as the State General Permit, best management practices, and requirements of this UDO.

Event center (or banquet hall): A facility, building, or site that is used primarily for hosting scheduled events such as weddings, receptions, parties, conferences, meetings, or similar gatherings. Event centers may include indoor and/or outdoor spaces.

Excess capacity: That portion of the capacity of a public facility or system of public facilities which is beyond that necessary to provide adequate service to existing development at the adopted level-of-service standard.

Existing manufactured home park or subdivision: See Manufactured home park, existing.

Expansion to an existing manufactured home park or subdivision: The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured

homes are to be affixed including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads.

Extended detention: The detention of stormwater runoff for an extended period, typically 24 hours or greater.

External illumination: Illumination device or system, independent of the sign face, projecting light primarily toward the sign.

Extreme flood protection: Measures taken to prevent adverse impacts from large low-frequency storm events with a return frequency of 100 years or more.

Facade: The exterior of a building extending the entire width of the building elevation.

Factory-built housing: Any structure, designed for residential use, that is wholly or in substantial part, made, fabricated, formed, or assembled in manufacturing facilities for installation or assembly on a building site. Factory-built homes include mobile homes, manufactured homes, and modular homes.

Farming, general: Any primary use of a tract or parcel of land for the purpose of raising for sale any types of agriculture products, nursery stock, including, but not limited to, soil crops, fish, fowl, silviculture, or livestock.

Feeder roots: A complex system of small annual roots growing outward and predominantly upward from the system of "transport roots".

Feepayer: That person or entity who pays a development impact fee, or his or her legal successor in interest where the right or entitlement to any refund of previously paid development impact fees which is required by this chapter has been expressly transferred or assigned to the successor in interest. In the absence of an express transfer or assignment of the right or entitlement to any refund of previously paid development impact fees, the right or entitlement shall be deemed "not to run with the land."

Fence: A constructed barrier of any material or combination of materials erected to enclose, screen, or separate areas.

Fill: A portion of land surface to which soil or other solid material has been added; the depth above the original ground surface or an excavation.

Final stabilization: All soil disturbing activities at the site have been completed, and that for unpaved areas and areas not covered by permanent structures and areas located outside the waste disposal limits of a landfill cell that has been certified by EPD for waste disposal, 100 percent of the soil surface is uniformly covered in permanent vegetation with a density of 70 percent or greater, or landscaped according to the plan (uniformly covered with landscaping materials in planned landscape areas), or equivalent permanent stabilization measures as defined

in the Manual (excluding a crop of annual vegetation and seeding of target crop perennials appropriate for the region). Final stabilization applies to each phase of construction.

Finished grade: The final elevation and contour of the ground after cutting or filling and conforming to the proposed design.

Flag: A piece of fabric or other flexible material intended to be attached to a flagpole or similar device.

Flea market: An occasional or periodic market held in an open area or structure where groups of individual sellers offer goods for sale to the public.

Flood (or flooding): A general and temporary condition of partial or complete inundation of normally dry land areas from:

A. The overflow of inland or tidal waters; or
B. The unusual and rapid accumulation or runoff of surface waters from any source.

Flood hazard boundary map (FHBM): An official map of a community, issued by FEMA, where the boundaries of the flood, mudflow, and related erosion areas having special hazards have been designated.

Flood insurance rate map (FIRM): An official map of a community, issued by FEMA, delineating the areas of special flood hazard and/or risk premium zones applicable to the community.

Flood insurance study (FIS): The official report by FEMA providing an examination, evaluation and determination of flood hazards and corresponding flood profiles and water surface elevations of the base flood.

Floodplain: Any land area susceptible to flooding, which would have at least a one percent probability of flooding occurrence in any calendar year based on:

A. The basin being fully developed as shown on the current land use plan or
B. The regulatory floodplain as defined by the National Flood Insurance Program (FEMA).
C. The more restrictive (wider) of either A or B, as described above, shall be used.

Flood pool area: The area lying between the 735 mean sea level (MSL) line and the 739.8 MSL line as established by the 100-year flood event.

Floodproofing: Any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

Floodway (or regulatory floodway): The channel of a stream, river, or other watercourse and the adjacent areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

Floor: The lower horizontal finished surface of each story in a building that is intended to support the contents of the building and its occupants.

Floor area, gross: The sum of the gross horizontal areas of the total number of finished floors of a fully enclosed building measured from the exterior faces of the exterior walls or from the centerline of walls separating two buildings; excluding cellar space, carports and garages, and any space where the floor-to-ceiling height is less than six and one-half feet.

Floor area, heated: The gross floor area of a dwelling or other building that is heated and intended for daily human activity, including hallways, stairs, and interior storage areas and closets.

Floor area ratio: The gross floor area of all buildings or structures on a lot divided by the total lot area.

Floor, lowest: The lowest floor of the lowest enclosed area, including basement. An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of other provisions of the UDO.

Floor, party: A floor in a multi-story building that is designed to provide required fire separation between two adjoining dwelling units that are constructed one above the other.

Flush toilet: A sanitary flushable fixture in general use for the disposal of human excrement.

Flyover barrier: A solid wooden fence, dense vegetation, or combination thereof that provides an obstruction that bees cannot fly through for the purpose of swarm prevention.

Forestry: Establishments primarily engaged in the operation of timber tracts, tree farms, forest nurseries, the gathering of forest products, or in performing forest services.

Freeway: A multiple-lane roadway carrying local, regional, and interstate traffic of relatively high volumes that permits access only at designated interchanges.

Freight or trucking terminal: A facility used for the receipt, transfer, short-term storage, and dispatch of goods transported by truck, including loading docks, trailer parking, fleet storage, and related administrative offices.

Frontage, building: The width in linear feet of each exterior wall of a building that faces a street or public right-of-way.

Frontage, road: The distance on which a parcel of land adjoins a public street or street right-of-way, including proposed streets within a subdivision of land approved by Rockdale County.

Fruit and vegetable market: An establishment engaged primarily in the retail sales of fresh fruits and vegetables. The term shall include permanent fruit and vegetable stands, fruit markets, permanent fruit stands, produce markets, permanent produce stands and vegetable markets.

Future-conditions flood: The flood having a one percent chance of being equaled or exceeded in any given year based on future-conditions hydrology. Also known as the 100-year future-conditions flood.

Future-conditions flood elevation: The highest water surface elevation anticipated at any given location during the future-conditions flood.

Future-conditions floodplain: Any land area susceptible to flooding by the future-conditions flood.

Future-conditions hydrology: The flood discharges associated with projected land-use conditions based on a community's zoning maps, comprehensive land-use plans, and/or watershed study projections, and without consideration of projected future construction of stormwater management (flood detention) structures or projected future hydraulic modifications within a stream or other waterway, such as bridge and culvert construction, fill, and excavation.

Future land use map: A map, formerly known as the Comprehensive Land Use Plan Map, prepared as part of the Rockdale County Comprehensive Plan prepared pursuant to O.C.G.A. § 50-8-1 and chapter 110-3-2, Minimum Standards and Procedures for Local Comprehensive Planning that divides land within the unincorporated area of Rockdale County into a series of land use categories and serves as guidance for rezoning decisions made pursuant to this UDO.

Garage, attached: A fully enclosed structure that shares a common roof with a dwelling unit or that adjoins a dwelling unit with a common wall along a distance of at least ten feet. Carports and other open or partially enclosed structures are not considered garages.

Garage/yard sale: A temporary sale of personal property, open to the public, conducted from or on a residential lot within a residential zoning district, for the purpose of disposing of household or personal items. This term includes, but is not limited to, sales commonly referred to as “garage,” “yard,” “lawn,” “attic,” “porch,” “room,” “backyard,” “patio,” “estate,” “rummage,” or similar sales, regardless of the name used. Any sale of similar character, scale, and duration shall be considered a garage/yard sale.

Garbage: See Solid waste.

Gasoline station: A facility that sells fuel for motor vehicles, including, but not limited to gasoline and diesel.

Gasoline station with convenience store: A gasoline station that includes a retail store that sells a limited line of groceries and household items.

General NPDES permit for construction activities: State issued National Pollutant Discharge Elimination System permit, regulating construction activities pursuant to subsection (f) of O.C.G.A. § 12-5-30, the "Georgia Water Quality Control Act".

General retail, small: Establishments of 3,000 square feet or fewer of gross floor area engaged in the sale or rental of goods for consumer or household use; excluding however, animal sales or services and building materials and/or supplies sales or rentals. Typical uses include the sale of consumer goods, art/craft objects, flower shops, gift shops, and boutiques.

General retail, 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.

Georgia Stormwater Management Manual: See Stormwater management manual.

Glamping: See Recreational vehicles park and campgrounds.

Governing authority: The Board of Commissioners of Rockdale County, Georgia.

Grade: A reference plane representing the average of finished ground level adjoining the building at all exterior walls. When the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line or between the building and a point six feet from the building, whichever is closer.

Grade, percentage of: The rise or fall of a slope in feet and tenths of a foot for each 100 feet of horizontal distance.

Grading: Altering the shape of ground surfaces to a predetermined condition; this includes stripping, cutting, filling, stockpiling, and shaping or any combination thereof and shall include the land in its cut and filled condition.

Green infrastructure: An interconnected natural system and/or engineered system that strengthens and mimics natural hydrologic functions and processes through the use of plants and soil to slow, filter, evapotranspiration and infiltrate runoff close to its source; or the capture and reuse of runoff.

Greenhouse: A building whose roof and sides are made largely of glass or other transparent or translucent material and in which the temperature and humidity can be regulated for the cultivation of plants for subsequent sale or personal enjoyment.

Greenspace: Permanently protected areas of a site that are preserved in a natural state meeting the standards of the Georgia Greenspace Program.

Greenway, stream: An area along the course of any state waters to be maintained in an undisturbed and natural condition for both recreation and conservation that may contain limited minor land disturbances, such as trails and picnic areas.

Gross vehicle weight rating (GVWR): The rating applied by a vehicle manufacturer, and represents the maximum total weight of vehicle, cargo, people, fuel, and other fluids together.

Ground elevation: The original elevation of the ground surface prior to cutting or filling.

Ground sign: A type of freestanding sign in which the entire bottom of the sign face or structure is permanently affixed and in contact with the ground, supported entirely by a base structure, and not mounted on a pole or attached to any part of a building.

Groundwater recharge area: Any portion of the earth's surface where water infiltrates into the ground to replenish an aquifer.

Grubbing: Removing roots and stumps from land that has been cleared but not grading.

Halfway house: A licensed home for inmates on release from more restrictive custodial confinement or initially placed in lieu of such more restrictive custodial confinement, wherein supervision, rehabilitation, and counseling are provided to mainstream residents back into society, enabling them to live independently.

Hardship: A condition of significant practical difficulty in using a lot because of physical problems relating solely to the size, shape, topography, or other physical condition of the lot in question. Hardship relates only to the physical characteristics of the property, not the personal circumstances of the owner or user, and shall not be self-imposed.

Hazardous material: Any substance that, because of its quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment if released into the workplace or the environment.

Hazardous waste: Any solid waste which has been defined as a hazardous waste in regulations, promulgated by the administrator of the United States Environmental Protection Agency pursuant to the federal act, which are in force and effect on February 1, 1988, codified as 40 C.F.R. Section 261.3.

Height: The vertical distance of a structure other than a building measured from the average elevation of the finished grade surrounding the structure to the highest point of the

structure. When referring to a telecommunications antenna it shall mean the vertical distance from the base of the antenna to the highest point of the tower, or any appurtenance attached to it.

Height, building: The vertical distance measured from the average elevation of the finished grade at the front of the building to the highest point of the roof if a flat roof; to the deck line of mansard roofs; and to the mean height level between eaves and ridge of gable, hip, and gambrel roofs. Does not include steeples, cupolas, decorative towers, antennas, and mechanical equipment attached to a building.

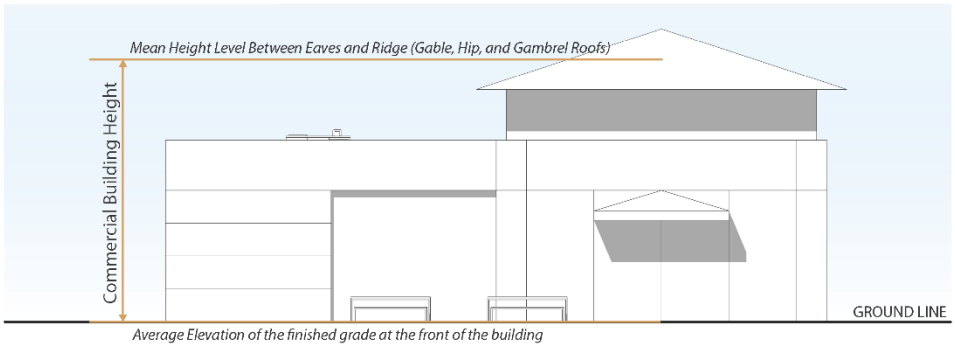


Figure 3.3.1 - Building Height.

Height, telecommunications facility: The vertical distance from grade to the highest point of the tower and its appurtenances, grade being the average level of the pre-existing or finished surface of the ground adjacent to the exterior of the tower, whichever is lower. When referring to a telecommunications antenna it shall mean the vertical distance from the base of the antenna to its highest point.

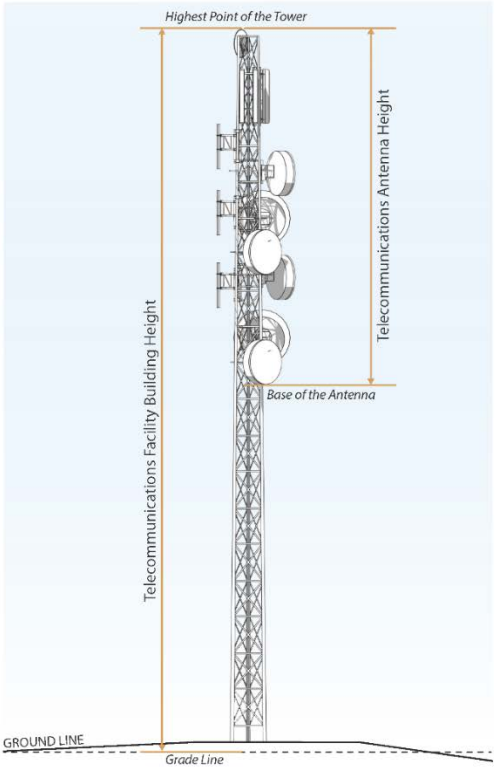


Figure 3.3.2 - Telecommunications Facility Height.

Hemp: the plant Cannabis sativa L. and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than 0.3 percent on a dry weight basis.

Hemp farming: The growing of hemp for agricultural purposes, as is sanctioned in State of Georgia law, §§ 2-23-1 — 2-23-12.

High-Capacity transit stop: A high-capacity transit stop is a designated location where transit vehicles designed to transport large volumes of passengers operate. These stops serve major public transportation modes such as Bus Rapid Transit (BRT), Arterial Rapid Transit (ART), Commuter Rail Transit (CRT), Light Rail Transit (LRT), and Heavy Rail Transit (HRT).

Highest adjacent grade: The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

Historic resources: Landmarks, districts, sites, structures, or buildings which have historic, cultural, or archaeological significance by virtue of being eligible for listing on the National Register of Historic places, listed as such by the state historic preservation office, or identified as such in the Rockdale County Comprehensive Plan.

Historic structure: Any structure that is:

A. Listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
B. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
C. Individually listed on a state inventory of historic places by states with historic preservation programs which have been approved by the Secretary of the Interior; or
D. Individually listed on a local inventory of historic places by communities with historic preservation programs that have been certified either:
    1. By an approved state program as determined by the Secretary of the Interior, or
    2. Directly by the Secretary of the Interior in states without approved programs.

Hive: A container designed for the purpose of beekeeping and includes modern, movable frames or combs so to allow for proper inspections and hive manipulations such as requeening and/or sampling.

Home occupation: An occupation customarily carried on by an occupant of a dwelling unit as a secondary use which is clearly incidental to the use of the dwelling unit for residential purposes and operated in accordance with this UDO.

Hospital: An establishment providing physical or mental health services, in-patient or overnight accommodations, and mental or surgical care of the sick or injured. Includes health clinics and sanatoriums.

Hotspot: A land use or activity on a site that has the potential to produce higher than normally found levels of pollutants in stormwater runoff. As defined by the stormwater director, hotspot land use may include gasoline stations, vehicle service and maintenance areas, industrial facilities (both permitted under the Industrial Stormwater General Permit and others), material storage sites, garbage transfer facilities, and commercial parking lots with high-intensity use.

Hydrologic soil group (HSG): A natural resource conservation service classification system in which soils are categorized into four runoff potential groups. The groups range from group A soils, with high permeability and little runoff produced, to group D soils, which have low permeability rates and product much more runoff.

Hydrology: The scientific study of the properties, distribution, and effects of water as a liquid, solid, or gas on the Earth's surface, in the soil and underlying rocks, and in the atmosphere.

Illegal connection: Either of the following:

A. Any pipe, open channel, drain or conveyance, whether on the surface or subsurface, which allows an illicit discharge to enter the county's separate storm sewer system including but not limited to any conveyances which allow any non-stormwater discharge including sewage, process wastewater, and wash water to enter the county's separate storm sewer system, regardless of whether such pipe, open channel, drain or conveyance has been previously allowed, permitted, or approved by an authorized enforcement agency; or
B. Any pipe, open channel, drain or conveyance connected to the county's separate storm sewer system, which has not been documented in, plans, maps, or equivalent records and approved by an authorized enforcement agency.

Illicit discharge: Any direct or indirect non-stormwater discharge to the county's separate storm sewer system, except as exempted in this UDO.

Impervious material: A material that water cannot pass through or be absorbed by.

Impervious cover or surface: Areas which significantly prevent or impede the natural infiltration of stormwater into the soil. Common impervious surfaces include, but are not limited to, rooftops, buildings, streets, roads, sidewalks, walkways, patio areas, driveways, parking lots, concrete and asphalt surfaces, storage areas, compacted gravel and soil surfaces, awning, and other fabric or plastic coverings, and other surfaces which prevent or impede the natural infiltration of stormwater runoff which existed prior to development. Impervious surface also includes unpaved graded aggregate base (GAB), or crusher run.

Impoundment: The water or liquid substance that is or will be stored by a dam - commonly referred to as the reservoir.

Inactivity: The absence of any substantive submittal, response, or action.

Incidental accessory building, or storage: An area used or intended for the storage of materials, refuse, or vehicles and equipment not in service. Storage areas shall not incorporate any other areas of project development such as parking areas, landscaping, and yard areas unless specifically authorized by the applicable land use regulations.

Individual assessment determination: A finding by the administrator that an individual assessment study does or does not meet the requirements for such a study as established by this chapter or, if the requirements are met, the fee calculated therefrom.

Individual assessment study: The engineering, financial, or economic documentation prepared by a feepayer or applicant to allow individual determination of a development impact fee other than by use of the applicable fee schedule.

Industrial activity: Activities subject to NPDES industrial permits as defined in 40 CFR, Section 122.26 (b)(14).

Industrial park: A tract of land subdivided and developed according to a comprehensive development plan in a manner which provides a landscaped setting for two or more industrial establishments.

Industrial stormwater general permit: The National Pollutant Discharge Elimination System (NPDES) permit issued by Georgia Environmental Protection Division to an industry for stormwater discharges associated with industrial activity. The permit regulates pollutant levels associated with industrial stormwater discharges or specifies onsite pollution control strategies based on Standard Industrial Classification (SIC) Code.

Industrialized building: Any structure or component thereof which is wholly or in substantial part made, fabricated, formed, or assembled in manufacturing facilities for installation or assembly and installation on a building site and has been manufactured in such a manner that all parts or processes cannot be inspected at the installation site without disassembly, damage to, or destruction thereof.

Industrialized home: A residential structure manufactured, in whole or in substantial part, in an off-site manufacturing facility as factory-built sections or components and transported to a building site for permanent installation on a site-built foundation, that is constructed in compliance with the Georgia State Minimum Standard Building Codes and approved by the Georgia Department of Community Affairs pursuant to O.C.G.A. § 8-2-111(3), as evidenced by a DCA insignia of approval. An industrialized home does not include a manufactured home constructed in accordance with the federal Manufactured Home Construction and Safety Standards, nor a structure constructed on or with a permanent chassis, as defined in 24 C.F.R. § 3280.902(a).

Infiltration: The process of percolating stormwater runoff into the subsoil.

Inspection and maintenance agreement: A written agreement providing for the long-term inspection, operation, and maintenance of the stormwater management system and its components on a site; or with respect to a land development project, which when properly recorded in the deed records constitutes a restriction or covenant on the title to a site or other land involved in a land development project.

Interior project directional sign: A sign located within a subdivision or planned center, intended to guide pedestrians and drivers.

Internal illumination: Illumination device or system attached to or integrated in the sign face. Includes backlit panels, neon and light boxes.

Intermodal terminal facility: An industrial establishment in which freight is transferred in containerized form from truck to railroad cars for transportation.

Junk: Any scrap, waste, reclaimable material, or debris, whether or not stored, for sale or in the process of being dismantled, destroyed, processed, salvaged, stored, baled, disposed, or other use or disposition.

Junked vehicle: Any wrecked or nonoperative dismantled or abandoned automobile, truck, boat, motorcycle, or similar device.

Junkyard: See Open yard storage business.

Kennel, hobby: An accessory use for the keeping of up to seven dogs or cats or other small animals or any combination thereof (except litters of animals of not more than six months of age) is carried on for the purpose of showing, training, or breeding. Such use specifically excludes any operation for which a fee or other compensation is charged and also excluded any commercial use.

Kennel, pet boarding: Any use where up to 21 dogs or cats or other small animals or any combination thereof (except litters of animals of not more than six months of age) are maintained for boarding, sitting, breeding, or similar purpose for a fee or other compensation is carried on. May also include Animal services, limited activities.

Kindergarten: A school for pre-elementary school children ages five and six.

Kiosk: A freestanding structure upon which temporary information and/or posters, notices, and announcements are posted or displayed electronically.

Kitchen facilities: A room used to prepare food containing, at a minimum, a sink and a stove, or oven.

Landscape strip: Land area located within the boundary of a lot and required to be set aside and used for landscaping upon which only limited encroachments are authorized.

Land disturbance: Any land or vegetation changes, including, but not limited to, clearing, grubbing, stripping, removal of vegetation, dredging, grading, excavating, transporting, and filling of land, that do not involve construction, paving or any other installation of impervious surface, but not including agriculture.

Land disturbance activity or activities: Any activity which may result in soil erosion from water or wind and the movement of sediments into state waters or onto lands within the state, including, but not limited to, clearing, dredging, grading, excavating, transporting, and filling of land. Land disturbing activity does not include agricultural practices as described O.C.G.A. § 12-7-17(5) or silvicultural activities as described O.C.G.A. § 12-7-17(6) within areas zoned for these activities.

Land disturbance permit: See Permit, land disturbance.

Land disturbance project: A single or phased discrete land disturbance undertaking.

Landfill: The term "landfill" shall include construction and demolition debris landfill, hazardous waste landfill, industrial waste landfill, inert waste landfill, monofill, sanitary landfill, and private landfill. The term "landfill" shall not include approved on-site disposal of inert waste at a building, land disturbing, or development site.

Landfill, construction, and demolition waste: A landfill in which construction and/or demolition waste is disposed. Construction/demolition waste means waste building materials and rubble resulting from construction, remodeling, repair and demolition operations on pavements, houses, commercial waste, wood, bricks, metal, concrete, wallboard, paper, cardboard, inert waste landfill material and other nonputrescible wastes which have a low potential for groundwater contamination.

Landfill, inert waste: A disposal facility regulated by department of natural resources accepting only wastes that will not cause production of leachate (a liquid that has passed through or emerged from solid waste and contains soluble, suspended, or miscible materials removed from such wastes) of environmental concern. Only the following waste may be deposited in the inert landfill: earth and earth-like products, concrete, cured asphalt, rock, bricks, yard trimmings, stumps, limbs, and leaves. This definition specifically excludes any transfer stations, recycling stations, household materials or the storage of these items to be taken to another location.

Landfill, private: A privately owned and operated landfill for the purpose of profit. This may be each or all of the types of landfills defined by this ordinance.

Landfill, sanitary (municipal): Disposal sites, approved by the Board of Commissioners, and owned by a municipality or by a political subdivision of the state, where putrescible solid wastes are disposed of in a manner that minimizes environmental hazards by spreading, compacting to the smallest volume, and applying earth cover thereon.

Landing area: The area of an airport or private airstrip used for landing, taking-off, or taxiing of aircraft.

Laundromat: A business that provides self-service, coin-operated washing, drying and/or ironing machines for clothing and similar laundry.

Level of service: A measure of the relationship between service capacity and service demand for public facilities as established by Rockdale County, Georgia in terms of demand to capacity ratios or the comfort and convenience of use or service of such public facilities or both.

Library or cultural exhibit: A public facility for the use, but not sale, of literary, musical, artistic or reference material.

Linear feasibility program: A feasibility program developed by Rockdale County and submitted to the Georgia Environmental Protection Division, which sets reasonable criteria for determining when it would be infeasible to implement stormwater management standards for

linear transportation projects being constructed by Rockdale County, other local governments, or State agencies.

Linear transportation projects: Construction projects on traveled ways including but not limited to roads, sidewalks, multi-use paths and trails, and airport runways and taxiways.

Liquified petroleum gases: As defined in O.C.G.A. § 10-1-262, any material that is composed predominantly of any of the following hydrocarbons, or mixtures of the same: propane, propylene, butane (normal butane or isobutane), and butylene.

Livestock: Any animal raised for food, raw materials, or pleasure, and customarily kept on a farm including, but not limited to, beef and dairy cattle, sheep, swine, poultry, horses, mules, donkeys, goats, turkeys, bison, llama, emus, and pot-bellied pigs.

Litter: Sand, gravel, slag, brickbats, rubbish, waste material, tin cans, refuse, garbage, trash, debris, dead animals, discarded materials of every kind and description or paper products of every kind and description including, but not limited to, advertising materials, newspapers, promotional papers, letters, bills, publications, or other writings.

Loading space: A space within the principal building or on the same lot, providing for the standing, loading, or unloading of trucks, and other carriers.

Local issuing authority: The governing authority of any county or municipality which is certified pursuant to subsection (a) O.C.G.A. § 12-7-8.

Lodging: The provision of temporary sleeping accommodations to the public or to paying guests for transient occupancy, typically for periods of less than thirty (30) consecutive days, with or without the provision of meals or kitchen facilities. Lodging is categorized into the following defined use types.

A. Bed and breakfast: An owner-occupied single-family dwelling in which guest rooms that do not contain kitchen facilities are made available for overnight lodging, and where meals may be provided to guests.
B. Hotel: A building in which lodging is provided and offered to the public for compensation, and in which ingress and egress to and from guest rooms is primarily through interior corridors or common areas.
C. Hotel, extended stay: A hotel in which guest rooms are designed to accommodate longer-duration stays and include kitchen facilities for food preparation within individual guest rooms.
D. Motel: A building or group of buildings containing sleeping accommodations for transient lodging, primarily serving the motoring public, in which ingress and egress to guest rooms is primarily from the exterior of the building.
E. Short-term rental: A lodging use in which a dwelling unit, or any portion thereof, is made available to guests for temporary occupancy in exchange for compensation,

where the dwelling unit retains its character as a residential use and is not operated as a hotel, motel, bed and breakfast, or similar commercial lodging establishment. A short-term rental may involve the rental of an entire dwelling unit or individual rooms within a dwelling unit and may be hosted or unhosted.

Lot: A portion, plot, or parcel of land separated from other portions, plots, or parcels by a graphic description as on a subdivision plat of record or survey map and intended for transfer of ownership or for building development.

Lot area: The total area within the boundaries of a lot.

Lot, conforming: A lot that meets all requirements of the UDO and is not a nonconforming lot.

Lot coverage: The percentage of the total area of a lot that is occupied by buildings.

Lot, corner: A lot abutting upon two or more streets at their intersection.

Lot, double frontage: A lot abutting two streets that do not intersect at the boundaries of the lot. A lot with access on a street or road and an alley shall not be considered a double-frontage lot.

Lot, flag: A lot having a narrow, elongated connection to a public or private street (i.e. the flagpole) that has less than the minimum required lot width and a larger portion (i.e., the flag) that expands beyond the narrow portion, forms the primary area of the lot, and is situated behind an adjoining lot.

Lot, interior: A lot with a single street frontage.

Lot of record: A lot, the plat for which has been lawfully recorded in the office of the clerk of the Superior Court of Rockdale County, or a lot, the deed of which has been lawfully recorded in the office of the clerk of the Superior Court of Rockdale County.

Lot remnant: Any portion or portions of a lot not suitable for building upon because of size or topography and remaining after the transfer of other portions of said lot to adjoining lots or rights-of-way.

Lot width: The horizontal distance of a lot between the side lot lines, parallel to the street or right-of-way, measured at the required front setback line or in the cases of irregular lots such as cul-de-sac lots or pie-shaped lots, it is the horizontal distance following the lot's arc, parallel to the street or right-of-way, between the side lot lines, measured at the required front setback line.

Lowest floor: See Floor, lowest.

Major intersection: Intersection of an arterial with another arterial or major collector in accordance with the latest Federal Functional Classification System for Rockdale County.

Major thoroughfare: A public street, road, or highway that is classified as a collector street, minor arterial, or principal arterial in the latest Federal Functional Classification System for Rockdale County.

Major woody roots: First order tree roots, originating at the "root collar" and growing horizontally in the soil to a distance between three and 15 feet from the tree's trunk.

Manual for on-site sewage management systems: The technical handbook currently adopted and periodically updated by EPD. The manual for on-site sewage management systems and its provisions are herein adopted unless inconsistent with other provisions of law or regulation and is hereafter referred to as the "Manual for On-Site Sewage Management Systems".

Manual or manual for erosion and sediment control in Georgia: Manual published by the GASWCC as of January 1 of the year in which the land disturbing activity was permitted and amendments to the manual as approved by the GASWCC up until the date of the NOI.

Manufactured home: A dwelling unit manufactured in accordance with the Secretary of Housing and Urban Development (HUD), the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. Section 5401, et seq., as amended, and meeting applicable standards of this UDO.

Manufactured home lot: A parcel of land, legally created, pursuant to the Code of Rockdale County in effect at the time and meeting the requirements of the UDO or the subdivision requirements in effect at the time that the lot was approved and located in a manufactured home park which is intended and used for the placement of a single manufactured home and for the exclusive use of its occupants.

Manufactured home park, existing: A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or before the effective date of these regulations, or before March 6, 1975.

Manufactured home park or subdivision, new: A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after March 6, 1975.

Massage apparatus: See section 22-71 of The Code of Rockdale County, Georgia.

Massage establishment: See section 22-71 of The Code of Rockdale County, Georgia.

Massage; massages; Massage therapy: See section 22-71 of The Code of Rockdale County, Georgia.

Massage therapist: See section 22-71 of The Code of Rockdale County, Georgia.

Materials recovery facility (MRF): A solid waste handling facility that provides for the extraction from solid waste of recoverable materials, materials suitable for use as a fuel or soil amendment, or any combination of such materials.

Mean sea level: The average height of the sea for all stages of the tide. It is used as a reference for establishing various elevations within the floodplain. This term is synonymous with National Geodetic Vertical Datum (NGVD) or the North American Vertical Datum (NAVD) of 1988.

Metropolitan River Protection Act: A state law, O.C.G.A. § 12-5-440 et seq., which addresses environmental and developmental matters in certain metropolitan river corridors and their drainage basins.

Microbrewery: An establishment primarily engaged in the production and brewing of malt beverages, beer, or ale in limited quantities for wholesale, retail, on-premises consumption, or off-premises consumption. A microbrewery may include accessory uses customarily associated with brewery operations, including tasting rooms, taprooms, restaurants, tours, merchandise sales, live entertainment, and outdoor seating. A microbrewery shall not be deemed a heavy industrial use where production, storage, distribution, noise, odor, and truck traffic remain incidental and compatible with surrounding commercial or mixed-use development patterns.

Mini-storage warehouses: A structure or group of structures for storage of customers' personal property, goods and/or wares where individual stalls or lockers are rented out to different tenants for storage and where no stall or locker exceeds 500 square feet of floor area with interior or exterior access to storage units, non-climate controlled or climate controlled, exterior metal doors.

Miscellaneous sign: A type of freestanding temporary sign placed by stakes, frames, or wire supports in the ground, not permanently installed, intended for short-term display, and constructed of lightweight materials.

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

A. 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.

B. 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.

Mobile food vendor: A motorized, wheeled vehicle designed and utilized for the preparation and sale of food and nonalcoholic beverage items to the general public, and whose operations are self-contained within the confines of the vehicle. Such vehicles shall operate in accordance with state law and the rules and regulations for food service of the Rockdale County Environmental Health Department.

Mobile home: A structure, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width or 40 body feet or more in length or, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating, air-conditioning, and electrical systems contained therein and manufactured prior to June 15, 1976.

Modular home: A factory-manufactured single-family dwelling that is constructed in one or more sections and complies with the definition of "industrialized home."

Motor vehicle sales or rentals: An open area, other than a right-of-way or public parking area, used for display, sale, or rental of new or used motor vehicles in operable condition.

Motor vehicle sales or rentals, remote: A type of motor vehicle sales or rental use where the point of sale or rental agreement occurs off-site, typically online or via telephone, but where vehicle pick-up can occur on-site by appointment only. This use is distinguished from an office use for an auto brokerage where there is no inventory stored on-site.

Multi-faced sign: A sign structure with more than two sign faces designed so that each face can be seen from a different direction.

Municipal separate storm sewer system (MS4): A conveyance or system of conveyances including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels or storm drains, owned or operated by Rockdale County, designed or used for collecting or conveying runoff and is not a combined sewer or part of a publicly owned treatment works.

Municipal separate storm sewer system (MS4) Permit: authorize public entities, such as cities, counties, transportation agencies, and military bases, to discharge pollutants from public stormwater systems to waters of the United [States].

Museum: A building having public significance by reason of its architecture or former use or occupancy or a building serving as a repository for a collection of objects of interest, intended to be used by the public for viewing and which may include as an accessory use the sale of goods to the public. A museum shall be considered a cultural exhibit in accordance with this UDO.

National Geodetic Vertical Datum (NGVD): Vertical control used as a reference for establishing varying elevations within the floodplain (as corrected in 1929).

National pollutant discharge elimination system (NPDES) storm water discharge permit: A permit issued by the Georgia EPD under authority delegated pursuant to 33 USC 1342 (b) that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable to an individual, group, or general area-wide basis.

Natural ground surface: The ground surface in its original state before any grading, excavation, or filling.

Natural Resource Extraction: removal of naturally occurring geologic materials from land, including minerals, rock, stone, sand, gravel, clay, or soil, by mechanical or manual means. Natural resource extraction is categorized into the following defined use types, listed in increasing order of intensity. Where an activity qualifies as more than one type of natural resource extraction, the use shall be classified according to the most intensive applicable type.

Incidental Extraction: Natural resource extraction that is limited in scope and secondary to another primary use of the property, such as site development, construction, or land improvement.

Mineral Extraction: The removal of minerals, including rock, stone, sand, gravel, or clay, by mechanical or manual means, that does not constitute quarrying or mining.

Quarrying: Natural resource extraction involving the removal of stone, rock, or aggregate from an open excavation, pit, or similar surface operation, commonly associated with blasting, crushing, screening, or similar processing activities.

Mining: Natural resource extraction involving the removal of minerals through underground or large-scale surface operations, including drilling, blasting, tunneling, or removal of overburden, for off-site use, processing, or sale.

Natural riparian vegetative buffer or buffer area: A river corridor containing the flora native to that area. The natural floras for specific areas are described in Georgia Geologic Survey Bulletin 114, "The Natural Environment of Georgia." Habitats for endangered and threatened species may require human management of the river corridor in order to maintain those species.

Nephelometric turbidity units (NTU): Numerical units of measure based upon photometric analytical techniques for measuring the light scattered by finely divided particles of a substance in suspension. This technique is used to estimate the extent of turbidity in water in which colloidally dispersed or suspended particles are present.

New development: Land disturbing activities, structural development (construction, installation or expansion of a building or other structure), and/or creation of impervious surfaces on a previously undeveloped site.

Noise ordinance: Refers to Rockdale County Code, Chapter 42, Article I., Section 42-1., Noises prohibited.

Nonconforming characteristic(s) of building or structure: A building or structure, legally existing on the effective date of the UDO, but which fails to comply with one or more of the regulations adopted under the terms of the UDO which are applicable to said building or structure, including, but not limited to, setbacks, lot frontage, lot area, building height, off street parking or loading, buffers, landscaping, or any other applicable development regulation.

Nonconforming, legal: A lot of record, structure or use that does not comply with the current requirements of the UDO, but was lawfully established and authorized in accordance with former regulations of Rockdale County prior to the adoption, revision, or amendment of the requirements in the UDO making the lot of record, structure, or use noncompliant.

Nonconforming lot: A lot of record that meets the definition of "Nonconforming, legal" or a lot of record lawfully created and recorded in the office of the clerk of the Superior Court of Rockdale County prior to January 15, 1984.

Nonconforming sign: A sign lawfully existing on the effective date of this chapter that does not conform to all the standards and regulations of the adopted or amended ordinance.

Nonconforming use of land, or nonconforming use of land and building(s), or

Nonconforming use of land and structure(s): A use of land and building(s) or a use of land and structure(s), in combination, legally existing on the effective date of the UDO, but that is not an authorized use of land and building(s) or land and structure(s), in combination, under the terms of this UDO in the district in which such use is located.

Nonpoint source pollution: A form of water pollution that does not originate from a discrete point such as a sewage treatment plant or industrial discharge, but involves the transport of pollutants such as sediment, fertilizers, pesticides, heavy metals, oil, grease, bacteria, organic materials, and other contaminants from land to surface water and groundwater via mechanisms such as precipitation, stormwater runoff, and leaching. Nonpoint source pollution is a by-product of land use practices such as agricultural, silvicultural, mining, construction, subsurface disposal, and urban runoff sources.

Non-stormwater discharge: Any discharge to the county's separate storm sewer system that is not composed entirely of stormwater.

Nonstructural stormwater management practice or nonstructural practice: Any natural or planted vegetation or other nonstructural component of the stormwater management plan that provides for or enhances stormwater quantity and/or quality control or other stormwater management benefits, and includes, but is not limited to riparian buffers, open and greenspace areas, overland flow

filtration areas, natural depressions, and vegetated channels.

Normal pool: The area of the reservoir impoundment contained within the 735-foot MSL contour line from which the reservoir buffer area, impervious surface setback, and the septic system setbacks are to be measured.

North American Vertical Datum (NAVD) of 1988: A vertical control used as a reference for establishing varying elevations within a floodplain.

NPDES (National Pollutant Discharge Elimination System): A provision of the Clean Water Act pursuant to 33 U.S.C. Section 1342(b) that prohibits discharge of pollutants into waters of the United States.

Notice of intent (NOI): A notice of intent form provided by EPD for coverage under the state general permit.

Notice of termination (NOT): A notice of termination form provided by EPD to terminate coverage under the state general permit.

Nucleus colony: A smaller, temporary hive made from an existing hive during the requeening process for the purpose of swarm prevention.

Nursery: Establishments primarily engaged in retailing nursery and garden products, such as trees, shrubs, plants, seeds, bulbs, and sod, which are predominantly grown elsewhere. These establishments may sell a limited amount of a product they grow themselves.

Nursing home: An institution or a distinct part of an institution that is licensed or approved to provide health care under medical supervision for 24 or more consecutive hours to two or more patients who are not related to the institution's management or its members by marriage, blood, or adoption.

Obsolete sign: A sign and/or sign structure which no longer correctly directs any person or no longer advertises a bona-fide business, product or service where such sign and/or structure is located.

Occupied structure: See Structure, occupied.

Office, professional: A land use that includes one or more buildings that are primarily used for services rendered by occupations with specialized knowledge or expertise such as architects, engineers, lawyers, doctors, bankers, realtors, financial and insurance services, and similar services, as opposed to buildings used for manufacturing, storage, or sale of goods.

Office-warehouse: A structure which may include space for an office for administration or sales and related space for temporary storage or assembly or repair of goods, equipment, or products.

Offsite facility: A stormwater management facility located outside the boundaries of the site that it serves.

Onsite facility: A stormwater management facility located within the boundaries of the site that it serves.

On-site sewage management system: A sewage management system other than a public or community sewage treatment system serving one or more buildings, mobile homes, recreational vehicles, residences, or other facilities designed or used for human occupancy or congregation. Such term shall include, without limitation, conventional and chamber septic tank systems, and experimental and alternative on-site management systems that may be approved by the Rockdale County Environmental Health Department and Rockdale County Department of Water Resources.

Open space: Areas that are intentionally planned, designed, and reserved as part of an approved development to provide separation, resource protection, scenic enjoyment, recreation, or amenity to abutting developed property, and that are not included in minimum lot areas required by this UDO. Open space does not include residual, incidental, or undeveloped pervious areas that remain due to dimensional constraints, buffers, setbacks, easements, or other development limitations unless such areas are expressly designated and approved as open space.

Open yard storage business: Any commercial or noncommercial activity except a materials recovery facility or recycling center, which involves the sale, storage, wrecking, dismantling, processing or sorting of waste, discarded or salvaged paper, rags, machinery, equipment or other junk, including automobiles, trucks and similar motor vehicles; where those materials are commonly stored in an open area outside any building as defined in this section; provided, however, that businesses engaged predominantly in the repair or sale of new or used motor vehicles and other machines shall not be included in the term "open yard storage business" if those vehicles and machines are in operating condition and ready for sale or, if nonoperational, those vehicles or machines are stored in a building as defined in this UDO.

Operator: The party or parties that have:

Operational control of construction project plans and specifications, including the ability to make modifications to those plans and specifications; or

Day-to-day operational control of those activities that are necessary to ensure compliance with an erosion, sedimentation and pollution control plan for the site or other permit conditions, such as a person authorized to direct workers at a site to carry out activities required by the erosion, sedimentation and pollution control plan or to comply with other permit conditions.

Organic farming: Any primary use of a tract or parcel of land for the purpose of growing and harvesting, farming or any other use which contributes to the production of agricultural, floricultural or horticultural products for the purpose of beautification, education, outreach, agri-

tourism, on-site sale or off-site-sales. All farming shall be conducted in a manner consistent with the USDA organic standards, codified in 7 CFR Part 205, Subpart C, including avoiding the use of prohibited pesticides, fertilizers, and/or synthetic substances. USDA organic certification pursuant to 7 CFR Part 205, Subpart E is not required. In order to secure its annual business license from the County, the operator shall produce documentation evidencing farming practices for the preceding year consistent with United States Department of Agriculture (USDA) organic standards, codified in 7 CFR Part 205, Subpart C. Greenhouses, hoop houses, trellises, raised beds, tool sheds, farm stands, and any other accessory structure used in the operation of an organic farm are permitted in the W-NR subzone. All structures, buildings or enclosed areas used for the operation shall be a minimum of 100 feet from all property lines. Equipment producing noise or sound in excess of 70 decibels shall be located no closer than 100 feet from the nearest residential structure.

Outdoor recreation facilities: Facilities including greenways, trails, bikeways, paths, tennis courts, ball fields, playfields, courts, golf courses, swimming pools, clubhouses, lockers, bicycle facilities, equestrian facilities, beaches, docks, seating areas, amphitheaters, stages, band shells, community buildings, fountains, plazas, patios, decks, lawns, picnic shelters and picnic areas, landscaping and land containing outdoor recreation structures and facilities.

Outdoor recreation, commercial: Any establishment whose main purpose is to provide the general public with facilities for active, outdoor recreational activities and entertainment where tickets are sold, or fees are collected for participation in the activity. Outdoor commercial recreation facilities include but are not limited to outdoor fairs and amusement parks, water slides and parks, golf driving ranges and miniature golf courses, baseball batting cages, paintball facilities, tracks for motor sports, and other similar activities.

Outdoor storage: The keeping, in an unenclosed area, of any goods, material, merchandise, or vehicles in the same place for more than 24 hours whether for storage, display, processing or sale.

Outfall: The location where stormwater in a discernible, confined and discrete conveyance, leaves a facility or site or, if there is a receiving water on site, becomes a point source discharging into that receiving water.

Overbank flood protection: Measures taken to prevent an increase in the frequency and magnitude of out-of-banks flooding (i.e. flow events that exceed the capacity of the channel and enter the floodplain), and that are intended to protect downstream properties from flooding for the two-year through 25-year frequency storm events.

Overlay district: A zoning district that encompasses one or more underlying zones and that may vary the requirements, uses, and standards of the underlying zone.

Owner: The legal or beneficial owner of a site, including, but not limited to, a mortgagee or vendee in possession, receiver, executor, trustee, or other person, firm, or corporation, in control of the site.

Owners of record: The owner(s) of property as specified on the deed to a lot of record.

Parcel: Any tract of land that has a deed and is shown as a unit on the latest county tax assessment records.

Parks and playgrounds: Community land, open spaces, or recreation areas, whether publicly or privately owned, including, but not limited to such areas represented on a plat of a subdivision as dedicated, reserved, or to be reserved for recreational purposes. Also, may include memorial gardens that are not used for the internment of human or animal remains. Does not include Nature Parks and Other Similar Institutions, or Zoos, Botanical Gardens, or Cemeteries.

Parking lot: Any area designed for temporary (less than 48 hours) storage of motor vehicles of the motoring public in normal operating condition.

Parking lots and structures—Business vehicles: A business that provides a parking area designed for the storage of vehicles that are in normal operating condition for the motoring public that may exceed 48 hours.

Parking, off-street: A temporary (less than 48 hours) storage area for a motor vehicle that is directly accessible to an access aisle and that is not located on a dedicated street right-of-way.

Parking, on-street: Areas along curbs of a street that are authorized for temporary (less than 48 hours) storage of automobiles belonging to owners, tenants, customers, or visitors of adjacent or nearby properties.

Parking structure: A covered or sheltered structure of one or more stories designed, constructed, and used for the parking of automobiles.

Paved area: An area which is covered by asphalt, concrete, brick, pavers, or other alternative materials.

Pawnshop and/or pawnbroker: Any business or person engaged in whole or in part in the business of lending money on the security of pledged goods, or in the business of purchasing tangible personal property on the condition that it may be redeemed or repurchased by the seller for a fixed price within a fixed period of time, or in the business of purchasing tangible personal property from persons or sources other than manufacturers or licensed dealers as a part of or in conjunction with the business activities described in this paragraph.

Pedestrian way: Crosswalk or other areas designed and marked exclusively for pedestrian traffic.

Peddler: any person, whether as agent, consignee, or employee, traveling by foot, wagon, motor vehicle, trailer, or other conveyance from place to place selling or offering for sale goods, wares, merchandise, food items, farm products, provisions, or services. Pennant: Any lightweight plastic, fabric, or other material, whether or not containing a message, suspended from a rope, wire or string and designed to move in the wind.

Percentage of grade: See Grade, percentage of.

Perennial stream: A stream that flows throughout the whole year as indicated by a blue line on the USGS Quad map.

Perennial river: A river or section of a river that flows continuously throughout the year.

Permit: The authorization necessary to conduct a land-disturbing activity, land development activity, building construction, or other activity regulated by Rockdale County that requires an official authorization as provided in the UDO.

Permit, building: The permit required for new construction, completion of construction, or an interior finish pursuant to the applicable building code. As used herein, the term shall not include permits required for remodeling, rehabilitation, or other improvements to an existing structure provided there is no increase in the demand placed on those public facilities as defined herein.

Permit, land disturbance: the permit issued by the Department of Stormwater Management to the owner that is required for undertaking any land-disturbing or land development activity under the provisions of the UDO.

Permitted use: See Authorized use.

Permittee: Any entity that has submitted a notice of intent.

Person: Any individual, partnership, firm, company, agency, association, joint venture, public or private corporation, organization, society, trust, estate, commission, board, public or private institution, utility, cooperative, state agency, municipality or other political subdivision of this state, any interstate body, or any other legal entity.

Personal care home: The use of a dwelling unit to provide or arrange for the provision of housing, food service, and one or more personal services, including watchful oversight, for two (2) or more adults who are not related to the owner or administrator by blood or marriage. “Personal services” include assistance with or supervision of self-administered medication and essential activities of daily living such as eating, bathing, grooming, and dressing. Personal care homes do not provide skilled nursing or other medical services or admit and retain residents who need continuous medical or nursing care. A personal care home shall be licensed by the Office of Regulatory Services of the State of Georgia Department of Human Resources, including:

A. Personal care home, congregate: A personal care home which offers care to 16 or more persons.
B. Personal care home, family: A personal care home which offers care to not more than six persons.
C. Personal care home, group: A personal care home which offers care to at least seven but not more than 15 persons.

Personal services: Establishments primarily engaged in providing services involving the care of a person or his or her personal goods or apparel. Personal services include, but are not limited to, laundry, including cleaning and pressing service, beauty shops, barbershops, manicure, shoe repair, tanning salons and health clubs, clothing rental, tailor shops, and domestic services, but specifically excluding adult entertainment.

Pet, household: A domestic animal, not including fish or livestock, which is cared for by members of a household for companionship.

Phase or phased construction: Sub-parts or segments of construction projects where the sub-part or segment is constructed and stabilized prior to completing construction activities on the entire construction site.

Place of assembly: A premises where a group of persons congregates for a common reason, over short periods of time and typically at regular intervals for civic, cultural, fraternal, political, religious, or social purposes. In the context of this code, places of assembly are further described as places where the occupancy of the premises follow a predictable pattern independent of customary retail business hours. Places of assembly share similar attributes in operations, parking requirements, traffic impact, building and fire safety requirements and infrastructure needs. For the purposes of this code, places of assembly shall include banquet hall, events center, performing arts theater, concert hall, convention center, auditorium, place of worship, and civic and social organizations.

Place of worship: A facility providing for the regular assembly of people who share a common, religious faith as a primary use, and controlled by a legally established religious body to sustain public worship and accessory uses. Includes synagogue, church, temple, monastery, convent, mosque, or other similar place of worship and organized religious or spiritual activities.

Plan, concept: Written and graphic documents submitted to the Director of Planning and Development for review which document the intent of a developer in a conceptual form, indicating the types, general arrangement, and density of uses, extent and pattern of subdivision, and the relationship of the intended uses to surrounding tracts.

Plan, ES&PC: An erosion, sedimentation, and pollution control plan prepared pursuant to this UDO.

Planned center: One or more commercial land uses, or establishments developed under unified control, to be planned, developed, operated, and maintained as a whole, having one or more structures with appurtenant common areas.

Planning commission: The Rockdale County Planning Commission.

Plat: A map, plan or other graphic layout of a land lot, lot, tract, parcel, or subdivision indicating the location and boundaries of one or more properties along with improvements subject to the UDO.

Plat, final: A finished drawing or map of a subdivision or development site plan, meeting all of the requirements of the UDO and approved by Rockdale County and fully certified for recording pursuant to this UDO.

Plat, preliminary: A tentative plan of a proposed subdivision or development meeting the specified requirements of this chapter and showing the layout in sufficient detail to allow an evaluation of the proposed project.

Pollutant: Anything which causes or contributes to pollution. Pollutants may include, but are not limited to: paints, varnishes, and solvents; petroleum hydrocarbons; automotive fluids; cooking grease; detergents (biodegradable or otherwise); degreasers; cleaning chemicals; non-hazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects and accumulations, so that same may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; liquid and solid wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure; concrete and cement; and noxious or offensive matter of any kind.

Pollution: The contamination or other alteration of the physical, chemical or biological properties of air or water by the addition of any constituent and includes but is not limited to, a change in temperature, taste, color turbidity, or odor, or the discharge of any liquid, gaseous, solid, radioactive, or other substance as will or is likely to create a nuisance or render such waters harmful, detrimental or injurious to the public health, safety, welfare, or environment, or to domestic, commercial, industrial, agricultural, recreational, or other legitimate beneficial uses, or to livestock, wild animals, birds, fish or other aquatic life.

Pollution susceptibility: When used in relation to groundwater recharge areas, the relative vulnerability of an aquifer to being polluted from spills, discharges, leaks, impoundments, applications of chemicals, injections, and other human activities in the recharge area.

Pollution susceptibility maps: Maps of relative vulnerability to pollution prepared by the department of natural resources, using the DRASTIC methodology. Pollution susceptibility maps categorize the land areas of the state into areas having high, medium, and low groundwater pollution potential.

Portable sign: A type of temporary sign designed to be transported or that is not permanently attached to the ground or a structure. Includes commercial signs carried, worn or held by people.

Post-construction stormwater management: Stormwater best management practices that are used on a permanent basis to control and treat runoff once construction has been completed in accordance with a stormwater management plan.

Post-development: The conditions anticipated to exist on site immediately after completion of the proposed development.

Potentially hazardous foods: Foods requiring temperature control for safety because they are capable of supporting the rapid growth of pathogenic or toxigenic microorganisms, or the growth and toxin production of Clostridium botulinum.

Practicability policy: The policy developed by Rockdale County in accordance with the latest edition of the Metropolitan North Georgia Water Planning District's Policy on Practicability Analysis for Runoff Reduction.

Pre-application meeting: An initial, informal, and nonbinding stage of development review at which the developer may make known concept plan proposals and the Director of Planning and Development, or their designee, may hold discussions of those proposals with the developer regarding the development regulations and other issues related to the development.

Pre-development: The conditions that exist on a site immediately before the implementation of the proposed development. Where phased development or plan approval occurs (preliminary grading, roads and utilities, etc.), the existing conditions at the time before the first item being approved or permitted shall establish pre-development conditions.

Pre-development hydrology: The runoff curve number determined using natural conditions hydrologic analysis based on the natural, undisturbed condition of the site.

Pre-kindergarten (Pre-K): An educational program for Georgia's four-year olds to prepare children for kindergarten.

Premises: Any building, lot, parcel of land, or portion of land whether improved or unimproved including adjacent sidewalks and parking strips.

Previously developed site: A site that has been altered by paving, construction, and/or land disturbing activity.

Primary permittee: The owner or the operator or both of a tract of land for a construction project.

Principal use: The principal purpose for which a lot or the principal building thereon is designed, arranged, or intended, and for which it is or may be used, occupied, or maintained.

Private road: See Road, private.

Private street: See Street, private.

Privy: A structure (and necessary appurtenances) used for the sanitary disposal or storage of human wastes without the aid of water carriage; the term does not include chemical, composting, portable or incinerator toilets.

Professional: When used in connection with "use" and "occupancy" of a use or occupancy by persons generally engaged in rendering personal, executive, sales, or administrative services or activities, including accountants, architects, professional engineers and land surveyors, doctors, lawyers, insurance offices, real estate offices, religious organizations, stockbrokers, and administrative agencies considered professional in character. The term, however, does not include repairs or sales of tangible personal property stored or located within the structure nor any use that would create any loud noise or noxious odors within Rockdale County.

Project: The entire proposed development, regardless of the size of the area of land to be disturbed.

Project improvements: Site improvements and facilities that are planned, designed, or built to provide service for a particular development project and that are necessary for the use and convenience of the occupants or users of the project, and are not "system" improvements. The character of the improvement shall control a determination of whether an improvement is a "project" improvement or a "system" improvement, and the physical location of the improvement on-site or off-site shall not be considered determinative of whether an improvement is a "project" improvement or a "system" improvement. If an improvement or facility provides or will provide more than incidental service or facility capacity to persons other than users or occupants of a particular project, the improvement or facility is a system improvement and shall not be considered a project improvement. No improvement or facility included in a plan for public facilities and approved for public funding by Rockdale County, Georgia shall be considered a project improvement.

Promotional banner-flag: A type of portable sign made of fabric or similar material, attached to a pole. Includes signs commercially known as "swooper," "feather," "wing," "blade," and "sail."

Properly designed: Designed in accordance with the design requirements and specifications contained in the "Manual for Erosion and Sediment Control in Georgia" (Manual) published by the Georgia Soil and Water Conservation Commission as of January 1 of the year in which the land-disturbing activity was permitted and amendments to the Manual as approved by the commission up until the date of NOI submittal.

Property interest: The ownership of property, including any percentage of ownership less than total ownership.

Property owner: See “property interest”.

Proportionate share: That portion of the cost of system improvements that is reasonably and fairly related to the service demands and needs of a project.

Protected river: Any perennial river or watercourse with an average annual flow of 400 cubic feet per second as determined by appropriate U.S. Geological Survey documents. However, those segments of rivers covered by the Metropolitan River Protection Act or the Coastal Marshland Protection Act are specifically excluded from the definition of a protected river. In coastal areas, the seaward limit of any protected river shall be the inland limit of the jurisdiction of the Coastal Marshlands Protection Act.

Protected zone: All lands that fall outside of the buildable area of a parcel, all areas of the parcel required to remain in open space according to the provisions of the UDO or the administrative standards established herein, and all areas required as landscaping strips according to provisions of the UDO or Administrative Standards established herein.

Protection area or riparian protection area: With respect to a stream, river, lake, or impoundment, the combined areas of all required riparian buffers and setbacks applicable to such riparian.

Protective covenants: Recorded restrictions imposed by private parties running with the title to the land and specifying the manner in which land may be used, developed, or improved with the intent of protecting and preserving the physical and economic integrity of any given area. Protective covenants are not enforced by Rockdale County Government.

Public entity: A federal, state, county or municipal government, or any agency, authority or public utility of such government that is legally established to provide public services to the citizens of Rockdale County.

Public facilities: A use conducted by, or a facility or structure owned or managed by a unit of government and intended to provide for needs of the public. This includes but is not limited to (A) Parks, open space, and recreation areas and related facilities; (B) Public safety facilities, including fire and rescue facilities; and (C) Libraries and related facilities.

Public hearing: An official session of any elected or appointed board advertised according to law.

Public improvement: Any street, park, water line, sanitary drainage system or similar improvement installed to serve abutting, or nearby private or public property constructed by either a private entity or a public agency and ultimately owned and maintained by a public entity.

Public sewer: A common sewer controlled by a government agency or public utility, in this case Rockdale County.

Public street: Right-of-way dedicated to or owned by a public government agency for the purpose of providing principal access to abutting property.

Public uses: Buildings, structures and uses of land by a unit of government, including, but not restricted to government administration, water treatment facilities, streets, libraries, public schools, parks, playgrounds, recreation centers, and fire stations.

Public water system: A system for the provision of piped water to the public for human consumption, if such system has at least 15 service connections, or regularly serves an average of at least 25 individuals daily, at least 60 days out of the year.

Quadrangle map: The most recently published USGS 7.5-minute topographic map prepared at a scale of 1:24,000.

Randy Poynter Lake (previously Big Haynes Creek Reservoir): The water impoundment project consisting of the impounded waters from Big Haynes Creek located in Rockdale County, Georgia.

Real property: Any tract or parcel of land and, if developed, any buildings or structures located on the land.

Recovered materials processing facility: See Recycling center.

Recreation center: A building or portion of a building designed and equipped for the conduct of sports, exercise, leisure time activities or other recreational activities, operated for profit or not-for-profit and which can be open only to bona fide members and guests of the organization or open to the public for a fee.

Recreation grounds and facilities: Land and structures owned or leased by a governmental entity and used or intended to be used for the purpose of public leisure activities such as picnic areas, sports facilities, fishing piers, boating ramps, related equipment storage and similar activities.

Recreational vehicle (RV): A vehicle that is:

A. Built on a single chassis;
B. Four hundred fifty square feet or less when measured at the largest horizontal projection;
C. Designed to be self-propelled or permanently tow-able by a truck or car;
D. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use;
E. May include accessory or appurtenant items customarily associated with recreational vehicle uses, such as awnings, slide-outs, utility hookups, or a tent; and

F. A recreational vehicle shall not be used as temporary living quarters outside of approved recreational vehicle parks and campgrounds, except as otherwise permitted by this UDO.

Recreational vehicle parks and campgrounds: Any area that is occupied or intended for occupancy by transients using recreational vehicles, mobile trailers or tents as temporary living quarters for recreation, education, or vacation purposes and is open to the public.

Recycled water system: A water system that captures, and reuses water previously used in wash or rinse cycles.

Recycling center: Any facility utilized for the purpose of collecting, sorting, processing, and shipping materials to be recycled including, but not limited to, plastics, glass, paper, and aluminum whenever such use is principal to the site.

Redevelopment: Structural development (construction, installation, or expansion of a building or other structure), creation or addition of impervious surfaces, replacement of impervious surfaces not as part of routine maintenance, and land disturbing activities associated with structural or impervious development on a previously developed site. Redevelopment does not include such activities as exterior remodeling.

Regional stormwater management facility (regional facility): Stormwater management facilities designed to control stormwater runoff from multiple properties, where the owners or developers of the individual properties may assist in the financing of the facility, and the requirement for onsite controls is either eliminated or reduced.

Regulatory floodplain: Any land area susceptible to flooding, which would have at least a one percent probability of flooding occurrence in any calendar year based on the basin being fully developed as shown on the current land use plan.

Rehabilitation center: A facility operated for the purpose of assisting in the rehabilitation of disabled persons which provides one or more of the following types of services: Testing, fitting, or training in the use of prosthetic devices, Prevocational or conditioning therapy, or Physical, corrective, or occupational therapy.

Adjustment training or evaluation or control of special disabilities; or a facility in which a coordinated approach is made to the physical, mental, and vocational evaluation of disabled persons and an integrated program of physical restoration and prevocational training is provided under competent professional supervision and direction.

Required yard: See Yard, required.

Repetitive loss: Flood-related damage sustained by a structure on two separate occasions during a ten-year period for which the cost of repairs at the time of each such flood event, on

average, equals or exceeds 25 percent of the market value of the structure before the damage occurred.

Research and development: A business that engages in research, or research and development, of innovative ideas in technology-intensive fields. Development and construction of prototypes may be associated with this use.

Reserve strip: A strip or parcel of land along, around or between properties, the sole purpose of which is to restrict access.

Reservoir: A governmentally owned impoundment of water for the primary purpose of providing water to one or more governmentally owned public drinking water systems. This excludes the multipurpose reservoirs owned by the U.S. Army Corps of Engineers.

Reservoir boundary: The edge of a water supply reservoir as defined by its normal pool level.

Reservoir buffer area: The area extending a horizontal distance of 150 feet outward from the normal pool elevation (735 feet MSL) and maintained as a natural or enhanced vegetated area around the reservoir.

Reservoir manager: The designated agency or employee of the board including the authorized representatives of the reservoir manager.

Restaurant: An establishment in which the primary purpose is preparing, serving, and consuming food and beverages.

Restaurant, fast-food: An establishment that offers quick food service, which is accomplished through a limited menu of items, and in which orders are not generally taken at the customer's table, and food is generally served in disposable wrapping or containers.

Retaining wall: See Wall, retaining.

Retention facility, stormwater: A pond, pool, or basin used for the permanent storage of stormwater runoff.

Rezoning action: Legislative action by the Board of Commissioners adopting an amendment to the UDO that has the effect of rezoning real property from one zoning classification to another and/or amending conditions.

Right-of-way: A strip of land dedicated to, designated, reserved, or purchased by Rockdale County for the purpose of pedestrian or vehicular access or utility line installation.

Right-of-way line: The dividing line between a lot, tract or parcel of land and a contiguous right-of-way.

Riparian: Belonging or related to the bank of a river, stream, lake, pond, or impoundment.

Riverbank: The rising ground, bordering a river, which serves to confine the water to the natural channel during the normal course of flow.

River corridor: All land, inclusive of islands, not regulated under the Metropolitan River Protection Act (O.C.G.A. §§ 12-5-440 through 12-5-457), or the Coastal Marshland Protection Act (O.C.G.A. §§ 12-5-280 through 12-5-293), in areas of a protected river and being within 100 feet horizontally on both sides of the river as measured from the riverbanks. The 100-foot buffer shall be measured horizontally from the uppermost part of the riverbank, usually marked by a break in slope. Although not within the measured 100-foot-wide buffer, the area between the top of the bank and the edge of the river shall be treated by local governments in the same manner as the river corridor and shall be included within the river corridor protection plan. Because stream channels move due to natural processes such as meandering, riverbank erosion, and jumping of channels, the river corridor may shift with time. For the purposes of these standards, the river corridor shall be considered to be fixed at its position at the beginning of each review period for local comprehensive plans. Any shift in the location of the protected river after the start of the review period will require a revision of the boundaries of the river corridor at the time of the next review by the department of community affairs.

Road, private: Any privately owned and maintained access way serving two or more parcels of land that is intended to provide access for motorized vehicles, including safety and emergency equipment and that is not dedicated to the county or maintained by the county and that meets the provisions of this UDO.

Road, public: Any right-of-way set aside for public travel as defined in O.C.G.A. § 32-1-3(24).

Rockdale Water Resources: The administrative department within the county government that is responsible for the planning, design, construction and maintenance of the Rockdale County water and wastewater systems.

Roadway drainage structure: A device such as a bridge, culvert, or ditch, composed of a virtually non-erodible material such as concrete, steel, plastic, or other such material that conveys water under a roadway by intercepting the flow on one side of a traveled roadway consisting of one or more defined lanes, with or without shoulder areas, and carrying water to a release point on the other side.

Rockdale County Separate Storm Sewer System: Any facility designed or used for collecting, treating and/or conveying stormwater located in the unincorporated areas of Rockdale County, including but not limited to highways, county streets, curbs, gutters, inlets, catch basins, piped storm drains, pumping facilities, structural stormwater controls, ditches, swales, natural and man-made or altered drainage channels, reservoirs, and other drainage structures; and which is: 1) not a combined sewer, and 2) not part of a publicly-owned treatment works.

Rodeo: a public performance featuring bronco riding, calf roping, steer wrestling, and Brahma bull riding.

Roof sign: A sign projecting over the coping of a flat roof, or wholly or partially over the ridge of a gable, hip or gambrel roof, and supported by or attached to said roof.

Root respiration: An active process occurring throughout the feeder root system of trees and involving the consumption of oxygen and sugars with the release of energy and carbon dioxide. Root respiration facilitates the uptake and transport of minerals and nutrients essential for tree survival.

Root collar: The point of attachment of major woody roots to the tree trunk, usually at or near the ground line and associated with a marked swelling of the tree trunk.

Rope roots: An extensive network of woody second order roots arising from major woody roots, occurring within the surface 12 to 18 inches of local soils, and with an average size ranging from .25 to one-inch diameter. The primary function of rope roots is the transport of water and nutrients, and the storage of food reserves.

Routine maintenance: Activities to keep an impervious surface as near as possible to its constructed condition. This includes ordinary maintenance activities, resurfacing paved areas, and exterior building changes or improvements which do not materially increase or concentrate stormwater runoff, or cause additional nonpoint source pollution.

Runoff: See Nonpoint source pollution.

Runoff reduction: The interception, evapotranspiration, infiltration, or capture and reuse of runoff.

Salvage yard: A use involving the outdoor or indoor storage, dismantling, processing, sale, recycling, or disposal of wrecked, inoperable, or discarded motor vehicles, vehicle parts, or other scrap materials, including junkyards and automobile recycling facilities.

Sand pit: A surface mine or excavation used for the removal of sand, gravel, or fill dirt for sale or for use off-site.

Sanitary sewer or sewer: A sewer that carries liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions together with minor quantities of groundwater, storm waters and surface waters that are not admitted intentionally.

Sawmill: A facility where logs or partially processed boards are sawed, split, shaved, stripped, chipped, or otherwise processed to produce wood products, not including the processing of timber for use on the same lot by the owner or resident of that lot.

School: A public or private facility that provides a curriculum of elementary or secondary academic instruction.

School, private: Any building or group of buildings the use of which meets state requirements for elementary, secondary, or higher education and which does not secure the major part of its funding from any governmental agency.

Screening: A method of shielding, obscuring, or buffering one use or building from another use or building by fencing, walls, densely planted vegetation, natural vegetation, including a transitional buffer or other means; a visual and acoustical barrier which is of such nature and density that provides year-round maximum capacity from the ground to a height of at least six feet.

Secondary permittee: An individual builder, utility contractor that conducts a construction activity within a common development.

Sediment: Solid material, both organic and inorganic, that is in suspension, is being transported, or has been moved from its site of origin by wind, water, ice, or gravity as a product of erosion.

Sedimentation: The process by which eroded material is transported and deposited by the action of water, wind, ice or gravity.

Septic tank: An approved watertight tank designed or used to receive sewage from a building sewer and to affect separation and organic decomposition of sewage solids and discharging sewage effluent to an absorption field or other management system.

Service area: A geographic area defined by the Board of Commissioners in which a defined set of public facilities provide service to development within the area. Service areas shall be designated on the basis of sound planning or engineering principles or both.

Setback, stream: With respect to a stream, river, lake, or impoundment, the area extending beyond any riparian buffer applicable to the stream, river, lake, or impoundment in which certain structures, including buildings, septic tanks, and septic tank drain fields, are prohibited.

Setback: The minimum distance by which any building or structure must be situated away from applicable lot lines.

Sewage: See Wastewater.

Sewage treatment system: A system that provides primary treatment and disposal, including absorption field components, devices and appurtenances intended to be used for disposal of sewage by soil absorption, but does not include a conventional or chamber septic tank system.

Sewer: A pipe or conduit that carries wastewater or stormwater.

Sewer tap fee: A fee assessed to new users of the county wastewater system to provide the funds necessary for operation and maintenance of the system and to renew, extend and/or

improve the system where said renewals, extensions and/or improvements are necessitated by the reduced available wastewater system capacity caused by the new users' demands.

Shelter, homeless: A facility providing, without charge, single-night, temporary lodging, with or without meals, for people with no ordinary or regular home or residence address, such as cold night shelter.

Shopping center: A group of commercial establishments, planned, and developed as a unit, with common off-street parking provided on the property.

Sign: An object, device, display, structure, or part thereof which is used to advertise, identify, display, or direct attention to an object, person, institution, organization, business, product, service, event, or location by any means, including words, letters, figures, designs, symbols, fixtures, colors, illumination, or projected images.

Sign structure: Poles, beams, columns, posts, foundation, cabinet or other means providing structural support for the sign.

Significant recharge areas: Those areas mapped by the Department of Natural Resources in Hydrologic Atlas 18 (1989 edition). Mapping recharge areas is based on outcrop area, lithology, soil type thickness, slope, density of lithologic contacts, geologic structure, the presence of karst, and potentiometric surface. Significant recharge areas are as follows in the various geologic provinces of Georgia:

A. In the Valley and Ridge and in the Cumberland Plateau, significant recharge areas outcrop areas of carbonate rock where low slope (less than eight percent slope) conditions prevail. Such areas commonly are characterized by karst topography (caves and sinkholes).
B. In the Piedmont and in the Blue Ridge, rocks have little primary porosity, with most groundwater being stored in the overlying soils. The significant recharge areas are those with thicker soils. Field mapping indicates that thick soils in the Piedmont and Blue Ridge are characterized by a density of two or more geologic contacts per four squares miles (source: 1976 1:500,000 Geologic Map of Georgia) and slopes lower than eight percent.
C. In the Coastal Plain, the significant recharge areas are the surface outcroppings of the large and extensively used drinking water aquifers (e.g., the Floridian, the Clayton, etc.) and soils having high permeability according to the 1976 1:750,000 Soils Association Map of Georgia.

Site: An area of land where development is planned, which may include all or portions of one or more parcels of land. For subdivisions and other common plans of development, the site includes all areas of land covered under an applicable land development permit.

Site-built home: A dwelling unit constructed on the building site from basic materials delivered to the site, and which is constructed in accordance with the International Building Code (IBC).

Soil and water conservation district approved plan: An erosion, sedimentation and pollution control plan approved in writing by the Rockdale County Soil and Water Conservation District.

Soil compaction: A change in soil physical properties which includes an increase in soil weight per unit volume, and a decrease in soil pore space. Soil compaction is caused by repeated vibrations, frequent traffic, and weight.

Solid waste: Any garbage or refuse; sludge from a wastewater treatment plant, water supply treatment plant, or air pollution control facility; and other discarded material including solid, semisolid, or contained gaseous material resulting from industrial, commercial, mining, and agricultural operations and community activities, but does not include recovered materials; solid or dissolved materials in domestic sewage; solid or dissolved materials in irrigation return flows or industrial discharges that are point sources subject to permit under 33 U.S.C. Section 1342, as amended.

Solid waste handling: The storage, collection, transportation, treatment, utilization, processing, or disposal of solid waste or any combination of such activities.

Solid waste handling facility: A facility or site used for the collection, transfer, storage, processing, treatment, recovery, recycling, composting, or disposal of solid waste generated by residential, commercial, industrial, institutional, agricultural, or governmental activities. Solid waste handling facilities include, but are not limited to, landfills, materials recovery facilities (MRFs), composting facilities, transfer stations, recycling facilities, and similar uses, whether publicly or privately operated.

Solid waste transfer station/materials recovery facilities: Any facility that the primary purpose is the collection, temporary storage, or transportation, or any combination thereof, of municipal solid waste (defined as solid waste derived from households, including garbage, trash, and sanitary waste in septic tanks, and includes solid waste from single-family and multifamily residences, hotels and motels, bunkhouses, campgrounds, picnic grounds, day use recreation areas, and commercial establishments, but does not include solid waste from mining, agricultural or silvicultural operations, or industrial processes or operations, per the Georgia Comprehensive Solid Waste Management Act, O.C.G.A. § 12-8-20 et seq.) and that may provide for the extraction of recoverable materials, materials suitable for use as a fuel or soil amendment, or any combination of such materials.

Special event, temporary: Any activity that involves public assembly for which one or more of the following apply: (1) there is an admission fee or leasing fee; (2) there is controlled or ticketed entry; (3) goods and/or services (e.g., food and drink) are available for purchase, and/or

(4) public advertising of the proposed event. “Special event” includes, but is not limited to, art shows, seasonal holiday sales, haunted houses, carnivals/fairs, festivals, rodeos, community donation/giveaway drives, and church fundraisers. Special Events include events held on private or public properties. This definition does not include private parties or private functions, including neighborhood gatherings, that do not meet the above stated criteria; however, community-wide events organized by non-profit or for-profit businesses or organizations, individuals, or groups are considered Special Events.

Special use permit: A use listed as being permitted if it meets stated criteria or conditions and is approved by the Board of Commissioners of Rockdale County.

Sprinkler system: For fire protection purposes, an integrated system of underground and overhead piping designed in accordance with fire protection engineering standards.

Stabilization: The process of establishing an enduring soil cover of vegetation by the installation of temporary or permanent structures for the purpose of reducing to a minimum the erosion process and the resultant transport of sediment by wind, water, ice or gravity.

Standalone construction project: Construction activities that are not part of a common development where the primary permittee chooses not to use secondary permittees.

State: State of Georgia.

State general permit: The National Pollution Discharge Elimination System (NPDES) general permit or permits for stormwater runoff from construction activities as is now in effect or as may be amended or reissued in the future pursuant to the state's authority to implement the same through federal delegation under the Federal Water Pollution Control Act, as amended, 33 U.S.C. Section 1251, et seq., and O.C.G.A. § 12-5-30(f).

State waters: All rivers, streams, creeks, branches, lakes, reservoirs, ponds, drainage systems, springs, wells, and other bodies of surface or subsurface water, natural or artificial, lying within or forming a part of the boundaries of Georgia which are not entirely confined and retained completely upon the property of a single individual, partnership, or corporation.

Storage tank, bulk: An above ground container used for the storage of large volumes of liquids, solids, or gases, which may or may not include such flammable materials as petroleum.

Storm drain: A drain or sewer for conveying surface water, groundwater, subsurface water, or unpolluted water from any source.

Storm sewer system: Any facility designed or used for collecting and/or conveying stormwater, including, but not limited to, any roads with drainage systems, highways, streets, curbs, gutters, inlets, catch basins, piped storm drains, pumping facilities, structural stormwater controls, ditches, swales, natural and manmade or altered drainage channels, reservoirs, and other drainage structures, and which is:

A. Publicly owned and or maintained.
B. Not combined with sanitary sewer.
C. Not part of publicly owned treatment works.

Storm shelter: A structure or portion of a structure intended to provide protection to human life during periods of danger from storms or other emergencies.

Stormwater or stormwater runoff: Any surface flow, runoff, and drainage consisting entirely of water from any form of natural precipitation and resulting from such precipitation.

Stormwater better site design practices: Non-structural site design approaches and techniques that can reduce a site's impact on the watershed and can provide for non-structural stormwater management. Stormwater better site design includes conserving and protecting natural areas and greenspace, reducing impervious cover and using natural features for stormwater management.

Stormwater concept plan: An initial plan for post-construction stormwater management at the site that provides the groundwork for the stormwater management plan including the natural resources inventory, site layout concept, initial runoff characterization, and first round stormwater management system design.

Stormwater director: The Director of the Rockdale County Department of Stormwater Management.

Stormwater detention facilities: A detention facility for a subdivision of fee simple single-family residences, which is not located on the same lot with a single-family home but instead is located on an individual parcel of land not meant for other improvements.

Stormwater management: The collection, conveyance, storage, treatment, and disposal of stormwater runoff in a manner intended to prevent increased flood damage, streambank channel erosion, habitat degradation and water quality degradation, and to enhance and promote the public health, safety, and general welfare.

Stormwater management facility: Any infrastructure that controls or conveys stormwater runoff.

Stormwater management manual: The Georgia Stormwater Management Manual is presumed to be the latest edition as defined on the Georgia Stormwater Management Manual website at www.georgiastormwater.com. Updates, errata, and revisions will be provided on the website.

Stormwater management facility, off-site: Any facility outside the project boundary that is or will be used for transporting and managing of storm water runoff, including, but not limited to, culverts, detention ponds, storm drains, flumes, and headwater pools. Easements for the

purpose of transporting and managing of storm water runoff shall be obtained for any off-site facility with prior approval obtained from the Director of Stormwater Management.

Stormwater management, on-site: The design and construction of a facility or facilities necessary to control stormwater runoff within and for a single development.

Stormwater management facility, on-site: Any facility within the project boundary used for the purpose of transporting or managing storm water runoff, including, but not limited to, culverts, detention ponds, storm drains, flumes, and headwater pools.

Stormwater management plan: A document describing how existing runoff characteristics will be affected by a land development project and containing measures for complying with the provisions of the UDO.

Stormwater management, regional: The design and construction of a facility necessary to control storm water runoff; whether within or outside of a development and serving one or more developments.

Stormwater management standards: Those standards set forth in the UDO.

Stormwater management system: The entire set of structural and nonstructural stormwater management facilities and practices that are used to capture, convey, and control the quantity and quality of the stormwater runoff from a site.

Stormwater runoff, or runoff, or stormwater: Any surface flow, runoff, and drainage consisting entirely of water from any form of natural precipitation and resulting from such precipitation.

Story: That portion of a building having a height greater than six feet between the surface of the floor occupied and the ceiling above it, not including cellars, basements, mechanical rooms, and parking floors that do not extend more than three feet above finished grade or mechanical rooms, tanks or structures not designed for occupancy that are placed on the roof of a building and occupying less than ten percent of the area of the floor below.

Stream: Any waterway, beginning at either: the location of a spring, seep, or groundwater outflow that sustains stream flow; or a point in the stream channel with a drainage area to that point of 25 acres or more.

Stream bank: The sloping land that contains the stream channel and the normal flows of the stream.

Stream buffer area: The area extending a horizontal distance of 100 feet from the top of both banks of a perennial stream and maintained as a natural or enhanced vegetated area with no or limited minor land disturbances.

Stream channel: The portion of a watercourse that contains the base flow of the stream.

Stream protection area or protection area: With respect to a stream, the combined areas of all required buffers and setbacks applicable to such stream.

Street: A way for vehicular traffic, whether designated as an avenue, boulevard, road, highway, expressway, lane, alley, or other way.

Street, centerline of: A line that is halfway between the right-of-way lines of a street,

Street classifications: Streets are classified according to the latest Federal Functional Classification System for Rockdale County.

Street, dead end: A street that must be exited at the same point as is entered but not a cul-de-sac.

Street, half: A street or road adjacent to a subdivision tract boundary where only half the required right-of-way and road improvements are provided within the proposed subdivision and the responsibility for the other half is undecided or is left to the adjacent property owner.

Street jog: The incidence where two streets or two portions of a single street are separated by a relatively short distance, usually at their intersection with another street.

Street, stub: An extension of the right-of-way of a street in a subdivision extending to the property boundary of the tract being developed and intended to provide continuity of the street pattern between subdivisions or between the individual phases of the same subdivision.

Structural erosion and sedimentation control practices: Practices for the stabilization of erodible or sediment-producing areas by utilizing the mechanical properties of matter for the purpose of either changing the surface of the land or storing, regulating or disposing of runoff to prevent excessive sediment loss. Examples of structural erosion and sediment control practices are riprap, sediment basins, dikes, level spreaders, waterways or outlets, diversions, grade stabilization structures and sediment traps, etc. Such practices can be found in the publication Manual for Erosion and Sediment Control in Georgia.

Structural stormwater control: A structural stormwater management facility or device that controls stormwater runoff and changes the characteristics of that runoff including, but not limited to, the quantity and quality, the period of release or the velocity of flow of such runoff.

Structure: Any fixed object that is constructed or erected on the ground or attached to something on the ground, including, but not limited to, towers, fences, posts, walls and walled or roofed buildings, but not including tents, flags, balloons, or vehicles.

Structure, accessory: A structure detached from the principal building located on the same lot and customarily incidental and subordinate in area, extent, and purpose to the principal building or use. Where a structure is attached to the main building in a substantial manner, as by a wall, such structure shall be considered part of the main building.

Structure, flood-prone: A structure located in an area subject to inundation by floodwaters as identified by the most current Flood Insurance Rate Maps (FIRMs) issued by the Federal Emergency Management Agency (FEMA), including but not limited to Special Flood Hazard Areas (SFHAs), floodways, and areas of shallow flooding (Zones A, AE, AH, AO, VE, or other designated flood zones). A flood-prone structure may also include any structure with a documented history of repetitive flood damage or that is situated on land with known drainage or stormwater deficiencies as determined by the local jurisdiction.

Structure, occupied: A building with one or more rooms intended for use by humans for dwelling, commerce, industry, or public services, and including buildings intended for the installation, storage, or use of equipment, merchandise, or machinery related to such use, subject to regulations and permitting procedures of the UDO.

Subdivider: Any person, firm, corporation or duly authorized agent or other legal entity who undertakes the subdivision of land as defined in this chapter.

Subdivision: The division of one or more lots of record lawfully in existence at the time of enactment of the UDO into two or more lots, building sites, or other divisions for the purpose, whether immediate or future, of sale, legacy, or building development, and includes all division of land whether or not they involve a new street or a change in existing streets, and includes re-subdivision, and where appropriate to the context, relates to the process of subdividing or to the land or area subdivided.

Subdivision plat: A drawing prepared by a land surveyor currently registered in the State of Georgia indicating a proposed division of a tract or parcel of land into two or more lots, building sites or other divisions for the purpose of sale, legacy, gift, or division in kind, or building or other development.

Substantial damage: Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. Market value may be determined by tax appraisal or another estimate provided by a certified professional appraiser.

Substantial improvement: Any reconstruction, rehabilitation, addition, or other improvement to a structure, taking place during a ten-year period, in which the cumulative cost equals or exceeds 50 percent of the market value of the structure prior to the improvement. The market value of the building means:

A. The appraised value of the structure prior to the start of the initial repair or improvement, or
B. In the case of damage, the value of the structure prior to the damage occurring. This term includes structures which have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however, include those improvements of a structure required to comply with existing state or local health,

sanitary, or safety code specifications which are the minimum necessary to assure safe living conditions, which have been identified by the code enforcement official. The term does not include any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure.

Substation: An electric power system facility that receives, transforms, switches, regulates, and distributes electrical energy between generation, transmission, and distribution networks. Substations may increase or decrease voltage levels, provide system protection and control functions, and facilitate the reliable delivery of electricity to end users.

Surface water: Waters of the state located at the ground surface such as lakes, reservoirs, rivers, streams, and creeks.

Suspended solids or total suspended solids or TSS: Total suspended matter that either floats on the surface of, or is in suspension in, water, wastewater, or other liquids, and that is removable by laboratory filtering as prescribed in "Standard Methods for the Examination of Water and Wastewater" and referred to as nonfilterable residue.

Swimming pool: A facility designed and intended for water contact activities which serves the public, neighborhood, a club, or other membership-based organization.

Swimming pool, home: A facility designed and intended for water contact activities that serves a single-family dwelling.

System improvement costs: Costs incurred to provide additional public facilities capacity to serve new growth and development for planning, design and construction, land acquisition, land improvement, design and engineering related thereto, including the cost of constructing or reconstruction system improvements or facility expansions. System improvement costs include but are not limited to the construction contract price, surveying and engineering fees, related land acquisition costs (including land purchases, court awards and costs, attorneys' fees, and expert witness fees), and expenses incurred for qualified staff or any qualified engineer, planner, architect, landscape architect, or financial consultant for preparing or updating the capital improvements element, and administrative costs, provided that such administrative costs shall not exceed three percent of the total of the costs. Projected interest charges and other finance costs may be included if the impact fees are to be used for the payment of principal and interest on bonds, notes, or other financial obligations issued by or on behalf of the county to finance the capital improvements element. System improvement costs do not include routine and periodic maintenance expenditures, personnel training, and other operating costs.

System improvements: Capital improvements that are public facilities designed to provide service to more than one project or to the community at large, in contrast to "project" improvements.

Temporary building: A structure without any foundation or footings that is removed when the designated time period, activity, or use for which the temporary structure was erected has ceased.

Temporary sign: A sign not permanently embedded in the ground, or not permanently affixed to a building or sign structure, and displayed for a finite period of time.

Temporary use: Land uses established for a limited duration with the intent to discontinue such use within a designated time period.

Temporary use, accessory: A use meeting the definition of an accessory use, building, or structure that is established for a limited duration with the intent to discontinue such use within a designated time period.

Temporary construction structure: The following describe the subcategories of temporary construction structure uses:

A. Construction Dumpsters. Temporary refuse containers to store trash and recycling during affiliated construction activities, which are not enclosed.
B. Portable Storage Containers. Designed for the temporary storage of fixtures, furnishings, equipment, or other household goods and materials (also known as PODs). Portable storage containers exclude structures designed for the occupancy by any individual or domestic animal or used as a place of business.
C. Construction Trailers. Occupiable structures used for temporary management of construction activities and related services.

Temporary use, commercial retail: Commercial uses established for a limited duration with the intent to discontinue such use within a designated time period.

Ticket sales: Sales from the selling of tickets within Rockdale County.

Timber harvesting: The felling, loading, and transporting of timber products for gain. The term "tree harvesting" includes forestry, silviculture, selective tree harvesting, and thinning of trees as prescribed by best management practices of the Georgia Forestry Commission.

Tower or telecommunications tower: Any structure that is designed or constructed primarily for the purpose of supporting one or more antennas, including self-supporting lattice towers, guy towers, or monopole towers. The term includes radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers, alternative tower structure, but not including amateur radio antennas.

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:

A. Two dwellings only on adjoining lots.
B. Three or more dwellings on adjoining lots.

Trade school, cosmetology and barber: Establishments primarily engaged in offering training in barbering, hair styling, or the cosmetic arts, such as makeup or skin care. These schools provide job-specific certification. The use is primarily done in classroom settings inside a building.

Trade school, apprenticeship training and other technical and trade schools: Establishments primarily engaged in offering job or career vocational or technical courses which may include but not limited to: electricians', plumbers', mechanics', sheet metal workers', bus driver, dental hygienist, security guard.

Trail, multi-use: A corridor designed for one or more alternative forms of transportation including pedestrians, joggers, skaters, and slow-moving vehicles such as strollers, bicycles, and golf carts.

Transient Merchant: any person, firm, corporation, partnership, or entity that is not operating from a permanent place of business within Rockdale County and that temporarily sells or offers to sell goods, wares, merchandise, or services from a lot, building, room, structure, tent, vehicle, trailer, or other temporary location.

Transitional housing facility: A building or buildings in which long-term, but not permanent, living accommodations are provided for one or more persons who have no permanent residence and are in need of long-term housing assistance, and in which may also be provided meals and social services including counseling and substance abuse recovery assistance.

Transport containers: Standardized reusable vessels that were: (1) originally designed for or used in the packing, shipping, movement or transportation of freight, articles, goods, or commodities; and/or (2) originally designed for or capable of being mounted or moved by rail, truck, or ship by means of being mounted on a chassis or similar transport device.

Transport roots: System or framework of tree roots comprised of major woody roots and rope roots.

Family Travel center: An establishment that includes the retail sale of motor fuel or other petroleum products for automobiles,. travel items, apparel, food (both prepackaged and freshly baked or prepared), beverages, and other retail goods.

Tree: Any self-supporting, woody perennial plant usually having a single trunk diameter of one and one-half inches or more which normally attains a mature height of a minimum of ten feet.

Tree canopy: The perimeter formed by the outer edge of the branches and leaves of a tree.

Tree, co-dominant: A tree whose crown extends above the tops of surrounding trees and receives direct sunlight from above and from the side.

Tree, specimen: Any tree or grouping of trees which has been determined to be of high value by the county arborist/urban forester because of its species, size, age, or other accepted professional criteria as specified by the UDO.

Tree density factor: A unit of measure used to prescribe and calculate required tree coverage on a site. Unit measurements are based upon tree size.

Tree, dominant: A tree whose crown extends into the tops of surrounding trees and receives direct sunlight from above but limited sunlight from the side.

Tree preservation and replacement plan: A drawing which depicts the boundaries and dimensions of a given lot or lots for which a land disturbance permit or building permit is sought and which includes all of the information required by the UDO.

Tree removal: The unauthorized intentional or negligent killing of trees on a parcel of land. Such acts shall include but not be limited to the cutting of trees, and to damage inflicted upon the root system of a tree or trees by the application of toxic substances, by the operation of equipment and vehicles, by storage of materials, by the change of natural grade due to unapproved excavation or filling, or by the unauthorized alteration of natural physical conditions, including drainage patterns.

Tree Replacement: The replacement of trees and landscape plant materials into the minimum required landscape areas, as determined by the UDO.

Trout streams: All streams or portions of streams within the watershed as designated by the Wildlife Resources Division of the Georgia Department of Natural Resources under the provisions of the Georgia Water Quality Control Act, O.C.G.A. § f, in the rules and regulations for Water Quality Control, Chapter 391-3-6 at www.epd.georgia.gov. Streams designated as primary trout waters are defined as water supporting a self-sustaining population of rainbow, brown or brook trout. Streams designated as secondary trout waters are those in which there is no evidence of natural trout reproduction but are capable of supporting trout throughout the year. First order trout waters are streams into which no other streams flow except springs.

Unit of development: The standard incremental measure of land development activity for a specific type of land use upon which the rate of demand for public service and facilities is based, such as a dwelling unit, square foot of floor area, motel room, etc.

Unused or excess impact fee: Any individual impact fee payment from which no amount of money or only a portion thereof has been encumbered or expended according to the requirements of the UDO.

Use: The purpose or activity for which land or buildings are designed, arranged, or intended or for which land or buildings are occupied or maintained.

Use, accessory: A use of land or a building, or portion thereof, customarily incidental and subordinate to the principal use of the land or building and located on the same lot with such principal use.

User, wastewater: Any person who contributes, causes, or permits the contribution of wastewater into the county wastewater system.

Utility: Public or private water, stormwater, or sewer piping systems, water or sewer pumping stations, electric power lines, fuel pipelines, telephone lines, roads, driveways, bridges, river/lake access facilities, stormwater systems, railroads, similar services and all equipment and structures necessary to provide such services for utilities licensed or authorized to serve Rockdale County. The utility use is categorized into the following defined use types:

A. Battery Energy Storage System (BESS): A utility-scale system consisting of one or more battery units, power conversion equipment, and associated infrastructure that stores electrical energy for later discharge and delivery to an electric utility or power service provider. A battery energy storage system does not directly serve on-site electrical demand and is not a primary electric generation facility, but functions as part of the electric power supply system by receiving, storing, and later releasing electricity.
B. Commercial power generation: A facility or group of facilities designed and operated to produce electricity for sale, distribution, or transmission to the public, a utility provider, or third-party users, rather than solely for on-site consumption. This use includes power plants and generating stations utilizing fossil fuels, nuclear energy, renewable resources, or other technologies. This definition excludes accessory or on-site energy systems intended primarily to serve the principal use on the same property and Battery Energy Storage Systems (BESS).
C. COW/Co-location/Concealed Wireless Facility:
    1. Carrier on Wheels (COW). A portable, self-contained wireless facility that can be moved to a location and set up to provide wireless services on a temporary or emergency basis. A COW is normally vehicle-mounted and contains a telescoping boom as the antenna support structure.
    2. Co-location. The placement or installation of wireless communication facilities on existing structures, including electrical transmission towers, water towers, buildings and other structures customarily used for and capable of structurally supporting the attachment of wireless communication facilities in compliance with all applicable codes and regulations.
    3. Concealed Wireless Facility. Any wireless communication facility that is integrated as an architectural feature of an existing structure or any new

wireless support structure designed to camouflage or conceal the presence of antennas or towers so that the purpose of the facility or wireless support structure is not apparent to a casual observer.

D. Public utility: Any publicly, privately, or cooperatively owned line, facility, or system for producing, collecting, transmitting, or distributing communications, power, electricity, light, heat, gas, oil products, water, steam, waste, stormwater not connected with highway drainage, and other similar services and commodities, including publicly owned fire and police and traffic signals and lighting systems, which directly or indirectly serve the public or any part thereof. This definition excludes Battery Energy Storage Systems (BESS).
E. Solar energy facility: A facility that uses solar photovoltaic or solar thermal technology to convert sunlight into electrical or thermal energy. Solar energy facilities may include ground-mounted or roof-mounted systems, solar arrays, inverters, transformers, energy storage systems, and related equipment, and may be designed for on-site use, off-site distribution, or commercial power generation, as permitted by the zoning district.
F. Wind energy facility: A facility that uses wind-powered turbines to convert wind energy into electricity. A wind energy facility may include one or more wind turbines, towers, foundations, electrical collection systems, substations, access roads, energy storage systems, and associated equipment, and may be intended for on-site use, off-site distribution, or commercial power generation, as permitted by the zoning district.

Vape store or other smoke shop: A retail establishment primarily engaged in the display, sale, distribution, delivery, offering, furnishing, or marketing of tobacco products, alternative nicotine products, vape products, vape juice, CBD products, or related paraphernalia. For the purposes of this UDO, a business shall be considered a Vape Store or Smoke Shop when such products constitute its principal product line, meaning they account for at least twenty-five percent (25%) of the business's aggregate retail sales.

Variance: A grant of relief of the terms of the UDO that will not be contrary to the public interest and where, owing to conditions peculiar to the property (and not the applicant), a literal enforcement of the regulations would result in unnecessary and undue hardship.

Vegetative erosion and sedimentation control measures: Measures for the stabilization of erodible or sediment-producing areas by covering the soil with:

A. Permanent seeding, sprigging or planting, producing long-term vegetative cover, or
B. Temporary seeding, producing short-term vegetative cover; or
C. Sodding, covering areas with a turf of perennial sod-forming grass.
D. Such measures can be found in the publication Manual for Erosion and Sediment Control in Georgia.

Vegetated green infrastructure: Green infrastructure that uses trees, shrubs, grasses, or other vegetation along with amended or engineered soils to intercept, retain, infiltrate, and evapo-transpire runoff.

Vehicle: A mechanical device with wheels or treads for transporting people and/or loads. Vehicles include automobiles, motorcycles, trucks, cranes, earth moving equipment, trailers, and other similar conveyances.

Vehicle, business: Vehicles with a gross vehicle weight rating (GVWR) of 8,501 pounds or more that is designed, equipped, or regularly used for business/commercial or industrial purposes, including the transportation of goods, equipment, materials, or multiple passengers in the course of business (including a nonprofit organization). This definition also includes any vehicle, regardless of weight, which falls into one or more of the following categories:

A. Truck tractor;
B. Semi-trailer, which shall include flat beds, stake beds, roll-off containers, tanker bodies, dump bodies and full or partial box-type enclosures;
C. Tow trucks;
D. Commercial hauling trucks;
E. Vehicle repair service trucks;
F. Vehicles with blades attached for plowing or grading;
G. Construction vehicle, such as a bulldozer, backhoe, and similar vehicles;
H. Passenger carrying vehicles with more than 15 passengers, including the driver;
I. Combinations of vehicles (such as a truck pulling a trailer or other equipment);
J. A trailer that hauls two or more passenger vehicles; and
K. Vehicles used to transport hazardous materials, as defined by applicable state or federal regulations.

Vehicle, hazardous: Any motor vehicle, trailer, or equipment that, due to its condition, contents, placement, or manner of parking, creates an immediate or reasonably foreseeable threat to public health, safety, or welfare, including but not limited to one or more of the following:

A. A vehicle containing hazardous materials, flammable substances, explosives, toxic chemicals, compressed gases, or regulated waste, whether loaded or leaking, except when lawfully parked during active loading or unloading in compliance with applicable regulations;
B. A vehicle that is inoperable, abandoned, wrecked, dismantled, partially dismantled, or structurally unsafe, including missing wheels, broken axles, leaking fluids, or exposed sharp or hazardous components;
C. A vehicle that blocks or interferes with emergency access, fire lanes, driveways, sidewalks, bicycle facilities, traffic lanes, or sight-distance areas;

D. A vehicle parked in a manner that creates a fire hazard, including proximity to structures, vegetation, ignition sources, or fuel storage inconsistent with fire code requirements;
E. A vehicle with active fuel, oil, coolant, sewage, chemical, or battery leakage;
F. A vehicle used for the storage of equipment, materials, or substances in a manner that poses a risk of explosion, contamination, collapse, or injury;
G. A vehicle that presents an electrical hazard, including exposed wiring, generators, or charging equipment not compliant with applicable codes; or
H. Any vehicle determined by a law enforcement officer, fire official, or code enforcement officer to pose an immediate danger to persons or property based on observable conditions.

Vehicle sign: A sign attached to or painted on a vehicle parked and visible from the public right-of-way, unless said vehicle is used for transporting people or materials in the normal day-to-day operations of the business. A vehicle sign is a type of portable sign.

Veterinary services: Establishments where animals or pets are given medical treatment and are cared for during the time of such treatment. Use as a kennel shall be limited to short-time boarding and shall be only incidental to such hospital use.

Wall, foundation: A wall constructed on footings or piers and designed to bear the load of a building or major structure.

Wall, retaining: A structure constructed and erected between lands of different elevations to protect structures and/or to prevent erosion, and not used as a foundation.

Wall sign: A sign painted on, attached to or mounted to the wall or surface of a building or structure.

Wastewater: The spent water of a community. From the standpoint of source, it may be a combination of the liquid and water carried wastes from residences, commercial buildings, industrial plants, and institutions, together with any groundwater, surface water and storm water that may be present.

Wastewater, domestic: Wastewater discharged into the wastewater system from domestic sources such as toilets, washing machines, dishwashers, sinks, showers, and bathtubs from normal household usage.

Wastewater facilities: The structures, equipment and processes required to collect, carry away and treat domestic and nondomestic wastewater and to dispose of the effluent.

Wastewater system or county wastewater system: The total wastewater disposal facilities owned and operated by the county, also the administrative framework which operates the facilities.

Water supply reservoir: A governmentally owned impoundment of water for the primary purpose of providing water to one or more governmentally owned public drinking water systems. This excludes the multipurpose reservoirs owned by the U.S. Army Corps of Engineers.

Water supply watershed: The area of land upstream of a governmentally owned public drinking water intake.

Water system or county water system: The total water treatment and distribution facilities owned and operated by the county, also the administrative framework which operates the facilities.

Watercourse: Any natural or artificial watercourse, stream, river, creek, channel, ditch, canal, conduit, culvert, drain, waterway, gully, ravine, or wash in which water flows either continuously or intermittently and which has a definite channel, bed and banks, and including any area adjacent thereto subject to inundation by reason of overflow or floodwater.

Watershed: The land area that drains into a particular stream, river, lake, or impoundment.

Well: An excavation or opening into the ground by which groundwater is sought or obtained.

Wetlands: Those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

Wetlands, jurisdictional: Wetlands subject to permits issued by the U.S. Army Corps of Engineers.

Window, drive-through: An opening in the wall of a building or structure designed and intended to be used to provide for sales to and/or service to patrons who remain in their vehicles.

Window sign: A sign installed on the interior or exterior of a window and intended to be viewed from the outside of the building. Includes signs made of perforated film and other semi-opaque materials. Window signs are distinct from wall signs.

Wireless communication facility: The equipment and network components necessary to provide wireless communications service, excluding the underlying wireless support structure. The term includes antennas, accessory equipment, transmitters, receivers, base stations, power supplies, cabling, and associated equipment necessary to provide wireless communications services.

Wireless support structure: A freestanding structure, such as a monopole or tower, designed to support wireless communication facilities.

W-P country store: A community store building lawfully in existence prior to the adoption of the watershed protection zoning district, used solely or principally for the purpose of sales to the public of general merchandise, including, but not limited to packaged food and beverages, small houseware articles, papers and magazines, and similar "general store" items.

Yard: An open space between the property line and the wall of the principal building, on the same lot, such space being open, unoccupied, and unobstructed by buildings or structures from ground to sky except for authorized landscaping, driveways, parking, sidewalks, signs, lighting standards, encroachments and accessory buildings that are expressly permitted.

Yard, front: A yard extending the full width of the lot or parcel and situated between the right-of-way line of the abutting street and the front yard line of the principal building or structure.

Yard, rear: A yard extending the full width of the lot or parcel and extending from the rear line of the lot to the rear yard line of the principal building or structure.

Yard, required: A yard situated between a lot line or property line and the setback line established by the zoning district for the principal building or structure.

Yard, side: A yard extending the full depth of a lot or parcel and situated between the side yard line and side property line of the lot or parcel and the side of the building facing such property line.

Zoning district: One or more geographic sections of the county, as set forth in the UDO, and delineated and designated on the zoning maps, within which the zoning regulations are uniform.

3.4 Abbreviations.

As used in this UDO, the following abbreviations represent the terms set forth below.

Table 3.4.1: Abbreviations

Acronym	Full Term
ALTA	American Land Title Act
ART.	Article
BOD	Biochemical oxygen demand
CFR	Code of Federal Regulations
COD	Chemical oxygen demand
CWA	Clean Water Act
dBA	Decibels measured on an A-weighted scale of a sound meter
DBH	Diameter at breast height (trees)
DHR	The Georgia Department of Human Resources

DNR	The Georgia Department of Natural Resources
DRI	Development of Regional Impact
DSS	Domestic Sewage Study
EPA	Environmental Protection Agency
FAA	The Federal Aviation Administration
FEMA	The Federal Emergency Management Agency
FIS	Flood Insurance Study
FCC	The Federal Communications Commission
GA. CONST.	Georgia Constitution
GASWCC	The Georgia Soil and Water Conservation Commission
GDOT	Georgia Department of Transportation
IRF	Intermediate Regional Flood
l	Liter
mg	Milligrams
mg/l	Milligrams per liter
MRPA	Metropolitan River Protection Act
MUTCD	Manual of Uniform Traffic Control Devices
NA	Not applicable
N.E.	Northeast
N.W.	Northwest
NOI	Notice of intent of coverage under General NPDES Permit for Construction Activities
NOT	Notice of termination to be covered under general NPDES permits for construction activities
NPDES	National Pollutant Discharge Elimination System
NTU	Nephelometric turbidity units
O.C.G.A.	Official Code of Georgia Annotated
O&M	Operation and maintenance
OSHA	Occupational safety and health administration
P.E.	Professional engineer
pH:	The logarithm (base 10) of the reciprocal of the molar concentration of hydrogen ions in solution
PIRT	Pretreatment Implementation Review Task Force
POTW	Publicly owned treatment works
psi	Pounds per square inch
SDR	Sight distance required for vehicle approaching from right side of driveway
SDL	Sight distance required for vehicle approaching from left side of driveway

S.E.	Southeast
S.W.	Southwest
SIC	Standard Industrial Classification
sq. ft.	square feet
SRCO	Salem Road Corridor Overlay
TSS	Total suspended solids
UDO	Unified Development Ordinance
USGS	United States Geological Survey
U.S.C.	United States Code

Article 4: Rules for Measurement

4.1 Purpose.

The purpose of this section is to explain how the various measurements to which this Code refers shall be calculated.

4.2 General Provisions.

For all calculations, the applicant shall be responsible for supplying drawings illustrating the measurements that apply to a project. These drawings shall be drawn to scale and provide sufficient detail, including relevant dimensions, to allow for easy verification of compliance with the Code or other requirements.

4.3 Fractions.

Whenever this Code requires consideration of parking spaces, dwelling units, or other features of development or the physical environment expressed in numerical quantities, and the result of a calculation contains a fraction of a whole number, the results will be rounded as follows:

A. General Rounding. Fractions of one-half (0.5) or greater shall be rounded up to the nearest whole number, and fractions of less than one-half (0.5) shall be rounded down to the nearest whole number, except as otherwise provided.
B. Parking Spaces. Provisions on how to calculate the quantity of parking spaces are detailed in Article 15, Off-Street Parking and Loading.

4.4 Determining Floor Area.

The floor area of a building is the sum of the gross horizontal areas of all floors of a building or other enclosed structure measured from the interior face of the exterior walls or, in the case of a shared wall, from the centerline of a wall separating the two buildings. Floor area is used to calculate Floor Area Ratio (FAR), determine parking requirements and all relevant impact fees, but the different types of floor area used to determine required parking for different uses,

maximum FAR, and perform other calculations specific to different uses must be verified. Floor area is calculated in square feet.

4.4.1 Included in Floor Area.

Floor area includes unenclosed decks, balconies, porches, and platforms if used for commercial or restaurant activity. In the case of a multi-story building that has covered or enclosed stairways, stairwells or elevator shafts, the horizontal area of such features shall be counted only once at the floor level of their greatest area of horizontal extent. Floor area also includes:

A. All habitable space as defined in the Building Code on all levels and mezzanines, interior balconies, lofts, and closets;
B. Restrooms, lounges, lobbies, kitchens, storage areas, and interior hallways and corridors;
C. Portions of basements that meet Building Code requirements for habitable space,
D. Enclosed and roofed porches and balconies;
E. Interior courtyards, atria, paseos, walkways, and corridors that are fully enclosed,
F. Storage and equipment spaces that are roofed and enclosed on all sides;
G. Covered parking at or above grade; and
H. Stairwells and elevator shafts counted once at floor level.

4.4.2 Excluded from Floor Area.

Floor area does not include:

A. Stairways and stairwells (except at floor level).
B. Elevators and elevator equipment rooms and elevator shafts except at floor level.
C. Ramps to a subterranean or semi-subterranean parking structure or ramps between floors of a parking structure provided the ramp does not accommodate parking.
D. Loading spaces and docks used exclusively for loading and unloading.
E. Unenclosed decks, balconies, porches, and platforms not used for commercial or restaurant activity.
F. Parking.
    1. Structured parking areas located above finished grade where the vertical distance between finished grade and the floor of the parking level is five feet or less.
    2. Sideloaded or detached garages. Sideloaded or detached garages not exceeding 400 square feet, located to the rear of residential structures, a minimum of 40 feet away from the front lot line, and accessed by a driveway.
    3. Subterranean or underground parking areas located below finished grade or finished floor of habitable space where the vertical distance between finished grade and finished floor is 5 feet or less and meet the following criteria:
        a. The parking area is located below finished grade along at least one street frontage,

b. The portions of the parking area located above finished grade are a result of the site's slope and cannot feasibly be fully subterranean due to geological or physical site constraints, and
c. The facades of any of the visible portions of the parking area located above finished grade are designed and landscaped to meet all applicable provisions of the UDO.

G. Attics except when approved for occupancy.
H. Mechanical equipment rooms, electrical rooms, telecommunication equipment rooms, and similar space located below grade.

4.4.3 Commercial.

In addition to above, the following rules apply when calculating commercial floor area:

A. Covered and uncovered courtyards, arcades, atria, paseos, walkways, and corridors that are located at or near the street level and are accessible to the public are excluded from the area provided they are not used as sales, display, storage, service, or production areas.
B. Unenclosed decks, balconies, porches, and platforms that are used for commercial or restaurant activity are included in the floor area.

4.4.4 Floor Area for Parking Determinations.

When calculating floor area for determining required parking, gross floor area is calculated as stated above. For retail establishments, floor area is the space between exterior walls that is devoted to the display and selling of merchandise including space occupied by counters, fixtures, storage cabinets, and shelves.

4.5 Determining Floor Area Ratio (FAR).

Floor area ratio (FAR) means the ratio of the floor area of all principal and accessory buildings on a site, excluding the areas described above, to the area of the lot. To calculate the FAR: floor area is divided by lot area, typically expressed as a whole number or decimal. For example, if the floor area of all buildings on a site totals 20,000 square feet, and the site area is 10,000 square feet, the FAR is expressed as 2.0.

4.6 Determining Net Residential Density.

Residential density is expressed as the number of housing units per net acre of developable land, which is calculated as the total lot area excluding land that is constrained for development by existing and approved public rights-of-way such as public streets, creeks, existing easements, required open space, transitional buffers, and environmentally sensitive lands including beaches, lagoons, wetlands, other permanent water bodies, riparian areas and other habitats.

4.7 Determining Lot Area.

The area of any lot shall be the area bounded by the lot lines, the right-of-way line of any street adjoining the lot, and/or the center line of the right-of-way of any private access road adjoining the lot.

4.7.1 Excluded from Lot Area.

A. Access easements and easements for utility purposes, private streets, and the pole portion of flag lots shall be excluded from the calculation of lot area.
B. If a street dedication is required, the calculation shall be based on the total area of the lot before the street dedication.

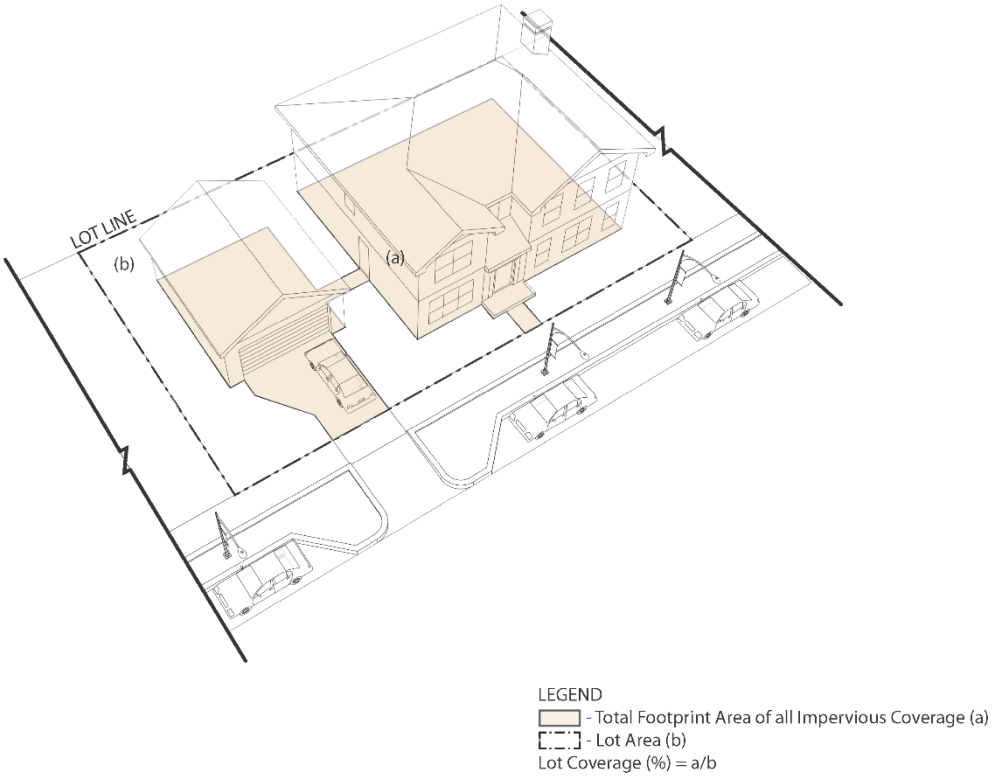


Figure 4.6 - Determining Lot Area and Lot Coverage.

4.8 Determining Lot Coverage.

Lot coverage is the ratio of the total footprint area of all impervious coverage on a lot to the total lot area, often expressed as a percentage. Impervious coverage shall consist of the following, and as further defined in Section 3.3, Definitions:

A. Areas which significantly prevent or impede the natural infiltration of stormwater into the soil.

B. Common impervious surfaces include, but are not limited to, rooftops, buildings, streets, roads, sidewalks, walkways, patio areas, driveways, parking lots, concrete and asphalt surfaces, storage areas, compacted gravel and soil surfaces, awning, and other fabric or plastic coverings, and other surfaces which prevent or impede the natural infiltration of stormwater runoff which existed prior to development.
C. Impervious surface also includes unpaved graded aggregate base (GAB), or crusher run.

4.9 Determining Lot/Building Frontage.

A. The lot frontage relates to the linear distance on which a parcel of land adjoins a public street or street right-of-way, including proposed streets within a subdivision of land approved by Rockdale County.
B. The side of a corner lot fronting on the street with the highest functional classification, according to the Rockdale County Functional Classification System, shall be deemed to be the front of the lot. If both streets have the same functional classification, then the front of the lot shall be deemed to be the side with the least street frontage.



C. Building frontage is measured as the width in linear feet of each exterior wall of a building that faces a street or public way.

Figure 4.9 - Determining Lot Types and Lot Frontage.

4.10 Determining Setbacks.

A setback line defining a required yard is parallel to the corresponding front, side, or rear lot line, at a distance specified within the articles of this UDO. The following regulations for determining yards apply when a lot abuts a proposed street or alley. For non-rectilinear parcels, setbacks shall be determined in accordance with the standards for measuring parcel width outlined in Section 4.12, Measuring Lot Width. Setbacks shall be unobstructed from the ground to the sky unless an easement encroachment has been authorized or exceptions have been made, subject to compliance with the Building Code.

A. For standard rectangular lots, the front setback shall be measured at a perpendicular distance from the front property line, as established in Sec. 5.3.1, Sec. 6.3.1, or elsewhere in the UDO, and extends from the left to right side lot lines, parallel to the front property line. For cul-de-sac or irregular lots, the front setback shall be set at the same distances as standard lots, however, the setback shall follow the lot's arc, parallel to the front property line, street, or right-of-way.
B. For standard rectangular lots, the side setback shall be measured at a perpendicular distance from the side property line, as established in Sec. 5.3.1, Sec. 6.3.1, or elsewhere in the UDO, and extends from the front to rear lot lines, parallel to the side property line.
C. For standard rectangular lots, the rear setback shall be measured at a perpendicular distance from the rear property line, as established in Sec. 5.3.1, Sec. 6.3.1, or elsewhere in the UDO, and extends from the left to right side lot lines, parallel to the rear property line.

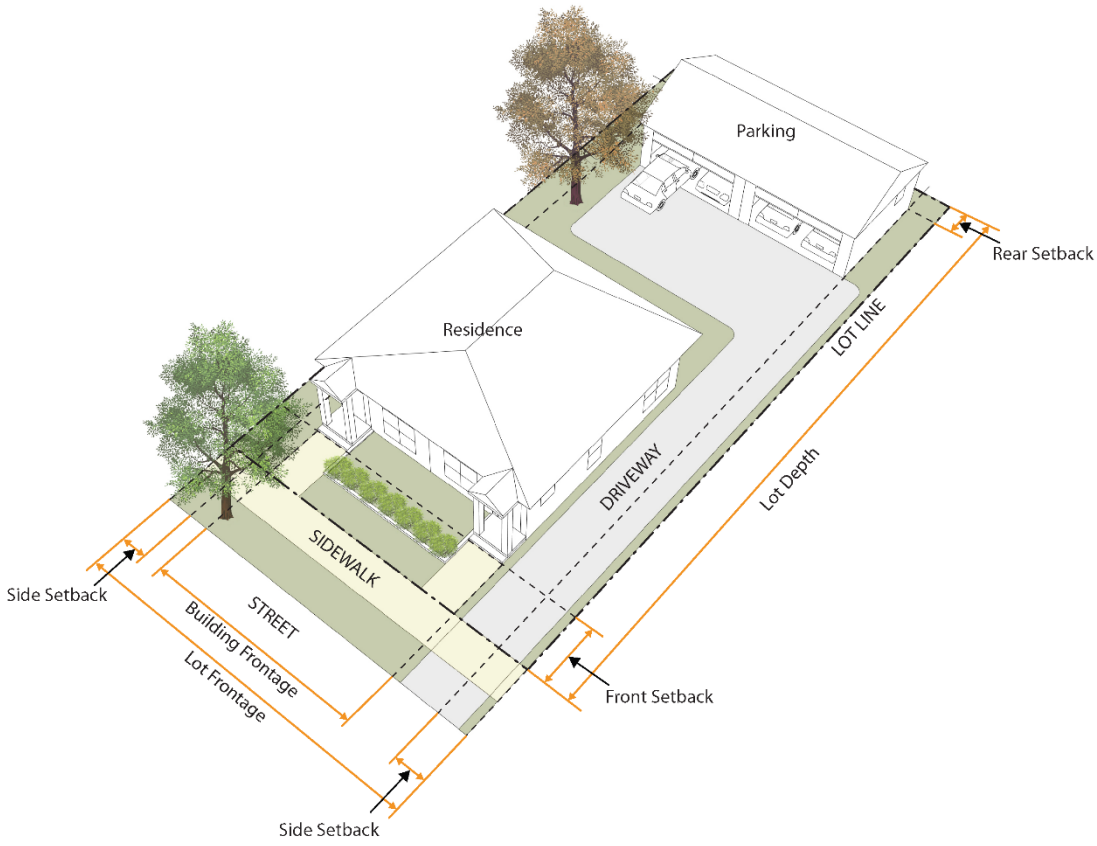


Figure 4.10 - Determining Lot Setbacks and Frontage.

4.10.1 Yards abutting planned street expansions.

If a property abuts an existing or proposed street for which the existing right-of-way is narrower than the right-of-way ultimately required for the street, the required setback shall be established from the future right-of-way rather than the existing property line.

4.10.2 Yards on alleys.

A. If a side lot line abuts any alley, the yard shall be considered an interior side yard rather than a corner yard. Double frontage provisions shall not apply.
B. In computing the minimum yard for any lot where such yard abuts an alley, no part of the width of the alley may be considered as part of the required yard.

4.11 Measuring Distances.

4.11.1 Measurements are Shortest Distance.

When measuring a required distance, such as the minimum distance between a structure and a lot line, the measurement is made at the closest or shortest distance between the two objects.

4.11.2 Distances are Measured Horizontally.

When determining distances for setbacks and structure dimensions, all distances are measured along a horizontal plane from the appropriate line, edge of building, structure, storage area, parking area, or other object. These distances are not measured by following the topography or slope of the land.

4.11.3 Measurements Involving a Structure.

Measurements of distance to a structure are measured to the closest exterior wall of the structure. Structures or portions of structures that are entirely underground are not included in measuring required distances.

4.11.4 Measurement of Vehicle Queuing or Travel Areas.

The minimum travel distance for vehicles, such as garage entrance setbacks, is measured down the center of the vehicle travel area. For example, curving driveways and travel lanes are measured along the center arc of the driveway or traffic lane.

4.12 Measuring Lot Width.

The width of a lot is measured at the required front setback line measured parallel to the street right-of-way or in the case of a curvilinear street, at the required front setback line parallel to the lot's arc between the intersection of the side lot lines and the street right-of-way line.

4.13 Measuring Building Height.

A. Multi-Family or Single-family, attached residential building height. Building height shall be measured vertically from the grade plane to the highest point of the roof; to the deck line of mansard roofs; and to the mean height level between eaves and ridge of gable, hip, and gambrel roofs. Does not include steeples, cupolas, decorative towers, antennas, and mechanical equipment attached to a building. The grade plane is the average ground elevation (natural grade) immediately around the base of a building. Buildings which do not have grade change between any of the sides shall have a grade plane equal to that of the threshold of the primary pedestrian entrance. Levels which are entirely subterranean shall not contribute to building height.

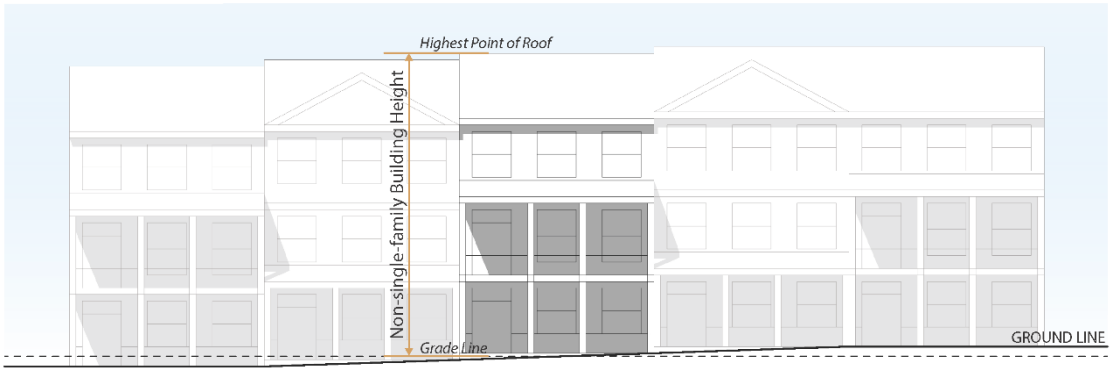
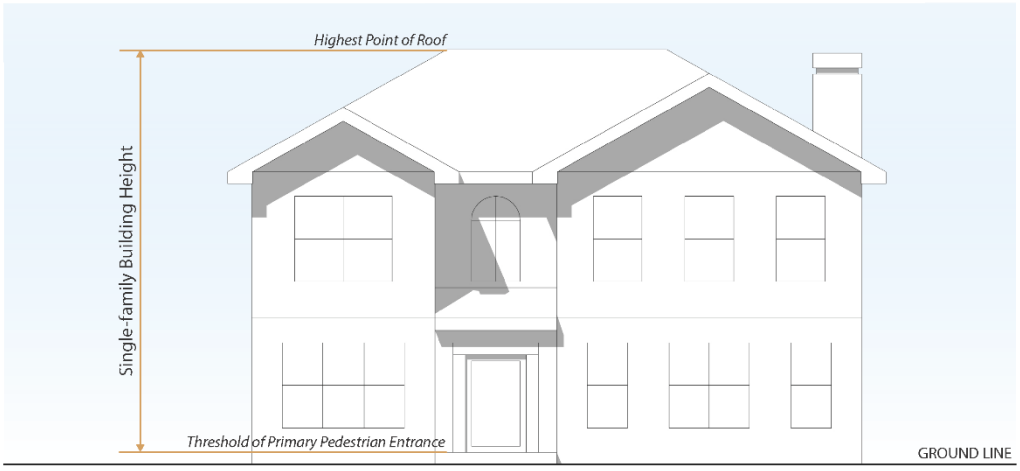


Figure 4.13.A - Measuring Non-Single-Family Residential Building Height.

B. Single-family, detached residential building height. Building height shall be measured vertically from the threshold of the primary pedestrian entrance to the highest point of the roof; to the deck line of mansard roofs; and to the mean height level between eaves and ridge of gable, hip, and gambrel roofs.



C. Nonresidential building height. The vertical distance measured from the average elevation of the finished grade at the front of the building to the highest point of the roof, if a flat roof is proposed; to the deck line of mansard roofs, as proposed; and to the mean height level between eaves and ridge of gable, hip, and gambrel roofs. This measurement does not include steeples, cupolas, decorative towers, antennas, and mechanical equipment attached to a building.

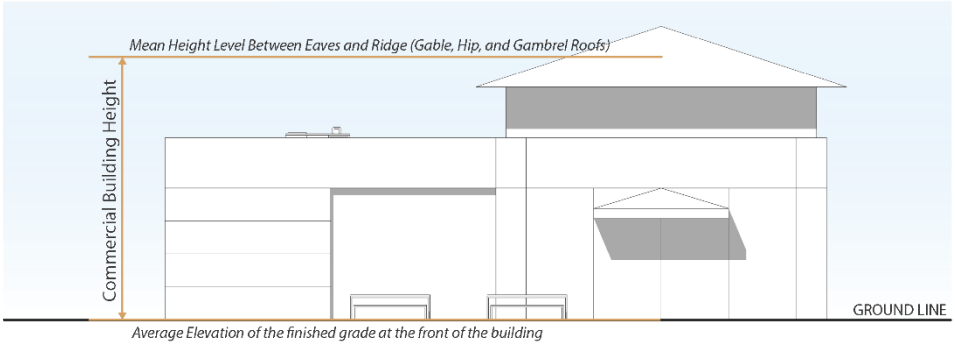


Figure 4.13.B - Measuring Single-Family Residential Building Height.

4.14 Measuring Slopes.

The average slope of a parcel is calculated using the formula S = 100(I)(L)/A, where:

A. S = Average slope (in percent)
B. I = Contour interval (in feet)
C. L = Total length of all contour lines on the parcel (in feet)
D. A = Area of subject parcel (in square feet)
E. run = horizontal distance between the top and bottom elevations

4.15 Measuring Fence or Wall Height.

The height of a fence, wall, or other screening shall be measured vertically from the highest adjoining finished grade at any point along the fence, wall, or screening to the highest point of the fence, wall, or screening.

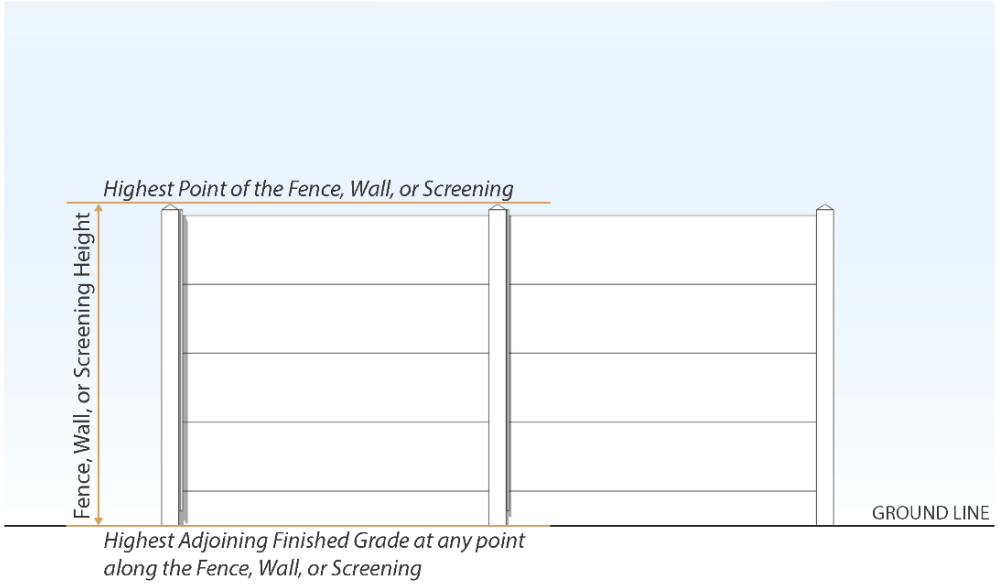


Figure 4.15 - Measuring Fence or Wall Height.

4.15.1 Measuring height of fences on retaining walls.

When a fence is located on top of a retaining wall, the combined height of the retaining wall and fence shall be measured from the highest adjoining finished grade to the highest point of the fence.

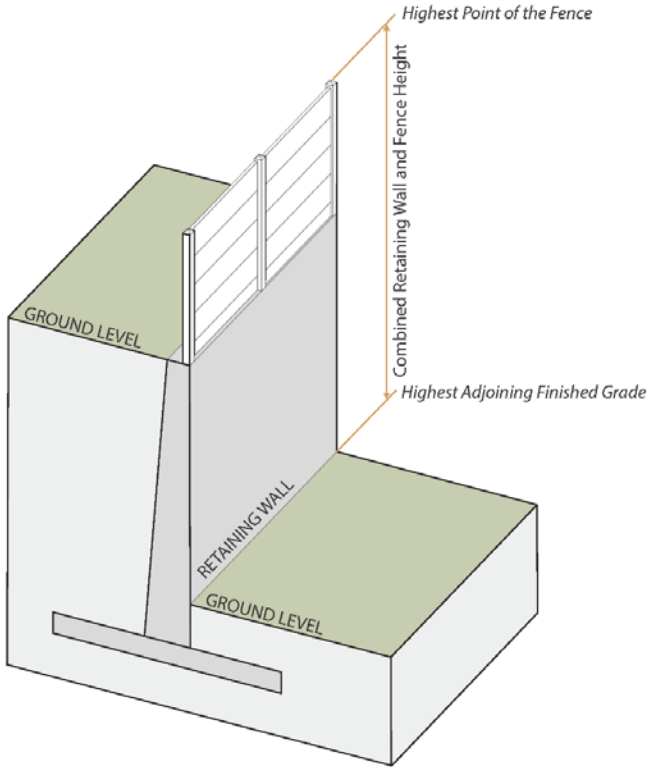


Figure 4.15.1 - Measuring Height of Fences on Retaining Walls.

4.15.2 Measured in a continuum.

Fence or wall height shall be measured continuously along its length.

4.16 Architectural Measurements.

4.16.1 Determining Façade Material Percentages.

A. Where this UDO requires minimum or maximum percentages of exterior façade materials, such percentages shall be calculated based on the net façade area of the applicable building elevation.
B. Net façade area shall be measured as the total vertical area of the façade from finished grade to the top of the façade, excluding fenestration and other non-wall openings, including but not limited to windows, doors, storefront glazing, curtain wall systems, louvers, and vents.
C. Only exterior wall surfaces and architectural elements forming the building façade shall be included in façade material calculations.

D. Applicants shall provide scaled building elevations and material calculations sufficient to verify compliance.

Article 5: Agricultural and Residential Districts

Table 5.1: Agricultural and Residential Districts
AR, Agricultural Residential District
R-1, Single Family Residential District
MR, Multi-Family Residential District
PV, Preservation Village District
CRS, Collaborative Residential Subdivision

5.1 Agricultural and Residential Districts.

5.1.1 Agricultural Residential District (AR).

A. Purpose. The AR District is intended to accommodate low-density single-family residential development in a rural setting where residential uses can coexist compatibly with agricultural activities. The district supports the preservation of agricultural lands, working farms, and related rural character while allowing residential development that respects customary agricultural operations, open landscapes, and natural features.

B. Development within the AR District is intended to occur at a scale and intensity that minimizes conflicts between residential and agricultural uses, protects scenic views and environmental resources, and maintains the county's rural heritage. The district encourages development patterns that conserve open space, reduce fragmentation of farmland, and support the long-term viability of agricultural uses alongside residential living.

5.1.2 Single Family Residential District (R-1).

Purpose. The R-1 District is intended to accommodate single-family residential development at low to medium densities in established and developing neighborhoods, providing for a consistent residential character supported by appropriate infrastructure and community amenities.

5.1.3 Multi-Family Residential District (MR).

Purpose. The MR District is intended to accommodate multi-family residential development in areas suitable for moderate to higher-density housing. Such areas shall be served by adequate public facilities and amenities, including public water and sanitary sewer systems. Careful consideration of drainage, topography, open space, and other environmental factors is required to ensure that development within the district is appropriate and sustainable.

5.1.4 Preservation Village District (PV).

(Reserved)

5.1.5 Collaborative Residential Subdivision District (CRS)

Purpose. The CRS District is intended to create a distinct physical single-family detached residential development while preserving, in perpetuity, open space and valuable view sheds that include sensitive natural resources such as streams, creeks, lakes, groundwater, floodplains, wetlands, steep slopes, woodlands, exceptional trees, and wildlife habitat. Development within the CRS District is intended to create a sense of place that is attractive, walkable, and environmentally responsible, by promoting landscaped walking trails, bike paths, and public gathering places within and outside of the subdivision.

5.2 Agricultural and Residential Districts Land Use Regulations.

5.2.1 General.

A. The uses set forth in the table below shall be permitted only as listed within each zoning district and only in the manner so listed. Any use not listed in said table is prohibited in all districts. No use shall be permitted and no structure associated with such use shall be erected, structurally altered, or enlarged unless the use is permitted as one of the following:
    1. P: A permitted use.
    2. SUP: A use requiring a special use permit subject to approval following the application procedures and requirements in Section 18.7, Special Use Permits of the UDO.
    3. Any use listed with a "Yes" in the column headed by the words "Supplemental Use Standards?" in the table below shall satisfy the applicable supplemental use standards, as established in Article 9, in addition to the development regulations of the district in which it is located.

B. In addition to uses that are expressly prohibited, any use not expressly permitted is therefore prohibited. Any decision by staff to deny a proposed use may:
    1. Be appealed to the Board of Adjustment, in accordance with the procedures of Sec. 18.10.; or
    2. The applicant may seek a text amendment to the UDO, subject to Section 18.6., to expressly allow such use.

5.2.2 Land Use Table.

Table 5.2.2: Agricultural and Residential District Land Use Table							
"P" = permitted use "SUP" = special use permit Blank cell = prohibited use							
	Land Use Category	Supplemental Use Standards?	AR	R-1	MR	PV	CRS
Agricultural Uses							
	Agritourism	Yes	P				
	Apiary (bee keeping)	Yes	P				P
	Botanical Garden		P				P
	Community Garden		P				P
	Farming, Commercial	Yes	P				
	Farming, General	Yes	P				
	Forestry and Logging (timber harvesting)	Yes	P				
	Greenhouse, Nursery and Floriculture Production	Yes	P				
	Horse Stables, Riding, and Boarding	Yes	P				
	Livestock Quarters and Enclosures	Yes	P	P			
	Microbrewery, distillery, winery	Yes	SUP				
Residential Uses							
	Multi-Family	Yes			P		
	Single-Family Detached	Yes	P	P	P		P

	Two-Family (Duplex) (Single-Family Attached)	Yes			P		
	Manufactured Home	Yes	SUP	SUP			
	Live-work	Yes			P		
	Industrialized (modular) Home	Yes	P	P	P		P
	Townhome (Single-Family Attached)	Yes			P		
	Cottage Village	Yes	SUP	SUP	SUP		SUP
	Tiny Home Village	Yes	SUP	SUP	SUP		SUP
Group Living							
	Nursing Home				SUP		
	Personal Care Home, Family, (6 or fewer individuals)	Yes	SUP	SUP			SUP
	Personal Care Home, Group, (7-15 individuals)	Yes					
	Personal Care Home, Congregate, (15+ individuals)	Yes					
	Transitional Housing, Halfway House (6 or fewer individuals)	Yes	SUP	SUP			SUP
	Transitional Housing, Halfway House (7 or more individuals)	Yes					
Public, Institutional, and Civic Uses							

Community	Cemetery	Yes	P	P			P
	Crematorium	Yes					
	Correctional facility						
	Daycare (Small- 4 or fewer children)	Yes	SUP	SUP			SUP
	Daycare (Large- 5 or more children)	Yes					
	Library		P				P
	Mausoleum	Yes	P	P			
	Museum, Historical Sites, or similar institutions		SUP	SUP	SUP		SUP
	Park		P	P	P		P
	Places of Assembly (Performing arts theatre, concert hall, auditorium, civic/social orgs, etc.)	Yes	SUP				SUP
	Place of worship	Yes	SUP	SUP	SUP		SUP
	Public safety facility		P	P	P		P
Education	College or university		SUP				
	Public School (K-12)		P	P	P		
	Private School (K-12)	Yes	SUP	SUP	SUP		
	Trade or vocational school		P				SUP
	Agricultural Extension Programs		SUP				SUP

	Childcare Learning Facility/Pre-K	Yes					
Healthcare	Clinic		SUP				
	Hospital	Yes	SUP				
	Crisis Center	Yes					
Commercial Uses							
	Banquet Hall, Events Center	Yes	SUP				SUP
Food & Beverage							
	Restaurant		SUP				
Lodging	Bed and breakfast	Yes	P				
Vehicular	Automobile Impound	Yes					
	Recreational Vehicle (RV) Parks	Yes	SUP				
Recreation	Fish & game club		P				
	Golf course		SUP	SUP			SUP
	RV Parks & Campgrounds	Yes	SUP				
	Recreation or entertainment, outdoor	Yes	SUP				SUP
Animal Service	Limited	Yes	P				
	General	Yes	P				
	Veterinary	Yes	P				
Industrial Uses							
Natural Resource Extraction	Incidental Extraction	Yes	P	P	P		
	Mineral Extraction	Yes	SUP				
	Quarrying	Yes					
	Mining	Yes					
Utility							
	COW/Co-location/Conce	Yes	P	P	P		P

	aled Wireless Facility						
	Public utility		P	P	P		
	Natural Gas Substation						
	Nuclear Power Plant						
	Battery Energy Storage System	Yes					
	Solar energy facility	Yes	SUP				SUP
	Wind energy facility	Yes	SUP				SUP
Data Management and Processing	Data Center	Yes					

5.2.3 Accessory Use Table.

Table 5.2.3: Agricultural and Residential District Accessory Land Use Table

"P" = permitted use "SUP" = special use permit Blank cell = prohibited use							
Land Use Category		Supplemental Use Standards?	AR	R-1	MR	PV	CRS
Accessory Uses							
Accessory Building and Structures	Accessory Dwelling Unit	Yes	P	P			P
	Other Accessory Building and Structures	Yes	P	P	P		P
	Airstrip, Private		SUP				
	Antenna, amateur radio	Yes	P	P	P		
	Antenna, satellite	Yes	P	P			
	Drive-through and Drive-up Facility						
	EV Charging Stations	Yes	P	P	P		
	Fruit/Vegetable Market	Yes	P				

	Home Occupation, Tier 1	Yes	P	P	P		P
	Home Occupation, Tier 2	Yes	SUP	SUP	SUP		SUP
	Outdoor Storage	Yes					
	Storm Shelter	Yes	P	P	P		P
	Swimming Pools	Yes	P	P	P		
	Unmanned Retail Structure	Yes					
	Vending Machine Fulfillment Center	Yes					
Temporary Uses							
	Temporary Construction Structures	Yes	P	P	P		
	Temporary Outdoor Sales of Merchandise	Yes					
	Temporary Special Event	Yes					
	Mobile Food Vendor	Yes					
	Short-term rental	Yes	P	P			

5.3 Agricultural and Residential Districts Developmental Regulations.

5.3.1 General Agricultural and Residential Developmental Regulations.

Zoning District	Min. Development Size	Min. Lot Size (public water & public sewer / septic	Max. Density (DU/ Acre)	Min. Lot Width	Min. Front Setback	Min. Interior Side Setback	Min. Rear Setback	Min. Heated Floor Area	Max. % Lot Coverage	Min. % Open Space	Max. Bldg. Height (primary/accessory)
AR	N/A	1 acre / 1 acre	1.0 / 1.0	120 ft	50 ft.	30 ft	50 ft	1,200 sq ft	15%	0 %	35 ft / 25 ft
R-1	N/A	14,000 sq ft / 30,000 sq ft	3.0 / 1.45	85 ft / 100 ft	25 ft.	10 ft / 25 ft for corners	40 ft	1,000 sq ft/1,200 sq ft	35% / 30%	0 %	35 ft / 25 ft

MR	N/A	5 acres / N/A / N/A	24 DU /acre	200 ft.	25 ft.	20 ft./ 25 ft. for corners	30 ft.	See below *	60%	25 %	45 ft or 3 stories / 15 ft
PV											
CRS	10 acres	10,000 sq ft./ N/A	3.1	70	20	7.5	25	1,800 sq. ft	30%	30 %	35 ft

*Minimum Heated Floor Area for multi-family and attached dwelling uses:

- 600 square feet for an efficiency unit
- 800 square feet for one bedroom unit.
- 1,000 square feet for two-bedroom unit.
- 1,300 square feet for three or more-bedroom unit.

Article 6: Non-Residential and Mixed-Use Districts

Table 6.1: Non-residential/Mixed-use Districts
C-1, Local Commercial District
C-2, Commercial Node District
CC, Community Commercial District
MXD, Mixed-use Development District
OI, Office Institutional District
W-P, Watershed Protection District
M-1, Light Industrial District
M-2, General Industrial District

6.1 Non-Residential/Mixed-Use Districts.

6.1.1 Local Commercial District (C-1).

Purpose. The C-1 District is composed primarily of low-intensity retail and commercial services generally designed to serve the common and frequent needs of the residents of nearby neighborhoods. The C-1 district should be located on collector streets where they are convenient by car and on foot to surrounding neighborhoods but will not cause excessive traffic on residential streets. It is the intent of this district to encourage such uses to be of a residential scale and character that is compatible with adjacent

neighborhoods. Businesses should provide storefronts and entrances that are oriented to the street and adjacent to sidewalks, with most of the parking to the side or rear.

6.1.2 General Commercial District (C-2).

Purpose. The purpose of the C-2 District is to provide suitable areas for the various types of community and regional-oriented commercial activities including retail uses and wholesale uses, serving a large sector of the community. C-2 districts are intended to be located along arterial streets and at locations that are appropriate for community and regional commercial areas, as opposed to locations that primarily serve local neighborhoods.

6.1.3 Community Commercial District (CC).

Purpose. The purpose of the CC District is intended to accommodate low-impact commercial services and retail uses in walkable development patterns that are designed to be compatible in scale and appearance with surrounding residential buildings and conveniently located to serve nearby residents and employees. Development within the district should provide well-designed, human-scale structures that support the needs of a diverse population while maintaining compatibility with adjacent residential neighborhoods. The district is further intended to serve as a transition between single-family residential areas and more intensive commercial, civic, or office uses, and to encourage design flexibility for innovative projects that set high standards for landscaping, green space, community design, and public amenities.

6.1.4 Mixed-use Development District (MXD).

Purpose. The MXD District is intended to provide a flexible framework for compact, walkable development that integrates a mix of residential, employment, commercial, and retail uses in a coordinated and efficient manner. The district is designed to improve the efficiency of land use and transportation systems and enhance quality of life by encouraging interrelated uses within well-connected, pedestrian-oriented environments. Development within the MXD District should provide places of employment alongside housing and neighborhood-serving commercial services in buildings that are compatible with adjacent neighborhoods. The district further encourages innovative development projects that demonstrate high standards of design, landscaping, green space integration, community character, and public amenities.

6.1.5 Office Institutional District (OI).

Purpose. The OI District is intended to accommodate office-oriented and employment-based development, including business, professional, distribution, and limited wholesale uses, within planned and coordinated development settings. The district supports development that is efficiently designed, well-served by infrastructure, and capable of accommodating a range of employment-generating activities. While not required to function as a transition area, the OI District may, in certain locations,

provide a buffer or transition between residential areas and more intensive commercial or industrial uses through appropriate site planning and building design.

6.1.6 Light Industrial District (M-1).

Purpose. The purpose of the M-1 District is to provide a suitable location along arterial highways for wholesale warehousing, trade shops and light manufacturing uses, usually located on or near existing community facilities and transportation corridors. The intent of this district is to establish areas of industrial use that would not be objectionable by reasons of dust, odor, noise, traffic safety, or congestion. Such uses should be encouraged to locate away from residential districts in accordance with policies outlined in the Rockdale County Comprehensive Plan.

6.1.7 General Industrial District (M-2).

Purpose. The purpose of the M-2 District is to provide suitable locations accessible to interstate highways and rail lines for assembly, warehousing, processing, and manufacturing uses. The intent of this district is to establish such areas of industrial use in locations that would protect densely populated areas from dust, odor, noise, traffic safety, or congestion. Such uses should be encouraged to locate away from residential districts in accordance with policies outlined in the Rockdale County Comprehensive Plan.

6.2 Non-Residential/Mixed-Use Districts Land Use Regulations.

6.2.1 General.

A. The uses set forth in the table below shall be permitted only as listed within each zoning district and only in the manner so listed. Any use not listed in said table is prohibited in all districts. No use shall be permitted and no structure associated with such use shall be erected, structurally altered, or enlarged unless the use is permitted as one of the following:
    1. P: A permitted use.
    2. SUP: A use requiring a special use permit subject to approval following the application procedures and requirements in Section 18.7, Special Use Permits of the UDO.
    3. Any use listed with a "Yes" in the column headed by the words "Supplemental Use Standards?" in the table below shall satisfy the applicable supplemental use standards, as established in Article 9, in addition to the development regulations of the district in which it is located.
B. In addition to uses that are expressly prohibited, any use not expressly permitted is therefore prohibited. Any decision by staff to deny a proposed use may:
    1. Be appealed to the Board of Adjustment, in accordance with the procedures of Sec. 18.10.; or

2. The applicant may seek a text amendment to the UDO, subject to Section 18.6., to expressly allow such use.

6.2.2 Land Use Table.

Table 6.2.2: Non-Residential/Mixed-Use District Land Use Table

"P" = permitted use "SUP" = special use permit Blank cell = prohibited use									
	Land Use Category	Supplemental Use Standards?	C-1	C-2	CC	MXD	OI	M-1	M-2
Agricultural Uses									
	Agritourism	Yes		P					
	Apiary (bee keeping)	Yes		P			P	P	P
	Botanical Garden		P		P	P			
	Community Garden				P	P			
	Greenhouse, Nursery and Floriculture Production	Yes	SUP	P				P	P
Residential Uses									
	Multi-Family	Yes				P			
	Single-Family Detached	Yes							
	Two-Family (Duplex) (Single Family Attached)	Yes				P			
	Manufactured Home	Yes							
	Live-work	Yes	P	P	P	P	SUP		
	Industrialized Home	Yes							
	Tiny Home, Village	Yes				SUP			
	Cottage Village	Yes				SUP			
	Townhome	Yes				P			

Group									
	Nursing Home		P	P		SUP	P		
	Personal Care Home, Family, (6 or fewer individuals)	Yes							
	Personal Care Home, Group, (7-15 individuals)	Yes	SUP	SUP			SUP		
	Personal Care Home, Congregate, (15+ individuals)	Yes	SUP	SUP			SUP		
	Transitional Housing, Halfway House (6 or fewer individuals)	Yes	SUP	SUP			SUP		
	Transitional Housing, Halfway House (7 or more individuals)	Yes	SUP	SUP			SUP		
Public, Institutional, and Civic Uses									
Community	Cemetery	Yes	P	P	P	P	P	P	P
	Crematorium	Yes		SUP			SUP	P	P
	Correctional facility, public						P		P
	Daycare (Small-4 or fewer children)	Yes	P		P	P	P		
	Daycare (Large-5 or more children)	Yes	P	P	P	P	P		
	Library		P	P	P	P	P		
	Mausoleum	Yes	P	P	P		P	P	
	Mortuary Services (Funeral Home)		P	P			P		

	Museum, Historical Sites, or similar institutions		P	P	P	P	P	P	
	Park		P	P	P	P	P	P	P
	Places of Assembly (Performing arts theatre, concert hall, auditorium, civic/social orgs, etc.)	Yes	P	P	P	P	P	P	
	Place of Worship	Yes	P	P	P	P	P	P	P
	Public safety facility		P	P	P	P	P	P	
Education	College or university		P	P			P		
	Public School (K-12)		P	P			P		
	Private School (K-12)	Yes	P	P		SUP	P		
	Trade or vocational school		P	P		P	P	P	P
	Childcare Learning Facility/Pre-K	Yes	P	P	P	P	P		
	Agricultural Extension Programs								
Healthcare	Clinic		P	P		P	P		
	Hospital	Yes	P	P			P		
	Crisis Center	Yes	SUP	SUP				SUP	
	Drug Rehabilitation Center (or other facility for drug dependency treatment)	Yes	P	P	P	P	P		
	Medical Laboratory			P		P	P	P	

Commercial Uses									
	Banquet Hall, Events Center	Yes	P	P	P	P	P		
Adult Uses	Adult Entertainment Establishment	Yes							P
Construction and Development	General Construction Contractor	Yes		P				P	P
	Heavy & Civil Engineering Construction Contractor	Yes		P				P	P
	Special Trade Contractor	Yes		P				P	P
	Landscaping Services								
Food & Beverage	Bar		P	P	P	P			
	Beer, Wine, and Liquor Store	Yes	P	P	P	P			
	Brewpub	Yes		P		P		P	
	Catering		P	P	P	P	P		
	Microbrewery, distillery, winery	Yes	P	P	P	P		P	
	Mobile Food Court	Yes	SUP	P	SUP	SUP	P	P	
	Mobile Food Vendor	Yes	P	P	P	P	P	P	P
	Restaurant		P	P	P	P	P		
	Restaurant, fast-food		P	P					
Lodging	Bed and breakfast	Yes							
	Hotel	Yes	P	P	P	P	P	P	
	Hotel, extended stay	Yes		P				P	

	Motel	Yes		P				P	
Office & Professional Service	Business services		P	P	P	P	P	P	P
	Financial Institution		P	P	P	P	P	P	P
	Professional Office		P	P	P	P	P	P	P
	Film, movie, television pre-production		P	P	P	P	P	P	
	Film, movie, television post-production		P	P	P	P	P	P	
	Photography studio		P	P	P	P	P	P	
	Research & Development			P		P	P	P	
Retail & Personal Service	Farm equipment and supply store			P					P
	Appliance Repair and Maintenance		P	P	P	P		P	P
	General retail, small		P	P	P	P			
	General retail, Small Box Discount Retailer	Yes	P	P	P				
	General retail, large		P	P	P	P			
	Grocery Store		P	P	P	P			
	Heavy equipment sales, rental, and service			P				P	P
	Home Improvement Store		P	P	P	P			
	Laundry/Dry cleaning		P	P	P	P	P		

	Massage Establishment			P					
	Pawnshop or Pawnbroker	Yes		P				P	
	Personal service		P	P	P	P	P		
	Pharmacy (drug store)		P	P	P	P	P		
	Shopping Center			P		P			
	Sporting Goods Store		P	P	P	P			
	Family Travel Center	Yes		P				P	
	Vape store or other smoke shop	Yes							
	Wholesale Trade	Yes		P					P
Vehicular	Automobile impound and towing	Yes						P	P
	Automobile repair service, major	Yes		P				P	P
	Automobile repair service, minor	Yes	P	P				P	P
	Truck Stop								
	Motor Vehicle Sales or Rentals			P					
	Car wash	Yes	P	P	P			P	P
	Gasoline Station	Yes	P	P			SUP	P	P
Transportation	Airport, private	Yes					SUP	SUP	
	Intermodal Terminal Facility	Yes							P
Recreation and Entertainment	Fish & game club								
	Golf course								

	Indoor Shooting Range	Yes		P				P	P
	Recreation or entertainment, indoor	Yes	P	P				P	
	Recreation or entertainment, outdoor	Yes	P	P			P	P	P
Animal Service	Limited (Grooming or Training)	Yes	P	P	P	P	P	P	
	General (Boarding)	Yes	P	P	P	P	P	P	P
	Veterinary	Yes	P	P	SUP	SUP	P	P	P
Waste and Remediation Services	Residential cleaning services							P	P
	Pest Control Services							P	P
	Sanitary Waste Landfill								SUP
	Inert Waste Landfill								SUP
	Solid Waste Handling Facility								SUP
	Waste Management and Remediation Services								P
Other Uses	Commercial and Industrial Repair or Maintenance							P	P
	Parking Lot or Structure		P	P	P		P		
Industrial Uses									
Manufacturing and Production	Manufacturing, light					SUP	SUP	P	P

	Manufacturing, heavy								P
	Apparel manufacturing	Yes						P	P
	Food or Beverage manufacturing	Yes						P	P
	Electronics manufacturing	Yes						P	P
	Furniture or Textile manufacturing	Yes							P
	Wood product manufacturing (including sawmill)	Yes							P
	Hazardous materials or Chemical manufacturing	Yes							SUP
Natural Resource Extraction	Incidental Extraction	Yes	P	P	P	P	P	P	P
	Mineral Extraction	Yes						SUP	SUP
	Quarrying	Yes							SUP
	Mining	Yes							SUP
Storage, Distribution, and Warehouse	Contractors yard							P	P
	Freight or trucking terminal								P
	Wholesale distribution, warehouse, and mini-storage warehouse	Yes						P	P
	Film, Movie, Television Production Studio					SUP		P	P

Utility	Commercial power generation							SUP	SUP
	COW/Co-location/Concealed Wireless Facility	Yes	P	P	P	P	P	P	P
	All other wireless communication facilities	Yes	P	P	SUP	SUP	P	P	P
	Public utility		P	P	P	P	P	P	P
	Battery Energy Storage System	Yes						SUP	SUP
	Solar energy facility	Yes						SUP	SUP
	Wind energy facility	Yes						SUP	SUP
Data Management and Processing									
	Data Center	Yes					SUP	SUP	SUP

6.2.3 Accessory Use Table.

Table 6.2.3: Non-Residential/Mixed-Use District Accessory Land Use Table									
"P" = permitted use "SUP" = special use permit Blank cell = prohibited use									
Land Use Category		Supplemental Use Standards?	C-1	C-2	CC	MXD	OI	M-1	M-2
Accessory Uses									
Accessory Building and Structures	ADU	Yes							
	Other Accessory Building and Structures	Yes	P	P			P	P	P
	Antenna, amateur radio	Yes			SUP	SUP			
	Antenna, satellite	Yes							
	Drive-through and Drive-up Facility		P	P	SUP		P		

	Emission Testing Station			P					
	EV Charging Stations	Yes	P	P	P	P	P	P	P
	Home Occupation, Tier 1	Yes			P	P			
	Home Occupation, Tier 2	Yes			SUP	SUP			
	Outdoor Storage	Yes	P	P			P	P	P
	Parking Lot or Structure		P	P	P	P	P	P	P
	Storm Shelter	Yes	P	P	P	P	P	P	P
	Swimming Pools	Yes	P	P	P	P	P		
	Unmanned Retail Structure	Yes	P	P					
	Vending Machine Fulfillment Center	Yes						P	
Temporary Uses									
	Temporary Construction Structures	Yes	P	P	P	P	P	P	P
	Temporary Outdoor Sales of Merchandise	Yes	P	P		P			
	Temporary Special Event	Yes	P	P	P	P	P	P	P
	Mobile Food Vendor	Yes	P	P	P	P	P	P	P

6.3 Non-Residential and Mixed-use Development Regulations.

6.3.1 General Non-Residential & Mixed-use Developmental Regulations.

Zoning District	Min. Lot Size	Max. Density DU/acre	Min. Lot Width	Min. Front Setback	Min. Side Setback	Min. Rear Setback	Min. Heated Floor Area	Max. % Lot Coverage	Min. % Open Space	Max. Bldg. Height (primary/accessory) **
C-1	20,000 sq. ft.	N/A	75 ft.	10 ft.	10 ft.	35 ft.	N/A	75%	0%	50 ft.**
C-2	35,000 sq. ft.	N/A	100 ft.	25 ft.	10 ft.	35 ft.	N/A	75%	0%	50 ft. **
CC	1 acre	1.0	100 ft.	15 ft.	10 ft.	40 ft.	1,200 sq. ft.	65%	10%	50 ft./15 ft. **
MXD *	10 acres	24.0	400 ft.	10 ft.	10 ft.	10 ft.	See below*	80%	15%	50 ft. or 4 stories /15 ft. **
OI	20,000 sq. ft.	N/A	75 ft.	25 ft.	10 ft.	35 ft.	N/A	65%	0%	85 ft.**
M-1	1 acre	N/A	100 ft.	40 ft.	25 ft.	50 ft.	N/A	65%	0%	85 ft. **
M-2	10 acres	N/A	200 ft.	50 ft.	25 ft.	50 ft.	N/A	65%	0%	85 ft. **
W-P	5 acres ***	0.2	150 ft.	50 ft.	30 ft.	50 ft.	1,200 sq. ft.	10%	10%	35 ft./15 ft. **

*Minimum Heated Floor Area for multi-family and attached dwelling uses:

- 600 square feet for an efficiency unit.
- 800 square feet for one bedroom unit.
- 1,000 square feet for two-bedroom unit.
- 1,300 square feet for three or more-bedroom unit.

** A Special Use Permit is required to exceed the maximum building height for non-residential and mixed-use buildings.

*** Pursuant to the terms of that Agreement dated March 31, 1994 between the property owner and Rockdale County et al., as amended, the 221.84 acre parcel located on East Hightower Trail, known as Tax Parcel No. 0840010001 and currently owned by Sheppard, Smith, Austin, et al. (the “Reservoir Property”), shall have a two-acre lot minimum with a total overall density of one unit per three acres on the Reservoir Property.

6.3.2 Additional Regulations.

The following additional developmental regulations shall apply to specific non-residential and mixed-use districts:

A. There shall be no outside storage of merchandise, equipment, supplies, goods, or materials permitted in the C-1 (Local Commercial) Zoning District.
B. CC, Community Commercial Zoning District.
    1. Maximum building size: 15,000 square feet; 7,500 square feet on ground floor.
    2. Maximum building length or width: 150 feet.
    3. Spacing between buildings: Minimum 20 feet.
    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 from the property lines of adjacent single-family residential property.
        b. All property lines abutting residential zoning districts shall be screened from adjacent residential property by an opaque landscape buffer at least 50 feet wide or a 25-foot wide opaque landscape buffer outside a six-foot high solid fence or wall.
C. MXD, Mixed-use Development District.
    1. Permitted Uses.
        a. The principal uses and structures, accessory uses and structures, and special permitted uses and structures listed in Sections 6.2.2 and 6.2.3 permissible within the MXD district, subject to standards found elsewhere in the UDO. Any use or structure not specifically listed is prohibited, subject to the provisions of Section 6.2.1.
        b. Mixed requirements:
            i. Mixed-use developments shall include two or more of the following types of uses: retail/commercial, office, restaurant, service, civic/institutional, other non-residential, and/or residential. The combination of uses shall maintain a scale, balance, and location so as to reduce general traffic congestion and constitute a unified and complementary development.
            ii. Mixed-use developments shall provide at least two distinct housing types. For the purposes of this section, “housing type” refers to structurally distinct dwelling forms (i.e., detached dwellings, attached dwellings, multi-family, two-family dwellings, etc.).
            iii. For mixed developments utilizing residential uses no single housing type shall exceed 40 percent of the total number of residential units within the development.

iv. Requests for mixed-use zoning or site plan approval for development in the MXD Zoning District shall be accompanied by a phasing plan that identifies the stages of development build-out. The phasing plan shall identify the sequence of development for all proposed land uses and include information regarding the phasing of internal and external traffic circulation systems, amenities, and utility improvements that will be constructed to support the proposed development. The applicant shall provide assurances that all the use categories will be constructed and that the project will, in fact, result in the type of mixed-use development proposed. The Board of Commissioners may require performance guarantees or other measures, as it deems reasonable and necessary to assure the proper phasing of development and to assure the provision of public amenities and public facilities upon completion of each phase or upon full development. At no time shall the number of residential uses exceed the approved residential/non-residential ratio established per the approved phasing plan for rezoning, special use permit, or land disturbance permit.

v. The integration of residential and non-residential uses on the same floor, within the same building, shall be prohibited.

vi. Uses shall be mixed such that at no time will residential uses be located below non-residential uses.

2. Compatibility and Transitions
    a. Buildings over 35 feet in height must be set back at least 75 feet from single-family, detached residential properties.
    b. Residential placement should prioritize adjacency to residential zoning where feasible.
3. Additional Design Standards
    a. Minimum open space: 15%
    b. Maximum lot coverage: 80%
    c. Minimum heated floor area: See table 6.3.1
        i. Non-residential primary buildings shall contain a minimum of 2,000 square feet of heated floor area.
        ii. Stairways shall be internal to all mixed-use buildings.

Article 7: Special Purpose Districts

7.1 Planned Unit Development District (PUD).

7.1.1 Purpose.

The purpose of the PUD district is to allow for the establishment of development standards proposed by the applicant to accommodate innovative development patterns not articulated in base zoning districts, but which uses and standards are generally supportive of the policies of the Comprehensive Plan. PUD projects should support context-sensitive infill, redevelopment, conservation, and innovative residential or mixed-use projects.

A. The PUD district is intended to provide a means of accomplishing the following specific objectives:
    1. To provide for development concepts not otherwise allowed within non-PUD zoning districts, while ensuring appropriate relationships between buildings, open space, and surrounding neighborhoods, including transitions in height, scale, and design.
    2. To provide flexibility, unity, and diversity in land planning and development, resulting in convenient and harmonious groupings of uses, structures, and common facilities.
    3. Support infill and redevelopment projects that revitalize underutilized or aging properties with compatible, high-quality development.
    4. To encourage innovations in quality residential and commercial development and renewal so that the growing demands of the population may be met by greater variety in type, design, and layout of buildings and by the more efficient use of land.
    5. To provide a tool that can relate the type, design, and layout of residential, commercial, and industrial development to the particular site, thereby encouraging preservation of the site's natural characteristics.

7.1.2 Establishment of a PUD District.

A. A PUD may be requested on any property or properties within the County that meet the minimum standards herein and in accordance with the rezoning procedures of Article 18 to establish the boundaries and regulations of the PUD.
B. No PUD district shall be established without the concurrent approval of Overall Development Standards (ODS) and an Overall Development Plan (ODP) by the Board of Commissioners.

7.1.3 Minimum Standards.

A. Minimum district size: three (3) acres for infill or redevelopment projects; 10 acres for greenfield projects.

B. PUDs shall demonstrate consistency with the Comprehensive Plan and the approved ODS and ODP.
C. A phasing plan shall be required for projects expected to take more than five years to complete. Any variation to the timing or sequencing of the phasing plan shall be considered a Major Modification.
D. Previously developed portions of a site may not be counted toward meeting any minimum open space, design, or benefit/amenity requirements.
E. Proposed PUDs shall provide at least 2 required elements from Section 7.1.4.
F. Any development standards not expressly defined by the Overall Development Regulations shall be regulated by the UDO and other applicable ordinances. Where the ODS and ODP conflict with a base UDO standard, the approved ODS and ODP shall govern.
G. Unless otherwise approved in the ODS, the following minimum standards apply:
    1. Streets shall be a minimum of 26 feet, curb to curb, in accordance with Article 13, Streets and Improvements. All other access management provisions of Article 13 shall be met.

7.1.4 Required Elements.

A. At a minimum, each PUD shall provide a combination of at least 2 of the following characteristics that support the innovative nature of the request:
    1. Emerging, innovative, or unique concept or land use. Project shall describe the extent that it is a notable concept or land use, meaning there are no other developments within 2,000 feet like the proposed development and the project will demonstrate how the business/development concept will be successful and/or provide additional public benefit in Rockdale County.

    2. Catalyst project. Project shall describe the extent that it will serve as a catalyst for subsequent development. This requires a significant project of regional impact that is expected to have a multiplier effect by spurring further economic development projects.

    3. Target Employment Industry. A project that offers one or more of the following industries:
        a. Technical, research, consulting, or corporate operations;
        b. Advanced manufacturing or innovative light industrial industry; or
        c. Film or Television Production.

    4. Usable Public Green Space/Amenity.
        a. Green spaces shall have unobstructed access from the nearest right-of-way or adjacent building and shall be deeded to the County or a public access easement granted; and
        b. Green spaces shall be programmed with at least one of the following amenities: public art, decorative water feature, community garden,

playground/recreational equipment, plaza, public outdoor dining area, other amenity approved by the Director of Planning and Development.

5. Affordable Housing.
   a. At least ten percent (10%) of proposed units shall be set aside for the life of the project for households that do not exceed a maximum of 80 percent (80%) Area Median Income (AMI);
   b. Households counted toward the applicable AMI percentage shall not be required to pay more than 20 percent (20%) of the applicable AMI (40%, 60%, or 80% AMI) per month for rent; and
   c. All affordable units are required to be similar in construction and appearance to market units and not be in isolated or less marketable areas of the project.

6. Leadership in Energy and Environmental Design (LEED) or similar certification.
   a. Certification is required through EarthCraft (any level), LEED (any level), Green Globes (three (3) globes minimum), National Green Building Standard (NGBS) (silver minimum), or another comparable third-party certification program approved by the Director of Planning and Development.
   b. Registration with the approved certification program is required prior to the acceptance of application for rezoning.
   c. Upon approval of zoning, no permit shall be issued unless the applicant submits the approved certification program checklist demonstrating that the proposed development will achieve enough points to attain the required certification level.
   d. Prior to issuance of a Certificate of Occupancy or any project close-out, the applicant shall submit a performance bond to ensure successful completion of the certification. Because certification programs evaluate both site development and vertical construction elements, the bond will remain in place through building construction completion. When the applicant achieves certification status, the bond shall be released to the applicant.

7. Adaptive Reuse Project. The project shall preserve a substantial portion of an existing structure of historic significance or architectural interest.

8. Senior Housing. A project designed to support aging in place, accessibility, and independent living for older adults through thoughtful building design, site planning, and amenities. To qualify under this element, the project shall demonstrate how it incorporates age-friendly design features and services that enhance safety, mobility, and long-term usability. At a minimum, senior

housing projects shall include the following features, as applicable to the proposed housing type:

a. A no-step entrance leading from the driveway to an entrance with a minimum 32-inch clear opening.
b. One accessible bathroom on the same level as the no-step entrance.
c. At least one shower in the home with reinforced beams to allow for the installation of grab rails if necessary, at a later date.
d. Exterior doorways at least 36 inches wide and interior doors with a minimum 32-inch clear opening.
e. Corridors and passageways that are 42 inches wide on the same level as the no-step entrance.
f. Electrical wall outlets placed no more than 15 inches above finished flooring.
g. Wall switches that control light fixtures and fans placed 48 inches (maximum) above finished flooring.
h. In addition to the above unit-level features, projects are encouraged to incorporate senior-supportive site or community elements, such as accessible pedestrian circulation, seating areas, lighting designed for safety, proximity to services, or shared amenities that promote social interaction and independence, as approved by the Director of Planning and Development.

7.1.5 Overall Development Regulations.

A. Overall Development Standards (ODS). Development of the PUD shall be governed by ODS that will regulate development of the property. These standards replace the standards in the UDO and must include, at a minimum, the following:
    1. Permitted and prohibited uses;
    2. Maximum density;
    3. Maximum impervious surface coverage;
    4. Minimum open space, landscaping, and buffers;
    5. Minimum and maximum building heights;
    6. Minimum lot size;
    7. Required setbacks;
    8. Parking requirements; and
    9. Building form/massing.

B. Overall Development Plan (ODP). Development of the PUD is also governed by the ODP, which includes a series of plans and design-related documents, which will regulate the development of the property. At a minimum, the ODP shall include the following:
    1. Analysis of Existing Conditions. An analysis of existing site conditions, including a boundary survey and topographic map of the site that shall include

information on all existing structures and natural features, utilities, all streams and easements, and features to be retained, moved or altered. The existing shape and dimensions of the existing lot to be built upon including the size, measurement, and location of any existing buildings or structures on the lot shall be included. The analysis should include all buffers and other applicable standards of federal and state law related to maintenance and protection of wetlands and the banks of navigable waters of the federal and state governments.

2. Overall Master Plan. A master plan outlining all proposed regulations and calculations which shall include, but not be limited to, information on all proposed improvements including proposed building footprints, entrances, densities, parking ratios, open space, building height, sidewalks, setbacks, underground and over-head utilities, access, internal circulation and parking, landscaping, preliminary grading, lighting, drainage, amenities, and similar details and their respective measurements.
3. Phasing Plan. Should a PUD be expected to require five (5) years or longer to complete, a phasing plan shall be provided by the applicant that indicates the time frame for construction and development of different aspects of the PUD.
4. Regulating Plan. A regulating plan shall be provided with street types and open space for all property within the PUD boundary. The regulating plan shall be keyed to a set of standards developed based on location. This plan should consider how all modes of transportation will be accommodated, including pedestrians, bicycles, cars, transit, rideshare, etc. Detailed right-of-way cross sections shall also be included in this plan or as an attachment to this plan.
5. Streetscape and Hardscape Manual. A streetscape and hardscape manual shall be created that includes specifications for the following: sidewalk clear zones, landscape zones, supplemental zones including details regarding lighting fixtures, on-street parking, street furniture, landscape materials and other amenities. A streetscape map shall accompany this manual that identifies appropriate streetscape and hardscape designs for all streets, plazas, open space, locations for public art etc. within the plan.
6. Architectural Pattern Book. An Architectural Pattern Book illustrating approved building materials, features, exterior finishes, windows, doors, colors, and other items affecting exterior appearance, such as signs, mechanical systems, fencing, etc. The pattern book shall include renderings of proposed buildings. A separate master signage plan shall be included.

C. To the extent that the approved ODS and ODP for a PUD contradict the UDO, the approved ODS and ODP for the PUD district governs. All other chapters govern, unless specific alternatives are proposed and written into the ODS as part of the

amendment application. Articles 1, 2, 3, 4, 7, 13, 16, 17, 18, 19 shall not be altered for PUDs and shall apply, where applicable.

D. Applications shall include any additional information deemed necessary by the Director of Planning and Development to determine compliance with Ordinance standards.

7.2 Watershed Protection District (WP).

7.2.1 Purpose.

A. The board of commissioners finds that Big Haynes Creek was identified as a feasible water source for Rockdale County in a regional water supply plan adopted by the Atlanta Regional Commission (ARC) in 1976. The ARC plan was preceded by a number of other studies that supported an impoundment on Big Haynes Creek. Consistent with these plans and studies, and the county's comprehensive plan, the county first enacted the W-P zoning district regulations and determined that the W-P zoning regulations were needed in the drainage basin contributing to the Upper Big Haynes Creek in 1981 to protect the watershed. These watershed protection zoning regulations require an average lot size of five acres, among other restrictions, to protect the environmental and aesthetic qualities of this district and to protect the watershed from future environmental degradation.

1. The board of commissioners further find that in 1987, the Georgia Environmental Protection Division studied the reservoir and the Conyers-Rockdale Big Haynes Creek Impoundment Authority was created by the Georgia General Assembly and charged with constructing a surface water impoundment for a water supply for Rockdale County. In 1988, the Atlanta Regional Commission adopted a regional water supply plan that identified the Big Haynes project. The ARC has repeatedly warned that the region will not be able to meet its water supply demands unless local and regional water supplies are developed. In addition, one of the critical issues identified by the Governor's Growth Strategies Commission was the importance of expanding Georgia's water supply base. The Big Haynes Authority consulted with the U.S. Environmental Protection Agency, the Georgia Environmental Protection Division, the U.S. Wildlife Federation, the Georgia Conservancy, the U.S. Fish and Wildlife Federation and numerous other agencies. The authority held numerous public hearings on the project before the U.S. Army Corps of Engineers issued the Federal Clean Water Act Section 404 permit in October 1992. To protect this future water supply, the Rockdale Board of Commissioners rezoned the remaining portion of the reservoir's watershed in 1993, applying the following regulations to said properties consistent with this extensive planning for this project. The county finds that these W-P regulations, in addition to implementing these studies, will also assist in implementing a

two-year study, facilitated by ARC, of the 82-square mile watershed which resulted in a five-county agreement to control pollution in stormwater that runs off impervious surfaces, such as roads, parking lots and rooftops, within the watershed.

2. The board of commissioners further finds that the W-P zoning regulations are necessary to protect water quality for the county's water treatment plant, capable of treating 22.1 million gallons of water per day (MGD), completed in 2002, enabling Rockdale to utilize Randy Poynter Lake for potable water consistent with these W-P regulations.
3. The board of commissioners further finds that the county benefits from additional public parks and recreational facilities and programs. Consistent with this finding the board of commissioners finds that the Randy Poynter Lake (formerly Big Haynes reservoir) property may be used for limited recreation purposes in addition to water supply purposes consistent with the following regulations and those found in chapter 62, article II and the county's comprehensive plan, as amended.
4. The board of commissioners finds that it is in the best interests of the citizens of the county to establish and protect a reservoir for drinking water and limited recreational purposes in this part of the county. The board of commissioners finds the Rockdale County Comprehensive Plan adopted July 9, 1991, made certain findings and recommendations regarding water quality, wetlands establishment and preservation, provision of water supply, establishment and preservation and protection of a watershed district, and expansion of public and private recreation uses in the Big Haynes basin. Said comprehensive plan has since been amended and updated. The board of commissioners incorporates the analyses and findings set out in the Rockdale County Comprehensive Plan, as amended, regarding those matters and finds that action to accomplish the goals and objectives as set out in the comprehensive plan are implemented in the following W-P regulations. The board of commissioners finds that the Rockdale Comprehensive Plan requires protection of the Big Haynes Watershed in order to provide optimum conditions for the impoundment of the reservoir and the public water intake site. The board of commissioners further finds that the Rockdale Comprehensive Plan, as amended, determines that the impoundment of the reservoir and the establishment of the watershed protection zoning district are necessary actions to protect the integrity of the reservoir and intake site, particularly those zoning regulations establishing an average lot size of five acres (minimum lot size of five acres), prohibiting commercial and other nonresidential uses, and establishing buffers. The board of commissioners finds that the following regulations governing the W-P district are consistent with the comprehensive plan and will serve to substantially implement the plan.

5. The board of commissioners further finds that the watershed protection district as recommended in the comprehensive plan, as amended, will allow for protection of wetlands and the preservation of the integrity of water supplies to the greatest extent possible. The state Department of Natural Resources "Environmental Planning Criteria for Water Supply Watersheds" defines Big Haynes Creek as a "small" water supply watershed. The state Department of Natural Resources' criteria require, among other things, streamside and lakeside vegetated buffers, impervious surface setbacks, and septic tank and drain field setbacks, and that impervious surface be limited throughout the entire watershed to a maximum of 25 percent of the area. As a result of the Atlanta Regional Commission cooperative watershed study, and other studies, the necessary limitation for impervious surface throughout the entire W-P district is at least ten percent of the total area.
6. The following regulations are intended to protect the health, safety and general welfare of the citizens of the county and to implement the policies and objectives and findings of the comprehensive plan, as amended, through the enactment of regulations governing the use of the affected land pursuant to the county's zoning, planning and general police powers. The purpose of the watershed protection zoning district is to protect the public health by setting standards for land use which will maintain, and where possible improve the purity of water in the streams in the county that flow into the public water intake and reservoir. The W-P district is intended to provide for low density residential development, public and private open space, park land, and related uses that are compatible with the primary purpose of protecting the purity of the water and that are substantially related to the primary intended land use of low-density residential development and limited recreational uses.

7.2.2 District Boundaries.

There is hereby established a zoning district known as the watershed protection district (WP). This WP district shall consist of all land within the district boundary line specified as WP including all subzones, on the county's official zoning map. The regulations set forth in this section apply to all land within this W-P district.

7.2.3 Watershed Subzones.

A. The watershed protection (WP) district has distinct land areas that require separate regulations. Accordingly, there are hereby created five subzones within the WP district.
B. These five subzones shall be delineated as specified on the official zoning map and made a part of this section. Uses permitted within each subzone shall be as specified in Table 7.2.4 of permitted uses. All other regulations set forth in this section shall

apply to all subzones, unless otherwise stated. The following further describes each subzone area:

1. **W-NR: Watershed/non-reservoir area.** The watershed/non-reservoir area subzone comprises the watershed area within the boundaries of the county as defined in the comprehensive plan. This area comprises all land outside the reservoir water area, the reservoir buffer area, the reservoir recreation area and the reservoir prohibited areas.
2. **W-RW: Watershed/reservoir water area.** The watershed/reservoir water area subzone comprises the entire area of the water impoundment owned in fee simple by the county.
3. **W-RR: Watershed/reservoir recreation area.** The watershed/reservoir recreation area subzone comprises areas suitable for recreational uses. This subzone comprises governmentally owned land both within and outside the normal pool of the reservoir. The portion of the recreation area subzone lying outside the normal pool area comprises approximately 25 percent of the reservoir shoreline and is subject to the Big Haynes Reservoir Management Ordinance as found in article II of chapter 62.
4. **W-RB: Watershed/reservoir buffer area.** The watershed/reservoir buffer area subzone is comprised of the land area lying within 150 feet, horizontally, outside of the reservoir impoundment water surface at normal pool.
5. **W-RP: Watershed/reservoir prohibited area.** The watershed/reservoir prohibited area subzone is comprised of those areas associated with the reservoir that are established for the protection of project operations and ecosystems and to provide for the physical safety of the recreational visitor. This subzone comprises approximately one percent of the reservoir shoreline.

7.2.4 Permitted Uses.

A. Principal uses and structures. Principal uses and structures shall be permitted in the WP district as listed in the UDO in Table 7.2.4. The table of permitted uses sets forth the uses permitted in each subzone of the watershed protection zoning district. No use shall be permitted and no structure associated with such use shall be erected, structurally altered or enlarged unless the use is permitted as one of the following:
    1. P: A permitted use.
    2. SUP: A use requiring a special use permit subject to approval following the application procedures and requirements in Section 18.7, Special Use Permits.
    3. Any use listed with a "Yes" in the column headed by the words "Supplemental Use Standards?" in the table below shall satisfy the applicable supplemental use standards, as established in Article 9, in addition to the development regulations of the district in which it is located.

Table 7.2.4: Permitted Uses in the W-P District						
"P" = permitted use "SUP" = special use permit Blank cell = prohibited use						
	Supplemental Use Standards?	W-NR	W-RW	W-RR	W-RB	W-RP
Agricultural Uses						
Apiary	Yes	P				
Farming, Commercial	Yes					
Farming, General	Yes	P				
Farming, Organic		P				
Fruit/Vegetable Market	Yes	P				
Greenhouse, Nursery and Floriculture Production	Yes					
Livestock Quarters and Enclosures	Yes	P				
Horse Stables, Riding, and Boarding	Yes	SUP				
Residential Uses						
Dwelling, Single-Family Detached	Yes	P				
Manufactured Home	Yes	P				
Industrialized (modular) Home	Yes	P				
Civic/Institutional						
Place of Worship		P				
Monastery or Convent		P				
Cemetery (only on 10 acres or larger)		P				
Utility						
Telecommunications Facility		SUP				

Electric transformer station		P				
Limited Recreation Uses						
Publicly-Owned Recreation Facility	Yes	P		P		
Accessory Uses						
Short-term Rental	Yes	P				
Other Accessory Buildings and Structures	Yes	P		P		
Accessory Dwelling Units	Yes	P				
Home Occupations	Yes	P				
Temporary Uses						
Temporary Construction Structures	Yes	P		P		
Commercial Retail, Temporary Use (art shows and other special events)		SUP				

7.2.5 Nonconforming Uses: WP Country Stores.

Except as otherwise provided herein, all nonconforming situations shall be regulated pursuant to Section 19.4, Nonconforming Situations of the UDO.

A. Findings.

1. The Board of Commissioners finds that four nonconforming community store uses were in existence in the WP district prior to the enactment of the watershed protection zoning district. The board of commissioners finds that the necessity for stringent environmental and water quality regulations in the district must be carefully balanced with the individual hardships associated with restrictions on these nonconforming uses as well as the public interest served by continuing to provide existing general store/retail services to residents and visitors in the district.

2. Accordingly, the Board of Commissioners finds that with regard to these existing nonconforming WP country store uses, limited expansion may be authorized, but only in strict accordance with the standards and criteria set forth in subsection (g)(2). It is the specific intent of this subsection (g) to prohibit any new nonresidential use or structure not specifically authorized herein, including but not limited to restaurants, convenience stores, gasoline sales, and other retail establishments.

B. Notwithstanding the provisions of Section 19.4, legally established nonconforming country store uses within the WP district may be renovated or expanded only in strict compliance with the following standards:
    1. All building applications for the renovation, redevelopment, expansion or improvement of any nonconforming WP country store use within the WP district shall be accompanied by detailed architectural plans and renderings. Such construction plans shall reflect an architectural style that is consistent with the residential and rural development pattern in the WP district. All such plans shall be reviewed by the director for consistency with these requirements.
        a. The front elevation exterior facade, visible from the public right-of-way, shall be constructed of wood.
    2. No building shall be constructed, expanded or modified so as to exceed 2,500 square feet of gross floor area as measured to the outside face of walls, and are limited to one story, not to exceed 20 feet in height.
    3. All renovation, redevelopment, expansions or improvement shall be limited to a single building on the same site platted prior to the enactment of the W-P district. Such W-P country store location may be replatted to a maximum allowable lot area of 1.5 acres.
    4. No building shall be developed or utilized for any use other than the sales provided by country stores to the public, such as general merchandise, gasoline, groceries (including but not limited to packaged foods and beverages, individual takeout food and beverages), small houseware articles and furnishings, papers and magazines and similar "general store" items.
    5. All development standards applicable to commercial uses specified in various sections of this section and Section 16.2 pertaining to the subdivision regulations of the county as well as all applicable requirements of this Code shall apply to such alterations and/or expansions with the following exceptions:
        a. A minimum ten-foot-wide landscape strip shall be provided along all road frontages.
        b. Minimum building setbacks:
            i. Side yard: 25 feet.

ii. Rear yard: 40 feet.

c. A 25-foot, natural transitional buffer shall be maintained along the rear and side yard property lines, supplemented by a 100-percent opaque fence for the extent of said property line. Screening shall comply with Article 11.

6. Variances and appeals. Variances and appeals to this section shall be governed by Section 18.8 and 18.10, respectively.

7.2.6 Property Development Standards.

Property in the WP district may be developed in accordance with Table 6.3.1, Development Regulations – Non-Residential and Mixed-Use Districts, as well as the following provisions:

A. For WP tracts immediately contiguous to the reservoir buffer area (W-RB), the standards of Table 7.2.6 shall apply:

Table 7.2.6: WP Tracts Contiguous to W-RB	
Minimum depth of lot (inclusive of 150-foot lake shore buffer):	400 ft.
Minimum lake shore frontage:	125 ft.
Impervious surface setback:	150 ft.
Septic system setback:	150 ft.
1. Frontage and setbacks shall be measured from the reservoir water surface at normal pool elevation 735 MSL.	

B. Density, lot size, and setback requirements:
   1. A site plan, approved by the Rockdale County Environmental Health Service and the Department of Planning and Development, shall be required prior to the issuance of a building permit.
   2. All divisions of land in the WP district shall meet the minimum lot size specified in this section. Lots of record lawfully in existence prior to October 11, 1994 and that do not meet the minimum lot size specified in the WP district shall be deemed legal nonconforming lots and may be developed in accordance with all other requirements specified in this section.

C. Stream buffers. All perennial streams within the WP district shall be regulated by each of the following criteria:
   1. A natural or enhanced vegetated area with limited land disturbances shall be maintained for a distance of 100 feet from both sides of the stream as measured from the stream banks.
   2. No impervious surface shall be constructed or placed within 150 feet from both sides of the stream as measured from the stream banks.
   3. No septic tanks or septic tank drain fields shall be constructed or placed within 150 feet of both sides of the stream as measured from the stream banks.

D. On-site wastewater management systems. County regulations require a permit for siting and installation of septic tanks and absorption fields from the Rockdale County Environmental Health Department. Such laws, ordinances, and regulations shall be applicable to the WP district.
E. Road standards. Local and collector streets in the WP district may be constructed without curbs and gutters or sidewalks.

7.2.7 Watershed Protection (WP) District Sub-Committee Establishment.

A. The Planning Commission shall establish a Watershed Protection (WP) District Subcommittee as a standing advisory subcommittee of the Planning Commission to provide specialized review, analysis, and recommendations regarding rezoning (zoning map amendments), future land use map amendments, and special use permit requests that include nonresidential development and/or residential development of five (5) or more lots within the Watershed Protection (WP) District.

B. Membership.
    1. The Subcommittee shall consist of five (5) members appointed by the Planning Commission.
    2. The membership shall collectively include, to the extent practicable, individuals with professional knowledge, experience, or expertise in the following areas:
        a. Professional engineering, with preference given to water resources or civil engineering;
        b. Environmental science;
        c. Ecology;
        d. Land use planning;
        e. Landscape architecture;
        f. Public works or utilities;
        g. Water resources or water utility management; and
        h. Development or building industry.
    3. The Planning Commission may appoint members who possess expertise in more than one of the areas identified in this subsection.
    4. At least one member must reside within the Watershed Protection District.
    5. The Planning Commission may designate County staff, representatives of public agencies, technical professionals, or other subject matter experts to provide non-voting technical assistance to the Subcommittee, as needed.
C. Appointment and Terms.
    1. Members shall be appointed by the Planning Commission and shall serve four (4) year terms.
    2. No member shall serve more than two (2) consecutive terms.
    3. A member who has served two (2) consecutive terms shall not be eligible for reappointment until the member has been off the Subcommittee for at least one (1) year.

4. Members shall serve at the pleasure of the Planning Commission and may be removed or replaced by the Planning Commission prior to the expiration of their appointed term.
5. A vacancy occurring prior to the expiration of a member's term shall be filled by appointment of the Planning Commission for the remainder of the unexpired term.
6. Appointments shall expire on September 30 in the last year of the term.
7. In October of each year, the Subcommittee shall elect a Chairperson from among its appointed members.

D. Duties and Responsibilities.
1. The Subcommittee shall review and provide analysis and recommendations to the Planning Commission regarding land uses and development proposals within the Watershed Protection District.
2. The Subcommittee shall review the following matters prior to consideration by the Planning Commission:
   a. All applications for Special Use Permits for non-residential development or residential development consisting of five (5) or more dwelling units involving property within the Watershed Protection District;
   b. All applications for rezoning and/or future land use amendments for non-residential development or residential development consisting of five (5) or more dwelling units involving property within the Watershed Protection District;
   c. Text amendments to the UDO for the Watershed Protection District; and
   d. All preliminary plat applications for residential subdivisions.

E. Limitations of Authority.
1. The Subcommittee shall serve solely in an advisory capacity to the Planning Commission.
2. The Subcommittee shall have no independent authority to approve, deny, condition, modify, or otherwise take final action on any application, development proposal, or land use project.
3. Nothing in this section shall be construed to transfer, diminish, or otherwise alter the authority granted to the Planning Commission, Board of Commissioners, Board of Adjustment, County staff, or any other decision-making body or official pursuant to this UDO or applicable law.

F. Meetings and Procedures.
1. Upon Planning Commission’s referral of an application to the Subcommittee, the Subcommittee shall meet at its earliest convenience, prior to the Planning Commission’s next meeting.
2. The Planning Commission may establish additional rules and procedures governing the operation of the Subcommittee, provided such rules and procedures are consistent with this UDO and applicable law. Subcommittee meetings are subject to applicable public notice and open meeting requirements.

3. The Subcommittee may request information, technical assistance, or presentations from County staff, applicants, consultants, public agencies, or other persons, as necessary, to complete its review, however, such request shall not automatically extend the review period unless authorized by the Planning Commission.
4. A quorum of the Subcommittee shall consist of three (3) members.
5. A majority vote of members present shall be required for the Subcommittee to adopt a recommendation.

G. Scope of Review.

1. In conducting its review, the Subcommittee shall consider the proposed use or development's consistency with the purpose and intent of the Watershed Protection District, the Comprehensive Plan, and applicable provisions of this UDO.
2. The Subcommittee may consider, as applicable:
    a. Protection of water resources and water quality;
    b. Stormwater management, drainage, and water quantity impacts;
    c. Environmental and ecological impacts;
    d. Protection of natural resources and environmentally sensitive areas;
    e. Site design, layout, and development patterns;
    f. Building placement, scale, massing, and compatibility;
    g. Landscaping, buffers, screening, and preservation of existing vegetation;
    h. Transportation, access, circulation, and parking;
    i. Availability and capacity of public infrastructure and utilities;
    j. Compatibility with surrounding land uses and development;
    k. Potential impacts on adjacent properties and the surrounding community; and
    l. Other matters relevant to the purpose and intent of the Watershed Protection District.

H. Recommendations.

1. The Subcommittee shall provide its findings and written recommendations to the Planning Commission within sixty (60) days from the date the application was referred by Planning Commission to the Subcommittee.
2. The Subcommittee may recommend approval, approval with modifications or conditions, denial, deferral, or such other action as the Subcommittee determines appropriate; provided, however, that such recommendations shall be advisory only.
3. Failure of the Subcommittee to provide a recommendation within the applicable review period shall not prevent the application or proposal from proceeding to a final decision by the Planning Commission. In such event, the Planning Commission may consider the application without a recommendation from the Subcommittee.
4. The Planning Commission shall consider the recommendation of the Subcommittee as part of its review of the applicable application or proposal but shall not be bound by the recommendation.

I. Dissolution and Reconstitution.
    1. The Subcommittee shall remain in existence until dissolved or reconstituted by the Planning Commission.
    2. The Planning Commission may modify the membership, responsibilities, or scope of the Subcommittee at any time, provided that such modification is consistent with this UDO.
    3. Dissolution or reconstitution of the Subcommittee shall not affect any application or development proposal previously reviewed by the Subcommittee or any action taken by the Planning Commission or other applicable decision-making authority.

Article 8: Overlay Districts

8.1 Establishment and Effect of Overlay Districts

A. Overlay districts are supplemental to the underlying zoning district classifications established in the Rockdale County UDO that governs all properties within Rockdale County. Within areas mapped as overlay zoning districts in this chapter, these overlay district regulations shall be overlaid upon and shall be imposed in addition to said underlying zoning regulations.
B. The provisions of each overlay zoning district apply to all applications for rezoning, land disturbance permits, driveway permits, plan review, plat approval, building permits, utility permits and licenses for all property and rights-of-way within the boundaries of the overlay districts.
C. All plan reviews, plat approvals, permits and licenses for parcels located within each overlay district shall meet all of the requirements of the base zoning district in which it is located and, in addition, shall meet the requirements of the overlay zoning district applicable to the parcel. All road and utility projects shall adhere to all requirements of the overlay zoning district.
D. Any parcel of land that is wholly or partly within the boundary shall be included in the overlay district.
E. In any case where the standards and requirements of an overlay zoning district vary from those of the base zoning district, the standards and requirements of the overlay district shall govern. If overlay district regulations conflict with the conditions of zoning applicable to property within in an overlay district, the existing zoning conditions remain applicable to the property.
F. No change in the boundary of an overlay zoning district shall be authorized, except by the Rockdale County Board of Commissioners pursuant to procedures in Section 18.5, Rezoning (Map Amendment).

8.2 Salem Road Corridor Overlay.

8.2.1 Purpose.

The purpose of the Salem Road Corridor Overlay (SRCO) is:

A. To enhance the quality of commercial development along the Salem Road corridor.
B. To encourage appropriate redevelopment of underutilized and blighted property.
C. To create a sense of place that is aesthetically appealing, walkable and environmentally responsible.
D. To encourage a balance of uses for living, working, shopping and playing that are accessible within a convenient walking distance.
E. To promote safe and efficient movement within the SRCO for persons using all modes of travel - motorized vehicles, public transportation, bicycles and walking.
F. To encourage innovative development projects that set high standards for landscaping, open space, community design, and public amenities.
G. To establish consistent and harmonious design standards for public improvements and private property development within the SRCO so as to unify the distinctive visual quality of the Salem Road Corridor.

8.2.2 Boundaries.

The boundaries of the SRCO are depicted on the map entitled, Salem Road Corridor Overlay District and is hereby incorporated into this UDO. The provisions of this SRCO shall apply to all parcels of land and rights-of-way, or portions thereof, within the boundaries of the SRCO. Any parcel of land that is wholly or partly within the boundary shall be included.

8.2.3 Reserved.

8.2.4 Reserved.

8.3 Housing Corridor Overlay (HCO)

8.3.1 Purpose and Intent

The Housing Corridor Overlay District (HCO) is established to encourage context-sensitive infill development, redevelopment, rehabilitation, and expansion of the County's housing supply within strategically designated corridors and nodes. The HCO is intended to direct housing growth toward areas appropriate for redevelopment and infrastructure investment; expand housing choice; support efficient use and extension of public infrastructure; leverage private investment; strengthen the County's tax base; reduce pressure for unnecessary greenfield development; and implement the goals and recommendations of the County's adopted Comprehensive Plan, Housing Assessment, and other applicable plans.

The HCO is further intended to position designated corridors and nodes for future federal, state, regional, local, philanthropic, nonprofit, and private funding opportunities related to housing,

infrastructure, transportation, redevelopment, community facilities, neighborhood revitalization, and economic development.

8.3.2 Establishment and Designation

A. The HCO shall apply only to property specifically designated by the Board of Commissioners through an amendment to the Official Zoning Map. Identification of a corridor, node, or target area in this Article, the Comprehensive Plan, Housing Assessment, or other planning document shall not, by itself, apply the HCO to any property.
B. The Board of Commissioners may designate all or a portion of an identified corridor or node based upon existing land use, redevelopment potential, infrastructure needs, transportation access, proximity to employment and services, housing needs, and consistency with adopted County plans.
C. Boundary Methodology. Housing Corridor Nodes shall be established as geographically defined priority housing investment areas surrounding a designated center point. The boundary of each Node shall be established using either a uniform radial distance or specified directional distances from the designated center point, as identified for each Node in this section. Distances shall be measured as a straight-line distance from the designated center point and shall not be measured along roadways or other transportation routes. The designated center point and applicable boundary distances for each Housing Corridor Node shall constitute the controlling geographic parameters for establishing the Node boundary.
    1. Hi Roc Node and Corridor. The Node is established as a priority housing investment area centered at the intersection of Hi Roc Road NE and Philadelphia Road NE. The Node shall extend from the designated center point one and one-half (1½) miles north, two (2) miles east, one (1) mile south, and one (1) mile west.
    2. Lakeview Estates Node. The Node shall consist of the area located within a one-half (½) mile radius of the designated center point, centered at parcel 040001269A, of the Lakeview Estates neighborhood.
    3. Honey Creek Node and Corridor. The Node shall consist of the area located within a one and one-half (1½) mile radius of the intersection of GA-20 SE and Honey Creek Road.
    4. Milstead Village Node. The Node shall extend from the designated center point, centered at parcel 066011027A, one-half mile (½) North, 2,000 feet East, 2,000 feet South, and 2,000 feet West.
    5. Klondike Node and Corridor. The Node is established as a priority housing investment area centered at the intersection of Klondike Road and June Drive SW. The Node shall extend from the designated center point one (1) mile east, one (1) mile north, and one and one-half (1½) miles south, and shall extend westward to the Rockdale County boundary.

D. Parcel Inclusion. Any parcel wholly or partially located within a Housing Corridor Node boundary shall be considered within the Node for purposes of identifying priority housing investment opportunities, subject to the requirements and eligibility criteria of the applicable housing program or funding source.

8.3.3 Housing Corridor Nodes

A. The Housing Corridor Overlay is organized into designated housing nodes reflecting differences in existing development patterns, infrastructure conditions, redevelopment opportunities, surrounding land uses, transportation access, and desired housing form. Each node is intended to guide the scale, intensity, housing types, redevelopment activity, and future public and private investment appropriate to that area.
B. Designation of an area as a Housing Corridor Node identifies the area as a potential location for application of the HCO but shall not, by itself, constitute a rezoning or apply HCO development rights to any property. The HCO shall apply only following approval by the Board of Commissioners in accordance with Section 8.3.2.
C. The following Housing Corridor Nodes are established:
    1. Hi-Roc Node and Corridor. Appropriate for moderate- to higher-intensity redevelopment and infill, including townhomes, small multiplex buildings, and mixed-use buildings, as well as adaptive reuse or redevelopment of aging commercial centers, with an emphasis on walkability and internal site connectivity. The Node shall be established around a designated center point located within the Hi-Roc Shores neighborhood.
    2. Lakeview Estates Node. Appropriate for incremental neighborhood-scale infill and diversification, including duplexes, triplexes, fourplexes, cottage court developments, and small multiplex buildings, designed to maintain compatibility with nearby residential neighborhoods through transitions in massing, height, and site design. The Lakeview Estates Housing Corridor Node is established as a priority housing investment area centered on the Lakeview Estates neighborhood.
    3. Honey Creek Node and Corridor. Appropriate for corridor-oriented reinvestment and residential integration, including townhomes, small multiplex buildings, and mixed-use development at key intersections and nodes, with access management, pedestrian connections, and buffering where adjacent to established residential areas.
    4. Milstead Village Node. Appropriate for context-sensitive infill and small-scale redevelopment, including cottage court developments, townhomes, small multiplex buildings, and adaptive reuse, with building form and site design that respect the area’s established character and provide appropriate transitions to adjacent residential properties.
    5. Klondike Node and Corridor. Appropriate for neighborhood-scale housing development, infill, redevelopment, housing rehabilitation and preservation,

and reinvestment in existing residential neighborhoods. The area is intended to support a range of housing types while preserving and improving existing housing stock and leveraging transportation, utility, and community infrastructure investments.

8.3.4 Eligibility and Infrastructure Considerations

A. In determining whether property is appropriate for HCO designation, the County may consider the following:
    1. Location within or relationship to a Housing Corridor Node identified in Section 8.3.3;
    2. Frontage on or convenient access to an arterial or collector roadway;
    3. Proximity to employment centers, schools, parks, commercial services, civic facilities, or other community destinations;
    4. Existing or planned pedestrian, bicycle, trail, transit, or transportation improvements;
    5. Availability of public water and sanitary sewer, or the reasonable ability to extend such infrastructure as part of development;
    6. Presence of vacant, underutilized, aging, distressed, or redevelopment-ready property;
    7. Potential to support infill housing, mixed-use development, or rehabilitation of existing structures; and
    8. Potential for public or private infrastructure investment to support additional housing or redevelopment.
B. Existing public water and sanitary sewer service shall not be required as a condition of HCO designation. Where such facilities are not currently available to a property, required water and sanitary sewer infrastructure shall be extended or otherwise provided at the time of development in accordance with applicable County and utility standards.

8.3.5 Public Water and Sanitary Sewer

A. Development utilizing increased residential density or other enhanced development rights authorized by the HCO shall be served by public water and sanitary sewer where required by applicable County standards. Where adequate facilities are not available at the property, the developer shall be responsible for extensions and improvements necessary to serve the proposed development, except as otherwise provided by an approved agreement or funding program.
B. Where a proposed infrastructure extension, oversizing, or system improvement provides capacity or service beyond that reasonably attributable to the proposed development, the County may consider such improvement when coordinating future capital improvements, pursuing grant funding, establishing public-private partnerships, or considering credits, reimbursements, or other participation authorized by applicable law and separately approved by the Board of Commissioners.

C. Nothing in this Section shall obligate the County to fund, reimburse, or participate in infrastructure improvements.

8.3.6 Housing and Redevelopment Flexibility

A. Within an approved HCO, the underlying zoning district shall remain in effect except where modified by the HCO. The HCO may authorize additional residential building types, mixed-use residential development, infill development, adaptive reuse, and redevelopment opportunities as provided by this Article and as appropriate to the intended development pattern of the applicable node.
B. The HCO is intended to provide development value through regulatory flexibility while maintaining applicable County fees and infrastructure obligations unless otherwise authorized by separate Board action or an applicable funding program.

8.3.7 Small-Lot Infill and Cottage Housing

A. Purpose. Within the Lakeview Estates and Hi-Roc Housing Corridor Nodes, existing legally established lots that do not conform to current minimum lot area or lot width requirements may be utilized for context-sensitive residential infill in accordance with this Section. The purpose of this provision is to encourage productive use of existing small lots, expand housing choice, reduce the creation of vacant or underutilized parcels, and support reinvestment in established neighborhoods.
B. Eligible Housing Types. Tiny homes, cottage homes, and other small-footprint single-family detached dwellings may be permitted on eligible existing nonconforming lots within the Lakeview Estates and Hi-Roc Nodes, subject to applicable building, fire, utility, access, and development standards.
C. Lot Eligibility. An existing nonconforming lot shall not be required to meet the current minimum lot area or lot width of the underlying zoning district in order to qualify for development under this Section, provided the lot was legally established prior to adoption of the applicable minimum lot standards and can accommodate the proposed dwelling in compliance with applicable health and safety requirements.
D. Dimensional Flexibility. Where necessary to accommodate a dwelling on an eligible existing nonconforming lot, reduced setbacks, lot coverage, building separation, or other dimensional standards may be authorized in accordance with the HCO standards, provided adequate access, utilities, stormwater management, fire protection, and public safety can be maintained.
E. Lot Consolidation Not Required. An otherwise eligible existing nonconforming lot shall not be required to be combined with an adjacent lot solely because it does not meet the minimum lot area or lot width of the underlying zoning district, except where consolidation is otherwise required by applicable law.
F. Infrastructure. Development pursuant to this Section shall comply with the public water and sanitary sewer requirements of Section 8.3.5.

G. Creation of New Lots. Nothing in this Section shall authorize the creation of new lots below the minimum lot area or lot width otherwise required by this UDO.

8.3.8 Density

A. Where permitted by the HCO and where adequate public water, sanitary sewer, transportation access, and other required facilities will be provided, residential density may be increased up to one hundred fifty percent (150%) of the maximum density otherwise permitted by the underlying zoning district, subject to the development context and intended intensity of the applicable Housing Corridor Node.
B. Approval of HCO density shall not constitute a commitment by the County to provide financial assistance or infrastructure funding. Development shall comply with all applicable utility, transportation, fire, stormwater, environmental, and development standards.

8.3.9 Redevelopment and Infill

The HCO shall facilitate redevelopment of aging, vacant, distressed, or underutilized commercial and residential sites, including phased redevelopment and infill of excess parking areas where consistent with applicable development standards and the intended development pattern of the applicable Housing Corridor Node.

A. The HCO may allow, as provided elsewhere in this Article:
    1. Conversion or adaptive reuse of existing buildings for residential or mixed-use purposes;
    2. Residential or mixed-use infill on underutilized portions of existing developed sites;
    3. Phased redevelopment of commercial centers and other developed properties;
    4. Shared parking and context-sensitive parking reductions where supported by site conditions and applicable standards;
    5. Administrative flexibility from specified dimensional or site-design standards where necessary to accommodate existing site conditions and where public health and safety are not adversely affected;
    6. Internal pedestrian connections, sidewalks, streetscape improvements, and connections to surrounding neighborhoods and destinations; and
    7. A mix of housing types appropriate to the character and intended development pattern of the applicable corridor or node.

8.3.10 Strategic Housing Investment and Funding Priority

A. Areas designated as HCO districts, including the Housing Corridor Nodes established by this Article, are recognized as priority areas for housing investment, redevelopment, infrastructure expansion, neighborhood revitalization, and related community development activities.

B. Subject to applicable law, program requirements, adopted budgets, and Board approval, the County may prioritize or give special consideration to eligible projects or public improvements within an HCO when pursuing, recommending, or allocating federal, state, regional, local, philanthropic, nonprofit, or other external funding.
C. Node-Specific Investment Priorities. The County may use the characteristics, needs, and intended development pattern of each Housing Corridor Node to identify and prioritize eligible projects, infrastructure improvements, and funding opportunities. Priority may be given to projects that advance the stated purpose of the applicable node and leverage private investment in support of County housing, redevelopment, infrastructure, transportation, or community development objectives.
D. HCO designation does not create an entitlement to County funding, grant assistance, fee reductions, tax incentives, infrastructure participation, or any other financial benefit.

8.3.11 Node Investment Plans

A. The County may prepare and adopt supplemental plans, studies, infrastructure assessments, redevelopment strategies, housing strategies, or capital improvement priorities for individual Housing Corridor Nodes. Such plans may be used to guide public investment, coordinate private development, identify infrastructure needs, support grant applications, and establish priorities for future County programs.
B. A Node Investment Plan may identify opportunity sites, housing needs, infrastructure gaps, transportation and pedestrian improvements, estimated infrastructure costs, anticipated private investment, potential partnerships, and prospective funding sources.
C. Adoption of a Node Investment Plan shall not obligate the County to fund any identified project or improvement and shall not, by itself, modify the zoning classification or development rights of any property.

8.3.12 Grant Readiness and Development Information

To support long-range planning, infrastructure coordination, housing-program development, node investment planning, and pursuit of external funding, the County may require an applicant seeking enhanced development rights under the HCO to provide information reasonably related to the proposed development, including:

1. Number and type of proposed housing units;
2. Anticipated sales prices or rents, when known or applicable;
3. Anticipated household income or affordability ranges, when applicable to a proposed housing program or funding source;
4. Existing site conditions and the nature of proposed infill, rehabilitation, or redevelopment;
5. Public water, sanitary sewer, transportation, stormwater, or other infrastructure required to serve the development;
6. Estimated cost and scope of major infrastructure improvements;

7. Infrastructure or public improvements proposed for dedication to the County or other public entity;
8. Estimated private capital investment and anticipated development schedule;
9. Projected taxable value or other fiscal information when reasonably available; and
10. Potential participation in future housing, infrastructure, redevelopment, or grant-funded programs.

Information collected pursuant to this Section may be used by the County to maintain a housing and redevelopment project inventory, identify node-specific infrastructure priorities, evaluate potential funding opportunities, and coordinate public and private investment.

8.3.13 Coordination with Public and Private Partners

The County may coordinate HCO and Housing Corridor Node implementation with public utilities, development authorities, housing authorities, land banks, nonprofit organizations, community development organizations, regional agencies, state and federal agencies, private property owners, developers, and other partners to advance housing, redevelopment, infrastructure, and neighborhood investment objectives.

8.3.14 Additional Programs and Incentives

A. Nothing in this Article shall prohibit the Board of Commissioners from separately establishing programs applicable to HCO properties, projects, or Housing Corridor Nodes, including grant programs, infrastructure participation programs, expedited review procedures, development agreements, fee programs, housing programs, or other regulatory or financial tools authorized by law.
B. Any such program or incentive shall be subject to separate eligibility requirements, funding availability, applicable law, and Board approval. Inclusion within an HCO or Housing Corridor Node alone shall not guarantee participation.

8.3.15 Relationship to Underlying Zoning

Except as expressly modified by this Article, all standards of the underlying zoning district and all other applicable provisions of this UDO shall remain in effect. Where an HCO standard expressly conflicts with a standard of the underlying zoning district, the HCO standard shall control.

Article 9: Supplemental Use Standards

9.1 Agricultural Uses.

9.1.1 Agritourism.

A. Agritourism uses must be directly tied or subordinate to the agricultural use of the property. Agritourism operator must also be the farm operator. The operator must provide proof of bona fide agricultural use on the subject property.
B. A minimum lot area of five (5) acres is required.
C. Permissible activities may include, but are not limited to:
    1. Sampling or selling of food grown, raised, or produced on the farm;
    2. Sampling or selling of prepared food, with ingredients grown or produced on the property, including a food truck if owned and operated by the farm operator;
    3. "Pick your own" produce or flowers;
    4. Retail sales of incidental items directly related to or that promote agricultural use;
    5. Farm tours or farm-related classes;
    6. Demonstrations of harvesting or preparation of goods or products produced on the farm;
    7. All general farming activities must comply with Section 9.1.4; and
    8. All fruit and vegetable markets must comply with Section 9.1.6.
D. Activities shall not involve the amplification of voice, music, or instruments.
E. All agritourism establishments must provide adequate potable water and sanitary waste systems, subject to approval by the Rockdale County Environmental Health Department and/or Rockdale County Water Resources. Temporary sanitary facilities (such as port-a-lets or restrooms) shall be a minimum of 100 feet from the property lines of adjacent residential uses.
F. Adequate off-street parking must be provided on-site.
    1. Parking and vehicular circulation must be located on the same lot as the agricultural operation and are not permitted within any public right-of-way.
    2. All parking must be located at least 200 feet from any property line under separate ownership. Parking on grass or gravel may be permitted with approval from the Department of Stormwater Management.
G. Event Venue Standards:
    1. Use of the subject property for more than four (4) indoor or outdoor special events per calendar year that are not related to agricultural uses, such as: weddings, receptions, private parties, community events, or concerts, shall require Special Use Permit approval by the Board of Commissioners.

2. Barns or other accessory structures must be located at least 300 feet from any property line under separate ownership.
3. Any existing or newly constructed building must be approved for assembly or event use, subject to applicable regulatory approvals including, but not limited to building code and fire code.
4. Outdoor activities may not involve the outside amplification of voice, music or instruments except during a wedding ceremony.
5. Special events shall operate between the hours of 9:00 a.m. to 10:00 p.m. on Sunday through Thursday and 9:00 a.m. to 12:00 a.m. on Friday and Saturday. "Operate," as used in this Section, includes the conclusion of the event for guests or attendees such as food, drinks, and entertainment.
6. All agri-entertainment events must provide adequate personnel to assist with parking, emergencies, and other potential impacts of each event.
7. Applicants shall provide letters of coordination from local safety services confirming that adequate ingress/egress for emergency vehicles are provided.

9.1.2 Apiary.

A. Hives shall adhere to the following density and location requirements:
    1. For a property to consist of an apiary, it must contain a minimum of 10,000 square feet. For every additional 5,000 square feet thereafter, a beekeeper is permitted to have two additional hives.
    2. Exceptions:
        a. Acknowledging normal honeybee management, a beekeeper may also keep, in addition to the allowable number of standard hives, additional nucleus colonies per standard (fixed) hive, provided they are used for managing colony strength and swarm prevention.
        b. Hives shall only be permitted in the rear of property, behind any existing front yard lines and 20 feet away from any side or rear property line.
B. Hives shall also adhere to the following landscaping requirements:
    1. Apiaries must include a reasonably sized water source within 60 feet of the hive(s), including, but not limited to a water fountain or existing water source.

9.1.3 Farming, Commercial.

A. All structures, buildings, or enclosed areas used for the operation shall be a minimum of 100 feet from all property lines.
B. Equipment-producing noise or sound in excess of 70 decibels shall be located no closer than 100 feet to the nearest residence.
C. All unpaved storage areas shall be maintained in a manner which prevents dust from adversely impacting adjacent properties.

9.1.4 Farming, general.

A. General farming may include the cultivation, production, harvesting, and storage of crops; horticulture; orchards; vineyards; plant production; and similar agricultural activities.
B. All structures, buildings, or enclosed areas used for general farming shall be a minimum of 100 feet from all property lines.
C. All livestock quarters and enclosures must comply with Section 9.1.8, Livestock Quarters/Enclosures.

9.1.5 Forestry and Logging (Timber Harvesting).

A. Such activities shall be conducted consistent with "Georgia's Best Management Practices for Forestry."
B. Such activities shall comply with Section 12.6, Timber Harvesting.
C. Forestry and logging activities taking place on commercially zoned property shall preserve undisturbed buffers as required in Article 11.
D. Forestry and logging activities taking place on property that is adjacent to occupied residential property shall preserve a 50-foot undisturbed buffer.

9.1.6 Fruit/Vegetable Market.

A. Must be accessory to a bona fide agricultural use of the subject property.
B. The operator shall obtain a Food Sales Establishment License from the Georgia Department of Agriculture.
C. Items for sale shall only include sell fruits, vegetables, herbs, flowers, plants, nuts, honey, eggs, and similar agricultural products.
D. All buildings, stands, tents, displays, and other sales area shall be located 25 feet from any public right-of-way.
E. Adequate off-street parking shall be provided on the same lot as the market. Parking shall not be permitted within the public right-of-way or in a manner that interferes with ingress, egress, or traffic circulation.
F. The market shall be located no closer than 100 feet from a property zoned or used residentially, measured along a straight line connecting the nearest points of the properties.

9.1.7 Greenhouse, Nursery, and Floriculture Production.

A. All structures shall be set back at least 100 feet from any residential property line.

9.1.8 Livestock Quarters/Enclosures (including Horse Stables, Riding, and Boarding).

A. The keeping and raising of all farm animals and fowl and use of private stables shall be subject to the following standards:
    1. In the A-R, R-1, and W-P zoning districts:
        a. The keeping and raising of all farm animals and use of private stables shall be limited to properties with a minimum lot size of three acres.

b. The keeping and raising of fowl shall be limited to properties with a minimum lot size of one acre.
c. The maximum number of livestock shall be equal to two adult hoofed animals per acre.
d. A fence shall be erected a minimum of 150 feet from any state water, as defined in O.C.G.A. § 12-7-3, so as to prevent livestock from entering into any state water.

2. Standards applying to all zoning districts:
   a. Any structure, pen, corral or other building appurtenant to the keeping and raising of livestock or poultry must be located a minimum of 100 feet from any property line except when state waters, as defined in O.C.G.A. § 12-7-3, is present, the minimum must be 200 feet from any property lines.
   b. The keeping and raising of all farm animals and fowl shall be subject to all regulations promulgated by the Rockdale County Environmental Health Department.

9.2 Residential Uses.

9.2.1 Multi-Family.

A. Dwelling units in multi-unit buildings shall meet the minimum heated floor area designated by the applicable zoning district.
B. Multi-family buildings shall comply with the architectural requirements of Section 10.5.3.
C. Multi-family developments with more than 50 units must have access to a collector or arterial street.
D. 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.
E. 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.
F. 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, subject to approval by the County Fire Marshal. No zoning variance to this requirement shall be permitted.
G. See section 5.3.1—MR (multi-family residential district) or section 6.3.1—MXD (mixed-use development zoning district) for further standards.

9.2.2 Single-Family Attached.

A. This residential use type includes duplexes and townhomes either fee simple or condominium owned.
   1. A single-family, attached duplex structure shall only be located on a single lot.

2. Development standards for traditional, fee simple, single-family, attached townhomes shall apply to each individual lot.
3. Setbacks and minimum lot standards for a condominium, single-family, attached project shall apply to entire site instead of individual lots.
4. Townhome rental developments shall comply with all multi-family dwelling unit regulations of the UDO.

B. Single-Family Attached uses authorized in multi-family or mixed-use districts shall not be less than 1,000 heated square feet.
C. Each single-family attached unit shall have a minimum of 200 sq. ft. of private yard or other outdoor porch/balcony space in either the front or rear, not including driveways and alleys.
D. Each dwelling unit shall be properly equipped with a sprinkler system approved by the County Fire Marshal.
E. No townhome building shall contain more than six dwelling units, unless otherwise approved by the board of commissioners as a condition of zoning.
F. See section 5.3.1—MR (multi-family residential district) or section 6.3.1—MXD (mixed-use development zoning district) for further standards.

9.2.3 Single-Family Detached

A. Dwelling units shall meet the minimum heated floor area designated by the applicable zoning district.
B. Dwelling units shall comply with the architectural requirements of Section 10.5.2.

9.2.4 Live-Work.

A. Live-work shall be mixed-use dwellings that are fire-separated from adjacent units as attached dwellings such as single family attached units or as part of a larger mixed-use building.
B. Associated commercial or office uses shall not be considered a home occupation within such mixed-use, live-work buildings.

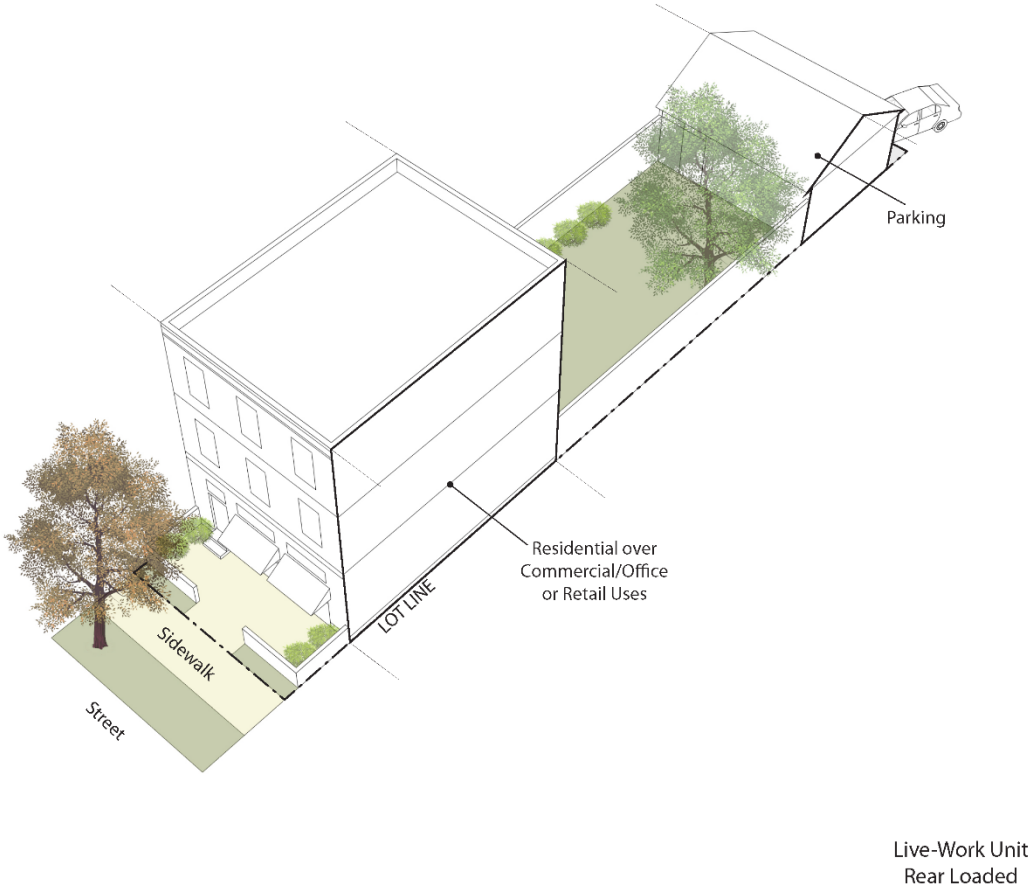


Figure 9.2.4 - Live-Work Units.

9.2.5 Manufactured Home.

A dwelling unit manufactured in accordance with the Secretary of Housing and Urban Development (HUD), the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. Section 5401, et seq., as amended, and meeting the following development standards:

A. A minimum width of 12 feet.
B. Any dwelling unit for which a building permit was obtained prior to the adoption of this ordinance may be extended, enlarged, or repaired as otherwise provided by this ordinance with the same roof pitch as that allowed by the previous building permit.
C. The dwelling shall be placed on a permanent foundation, either slab or pier, which meets the requirement of the Standard Building Code. In addition, the dwelling shall be completely underpinned with masonry, stone, or other similar materials manufactured for the purpose of underpinning as approved by the Chief Building Official. Installation shall be in accordance with the Rules and Regulations for

Manufactured Homes made and promulgated by the Georgia Safety Fire Commissioner and shall be completed prior to permanent electrical service.

D. All axles, tongues, and transporting and towing apparatus shall be removed before occupancy.
E. Replacement and/or Relocation:
    1. All mobile/manufactured homes located in a mobile home development shall provide documentation of compliance with the National Mobile Home Construction and Safety Act or compliance with specifications presented by the American National Standards Institute.
    2. An existing, nonconforming mobile/manufactured home that was lawfully permitted prior to the effective date of this unified development ordinance may be replaced with a new mobile home meeting the requirement set forth herein, provided the replacement is done so within 12 months of the date of removal of the existing mobile home and all conditions and requirements of O.C.G.A § 36-66-7 et seq are met.

9.2.6 Industrialized Home.

A dwelling unit manufactured in accordance with the Georgia Industrialized Building Act (O.C.G.A. § 8-2-1 et seq.), and the Rules of the Commissioner of the Georgia Department of Community Affairs issued pursuant thereto, and meeting the following development standards:

A. A minimum width in excess of 28 feet.
B. A minimum roof pitch of 5:12, which means having a pitch equal to at least five (5) inches of vertical height for every 12 inches of horizontal run. Any dwelling unit for which a building permit was obtained prior to the adoption of this ordinance may be extended, enlarged, or repaired as otherwise provided by this ordinance with the same roof pitch as that allowed by the previous building permit.
C. A minimum roof overhang of 12 inches is required. All roof surfaces exposed to view shall be covered with asphalt or fiberglass shingles, wood shakes or shingles, standing seam (non-corrugated tin or steel), clay tiles, slate, or similar materials.
D. The dwelling shall be placed on a permanent foundation, either slab or pier, which meets the requirement of the Standard Building Code. In addition, the dwelling shall be completely underpinned with masonry, stone, or other similar materials manufactured for the purpose of underpinning as approved by the Director of Planning and Development. Installation shall be in accordance with the Rules and Regulations for Manufactured Homes made and promulgated by the Georgia Safety Fire Commissioner and shall be completed prior to permanent electrical service.
E. Utility meters shall be mounted to the structure rather than on a utility pole.
F. A landing shall be installed at each doorway. The minimum size of the landing shall be four (4) feet by six (6) feet (excluding steps) at each doorway. The structure shall

include steps which lead to ground level, and both landing and steps shall meet the requirements of the Standard Building Code.

G. The dwelling shall be installed in accordance with O.C.G.A. § 8-2-110 et seq., and the rules promulgated thereunder.

9.2.7 Tiny Home Village.

A. Minimum parcel size: A tiny home village shall be located on a parcel not less than one (1) acre in area.
B. Maximum density: The maximum density shall not exceed 12 dwelling units per acre.
C. Heated floor area: The heated floor area of each home shall not be less than 200 square feet and not more than 600 square feet.
D. Common open space: A minimum of 30% shall be provided as common open space, which may include village centers, greens, plazas, and passive recreation areas. Required yards, buffers, parking areas, driveways, streets, and other areas devoted primarily to vehicular circulation shall not be counted toward the required common open space. Stormwater detention facilities may not count towards required common open space unless the facility is a permanent lake or pond designed and intended for recreational access and use by residents.
E. Connectivity:
    1. The primary entrance of each home shall be oriented toward a common open space and connected to such common open space by a sidewalk. Where multiple common open spaces are provided, the common open spaces shall be interconnected by sidewalks or trails designed in accordance with applicable accessibility standards. Ownership and maintenance. All common open spaces shall remain in:
        a. Private individual ownership by the owner of the village(s) or common ownership by the owners of the houses in the village(s).
        b. Restrictive covenants, declarations and restrictions running with the land shall provide for access across and permanent maintenance and protection of common open, space, any associated common buildings, and shared infrastructure. Such documents shall be recorded prior to final plat approval and shall be binding upon all subsequent owners.
F. Building height:
    1. A tiny home shall not exceed two (2) stories in height, measured from the finished grade.
    2. No other permitted structure shall exceed 25 feet in height.
G. Buffers and separation:
    1. A minimum 25-foot buffer shall be provided along arterial or collector roadways.
    2. A minimum 15-foot buffer shall be provided along other property lines.

3. A building separation of not less than 12 feet shall be provided between houses and any common structures. The separation distance shall be measured between the closest exterior wall surfaces and shall remain free of decks, sheds, propane storage, combustible fences, fire pits, vehicles, and other combustible installations. These items may be permitted at the discretion of the Fire Marshal's Office, where the separation distance is increased and all applicable requirements are satisfied.

H. Parking requirements:
   1. Resident Parking. A minimum of 0.75 off-street parking spaces per dwelling unit, rounded up to the nearest whole parking space, shall be provided within the Tiny Home Village. Required parking may be provided through individual parking spaces, shared garage structures, or a combination thereof. Guest Parking. A minimum of one guest parking space for every five dwelling units, rounded up to the nearest whole space, shall be provided. Guest parking may be provided as individual parking spaces or within a shared garage structure.
   2. Shared garage structures may be clustered to serve multiple homes and shall be located within the applicable village.
   3. Parking areas and shared garage structures shall not encroach into shared open space.
   4. A shared garage structure is defined as a detached garage structure containing multiple enclosed parking spaces that is designed and intended to provide parking for residents of multiple dwelling units within the tiny home village.
   5. A Shared Garage Structure shall be designed to complement the architectural character of the Tiny Home Village and shall appear residential in scale and design.

I. Water and sewer:
   1. Each home shall be served by a public or private water system.
   2. Each home shall be served by either:
      a. A public or private sanitary sewer system; or
      b. An approved community wastewater treatment and disposal system.
   3. Community wastewater treatment and disposal systems shall be designed, permitted, installed, operated, and maintained in accordance with all federal, state, and local requirements.
   4. Individual on-site septic systems serving individual homes shall be prohibited.
   5. Where a community wastewater treatment and disposal system is utilized, the applicant shall demonstrate that adequate capacity exists to serve all homes, common buildings, and other wastewater generating facilities within the village.

J. Architectural design standards:

1. Homes and community buildings shall incorporate at least three (3) of the following architectural features: dormers, gables, pillars, posts, covered front porches, recessed entries, and/or cupolas.
2. Architectural features, materials, and façade articulation shall be continued on all sides visible from a public street or common open space.
3. The applicant shall provide architectural design guidelines at the time of special use permit request. Such guidelines shall demonstrate, at minimum:
    a. A minimum of three distinct front façade types for proposed homes; and
    b. Proposed variation in rooflines, massing, and architectural features.
4. Adjacent homes shall not use the same front façade type.
5. Prohibited Primary Materials. The following materials shall not be used as primary exterior wall materials:
    a. Corrugated metal panels
    b. Ribbed or exposed fastener metal siding
    c. Shipping containers or structures constructed from repurposed cargo containers
    d. Unfinished or exposed concrete masonry units (CMU/block)
    e. Plastic or vinyl except for eaves and soffits and for window casings.
    f. Highly reflective or mirrored materials

K. Internal streets may utilize alternative design standards, including shared streets, private drives, or alley-loaded access, subject to approval by Rockdale County Department of Transportation.

L. Trash enclosures shall be provided to serve each village. Each enclosure shall be capable of accommodating bins adequate to provide trash storage capacity of 60 gallons per home with one weekly pickup. Enclosures shall comply with applicable screening requirements of Article 11.

9.2.8 Group Living.

A. Reasonable Accommodation. Nothing in this section shall be construed to limit the right of an applicant, operator, resident, or other eligible person to request a reasonable accommodation from a zoning, land-use, or development standard when such accommodation may be necessary to afford a person with a disability an equal opportunity to use and enjoy a dwelling or otherwise exercise rights protected by applicable federal or state law. Requests for reasonable accommodation shall be processed in accordance with the procedures established by this Code and applicable law.

B. Management and Operations Plan. The Special Use Permit application for uses in this section shall include an operations plan describing:
    1. The name and contact information of the facility operator;

2. The name and contact information of the person responsible for day-to-day management;
3. A 24-hour emergency contact number;
4. The maximum number of residents;
5. The anticipated length of stay;
6. Services provided or coordinated;
7. Hours of operation for on-site services;
8. Transportation arrangements, if provided;
9. Emergency procedures; and
10. Procedures for addressing property-management and maintenance issues.

C. Personal Care Homes (PCH):

1. Such uses shall maintain a residential appearance compatible with the surrounding area.
2. To prevent a negative institutional atmosphere created by the concentration or clustering of several community residences, each personal care home shall be located a minimum of one-quarter (¼) mile from any other personal care home, transitional home, or halfway house when located in a residential zoned district. Distance is measured from property line to property line.
3. Personal Care Homes, family, shall only be permitted with a Special Use Permit in specified zoning districts within Table 5.2.2, Agricultural and Residential Land Use Table.
4. The home must maintain a residential appearance compatible with the surrounding neighborhood, and the interior must be home-like and not institutional in décor.
5. No resident of a Personal Care Home shall inhabit a bedroom located in a basement or below grade without exception.
6. The home must meet all state requirements and all applicable rules and regulations as specified in the Rules and Regulations of the State of Georgia, Subject 111-8-62 Personal Care Homes, as amended.
7. The home must always maintain licensing with the State of Georgia. If the operating license expires, Rockdale County reserves the right to close the home until such license is renewed.
8. The home shall meet ADA requirements. If any building alterations are required to meet ADA requirements, the changes must be permitted and completed by a licensed contractor.
9. A Personal Care Home cannot be occupied until all State, County and other licensing requirements are fully met.
10. Rockdale County will issue a business license for the home once all building requirements are met.

11. Rockdale County would like all inhabitants of Personal Care Homes to have the ability to work, shop, eat out, attend religious services, or events and be part of the social framework of the county, so Personal Care Homes must not be isolated. Applicants must demonstrate that residents will have reasonable access to ADA accessible transportation and community services.
12. If the home is on septic, a permit shall be obtained from Rockdale County Environmental Services stating that the septic system is adequate for the highest number of occupants at any one time including holidays.
13. Personal Care Homes must have a security/fire system that is monitored by an outside provider.
14. All residents of a PCH must be registered with the Rockdale Fire Department, so that emergency services can bring the right equipment in case of an emergency.

D. Transitional Housing:
    1. Purpose and intent. The purpose of this section is to establish standards for transitional housing facilities that provide temporary residential accommodations and supportive services to individuals or families transitioning to permanent housing, independent living, or another appropriate residential setting. The intent is to facilitate access to safe and stable temporary housing while ensuring that transitional housing is appropriately located, designed, and operated in a manner that is compatible with surrounding land uses and consistent with applicable federal, state, and local requirements.
    2. Transitional Housing, 6 or fewer individuals, shall only be permitted with a Special Use Permit in specified zoning districts within Table 5.2.2, Agricultural and Residential Land Use Table.
    3. The term Transitional Housing does not include:
        a. A halfway house;
        b. An emergency shelter or homeless shelter providing overnight accommodations on a short-term or emergency basis;
        c. A hospital, nursing home, assisted living facility, or other licensed institutional residential facility;
        d. A residential treatment facility in which treatment is the principal use of the property; or
        e. An ordinary dwelling occupied by a household that does not operate as a transitional housing program.

4. Maximum occupancy. The maximum number of residents shall be established as part of the Special Use Permit and shall not exceed the occupancy permitted by applicable building, fire, life-safety, accessibility, and health requirements. The number of residents shall be based on the physical capacity of the building and site and shall not be established based solely upon the characteristics or status of the residents. Any increase in the approved maximum occupancy shall require an amendment to the Special Use Permit.
5. To prevent a negative institutional atmosphere created by the concentration or clustering of several community residences, each transitional home shall be located a minimum of one-quarter (¼) mile from any other transitional home, halfway house, or personal care home when located in a residential zoned district. Distance is measured from property line to property line.
6. In the AR and R-1 zoning districts, the outer appearance of the building shall maintain residential compatibility (e.g., height, style, front setback, roof type, fenestration, and floor area) with buildings on the same block.

E. Halfway House:
    1. Purpose and intent. The purpose of this section is to establish standards for halfway houses that provide temporary residential accommodations to individuals transitioning from incarceration, probation or parole, substance-use treatment, or other institutional or treatment settings to independent living. The intent is to recognize halfway houses as a residential use while ensuring that such facilities are operated in a manner consistent with applicable federal and state requirements and with the health, safety, and general welfare of residents and surrounding properties.
    2. Halfway House, 6 or fewer individuals, shall only be permitted with a Special Use Permit in specified zoning districts within Table 5.2.2, Agricultural and Residential Land Use Table.
    3. Treatment Services. A halfway house shall not provide medical, clinical, therapeutic, or substance-abuse treatment services unless the operator has obtained all licenses, certifications, permits, and approvals required by applicable federal and state law.
    4. To ensure such uses can provide reasonable access to essential support services, each halfway home shall be located within one-half (1/2) mile of at least three of the following support services:
        a. Medical clinic, hospital, urgent care facility, or federally qualified health center;
        b. Emergency services facility, including fire station, emergency medical services station, or hospital emergency department;
        c. Mental health or substance use treatment provider;

d. Pharmacy;
e. Social service agency providing case management, employment assistance, or housing stabilization services;
f. Grocery store or food assistance facility;
g. Or other similar service, as approved through the special use permitting process.

9.2.9 Single-Family Detached Dwelling Uses on Deficient Lots of Record.

A. For Single-Family Detached Dwelling uses proposed on existing lots of record that were established prior to the enactment of this chapter and that do not meet one or more horizontal dimensional standards, alternative compliance may be permitted by calculating the percentage that the subject lot represents of the minimum lot size required for the applicable zoning district. That percentage may then be applied to other required horizontal dimensional standards, except for standards that are already expressed as a percentage of the whole (e.g., lot coverage).
B. Example: An R-1 zoned lot that is 15,000 square feet is 50 percent (50%) of the minimum lot size of 30,000 square feet (15,000/30,000). Applying that proportion to the remainder of the dimensional standards in the R-1 district, the following standards may apply:
    1. Maximum lot coverage: 30% (no change for regulations expressed as a percent of the whole)
    2. Lot frontage: 50 feet (100 feet*50%)
    3. Street setback: 12.5 feet (25 feet*50%)
    4. Side setback: 5 feet (10 feet *50%)
    5. Rear setback: 20 feet (40 feet *50%)
C. In no case shall the setback standards be reduced to less than ten (10) feet for the street and rear yards and five (5) feet side setbacks.

9.2.10 Cottage Court Village.

A. Minimum parcel size: A cottage court village shall be located on a parcel not less than five (5) acres in area.
B. Maximum density: The maximum density shall not exceed 8 dwelling units per acre.
C. Heated floor area: The heated floor area of each home shall not be less than 700 square feet and not more than 1,100 square feet.
D. Common open space: A minimum of 30% shall be provided as common open space, which may include village centers, greens, plazas, and passive recreation areas. Required yards, buffers, parking areas, driveways, streets, and other areas devoted primarily to vehicular circulation shall not be counted toward the required common open space. Stormwater detention facilities may not count toward the required common open space unless the facility is a permanent lake or pond designed and intended for recreational access and use by residents.

E. Connectivity:
    1. The primary entrance of each home shall be oriented toward a common open space and connected to such common open space by a sidewalk in a cottage style site layout.

F. Where multiple common open spaces are provided, the common open spaces shall be interconnected by sidewalks or trails designed in accordance with applicable accessibility standards. Ownership and maintenance. All common open space shall remain in:
    1. Private individual ownership by the owner of the village(s) or common ownership by the owners of the houses in the village(s).
    2. Restrictive covenants, declarations, and restrictions running with the land shall provide for access across and permanent maintenance and protection of common space, any associated common buildings, and shared infrastructure. Such documents shall be recorded prior to final plat approval and shall be binding upon all subsequent owners.

G. Buffers and separation:
    1. A minimum 25-foot buffer shall be provided along any adjacent Rockdale County access roadway.
    2. A minimum 15-foot buffer shall be provided between the development and any adjacent parcel.
    3. A building separation of not less than 15 feet shall be provided between houses and any common structures. The separation distance shall be measured between the closest exterior wall surfaces and shall remain free of decks, sheds, propane storage, combustible fences, fire pits, vehicles, and other combustible installations. These items may be permitted at the discretion of the Fire Marshal's Office, where the separation distance is increased and all applicable requirements are satisfied.

H. Parking requirements:
    1. A minimum of one paved off-street parking stall shall be provided for each home.
    2. A minimum of one paved guest parking stall shall be provided for every three (3) houses.
    3. Parking areas shall not encroach into common open space.
    4. Individual driveways serving each cottage shall not be permitted unless necessary to accommodate site constraints or emergency access requirements. Parking shall be consolidated into shared parking areas or shared garage structures.
    5. A shared garage structure is defined as a detached garage structure containing multiple enclosed parking spaces that is designed and intended to provide parking for residents of multiple dwelling units within the tiny home village.

6. A shared garage structure shall be designed to complement the architectural character of the Cottage Court Village and shall appear residential in scale and design.

I. Water and sewer:
   1. Each home shall be served by public water and sewer.
   2. On-site septic systems shall be prohibited.

J. Architectural design standards:
   1. Homes and community buildings shall incorporate at least three (3) of the following architectural features: dormers, gables, pillars, posts, covered front porches, recessed entries, and/or cupolas.
   2. Architectural features, materials, and façade articulation shall be continued on all sides visible from a public street or common open space.
   3. The applicant shall provide architectural design guidelines at the time of special use permit request. Such guidelines shall demonstrate, at minimum:
      a. A minimum of three distinct front façade types for proposed homes; and
      b. Proposed variation in rooflines, massing, and architectural features.
   4. Adjacent homes shall not use the same front façade type.

K. Internal streets may utilize alternative design standards, including shared streets, private drives, or alley-loaded access, subject to approval by Rockdale County Department of Transportation.

L. Trash enclosures shall be provided to serve each village. Each enclosure shall be capable of accommodating bins adequate to provide trash storage capacity of 60 gallons per home with once weekly pickup. Enclosures shall comply with applicable screening requirements of Article 11.

9.2.11 Single-Family Detached, Barndominium.

A. Such single-family detached uses may be permitted by special use permit in the A-R and R-1 zoning districts, in accordance with Section 18.7, Special Use Permits.

B. Barndominiums shall not be permitted within any residential common development, including but not limited to subdivisions with common open space, shared infrastructure, or homeowners' associations.

C. The combined floor area of the barn, garage, workshop, or similar attached area shall not exceed two (2) times the minimum required heated floor area of the dwelling.

D. Exterior materials and other architectural or design components shall be subject to approval by the Board of Commissioners.

9.3 Public, Institutional, and Civic Uses.

9.3.1 Funeral and Memorial Services.

A. Cemetery. Private and public cemeteries shall comply with all provisions of state law, in addition to the following:

1. A plat of the cemetery shall be recorded in the office of the Rockdale County Clerk of Superior Court.
2. Any new private cemetery shall be located on a site containing not less than 20 acres.
3. The site proposed for a cemetery shall not interfere with the development of a system of collector or larger streets in the vicinity of such site. In addition, such site shall have direct access to a thoroughfare by way of an access way not less than 20 feet wide.
4. Any new cemetery shall be enclosed by a fence or wall not less than four feet in height.
5. All structures shall be set back no less than 25 feet from any property line or street right-of-way line.
6. All graves or burial lots shall be set back not less than 25 feet from any property line or minor street right-of-way lines and not less than 50 feet from any collector, arterial, expressway or freeway right-of-way line.
7. The entire cemetery property shall be landscaped and maintained.
8. Prior to approval of the request for the location of a new cemetery, a site plan and perpetual care plan must be submitted to the Planning and Development Department.

B. Mausoleum. Such uses shall comply with all provisions of state law, in addition to the following:
   1. Mausoleums may be an accessory use to a permitted cemetery use, provided all applicable requirements are met.
   2. All structures shall be set back no less than 50 feet from any property line or street right-of-way line.
   3. Outdoor lighting shall be limited to that necessary for security and shall be shielded to prevent light spillover into adjacent properties.

C. Crematoriums. Such uses shall comply with all provisions of state law, in addition to the following:
   1. Cremation uses shall not be located within 500 feet of any residentially zoned property, school, daycare facility, or hospital.
   2. Crematoriums may be an accessory use to a permitted mortuary or mausoleum use, provided all applicable requirements are met.

9.3.2 Daycare Services.

A. Childcare Learning Center/Pre-K.
   1. Such uses shall comply with all applicable State of Georgia, Bright from the Start, Rules for Child Care Learning Centers.

B. Daycare.
   1. All daycare uses shall provide at least 30 square feet of indoor activity area and at least 100 square feet of outdoor activity area per enrollee, based on

maximum capacity. No more than 50 percent of the floor area of a dwelling unit may be used for an allowed day care use.

2. All required outdoor activity areas for all daycare uses shall be enclosed by a fence or wall in compliance with Section 11.8.
3. No dwelling unit in which a daycare use is conducted may be modified to alter its appearance as a residential building. Outdoor signage is prohibited in residential zoning districts.
4. All daycare uses shall comply with applicable off-street parking regulations and provide safe vehicle turnaround areas on the subject lot.
5. Applicants shall provide documentation demonstrating that all required state permits or licenses have been applied for. Issuance of any local permit, license, or certificate of occupancy shall be conditioned upon receipt of all required state approvals.

9.3.3 Educational Services.

A. School, Private.

1. Applicable educational services are allowed only on lots with frontage on an arterial or collector street.
2. Such uses require a minimum lot area of five (5) acres, plus one additional acre for each 100 students (including portions thereof) based on the design capacity of the school. A minimum public street frontage of 100 feet shall be required.
3. Residential facilities, dormitories, kitchens, dining halls, and recreation facilities constructed on the premises shall be subordinate and accessory to the principal use of the property as a private school and used exclusively by students, faculty, and staff of the school.
4. Residential facilities, dormitories, kitchens, and dining halls occupied for more than 120 days per year shall be permanently constructed facilities meeting provisions of the UDO and applicable county and state public health and building codes.
5. No parking lots or outdoor lights shall be closer than 100 feet from residences on adjacent property.
6. A 50-foot undisturbed buffer adjacent to residential zoning districts shall be provided, where applicable.
7. Recreational facilities shall be located at least 100 feet from property lines of adjacent residential properties.

9.3.4 Healthcare Services.

A. Hospital.

1. Hospitals shall only be allowed on lots with frontage on an arterial or collector road and shall require a minimum lot area of three acres.

2. Setbacks:
    a. Side and rear setbacks shall be a minimum of 25 feet or as required by the zoning district, whichever is greater.
    b. Front building setback shall be a minimum of 50 feet.

B. Crisis Center. Any Crisis Service Center (CSC) or Crisis Stabilization Unit (CSU) shall comply with the following provisions:
    1. Crisis centers shall only be allowed on lots with frontage on an arterial or collector roadway.
    2. To ensure such uses can provide reasonable access to essential support services, each crisis center shall be located within one mile of a hospital emergency department.
    3. Facilities shall operate in compliance with the Georgia Department of Behavioral Health and Developmental Disabilities licensing and designation requirements.

9.3.5 Place of Assembly.

A. Site Design and Compatibility:
    1. Places of assembly designed or intended to accommodate more than 300 persons shall have access to a collector or arterial roadway, as classified by the Rockdale County Department of Transportation, unless otherwise approved through the applicable development review process.
    2. Require a minimum lot area of three acres, with a minimum public street frontage of 100 feet.
    3. The use shall be designed and operated in a manner that minimizes adverse impacts on adjacent properties.
    4. Buildings, parking areas, driveways, and other site improvements shall comply with applicable setbacks, buffers, landscaping, screening, and building design requirements of this UDO.

B. Outdoor Activities and Events: Outdoor assembly activities, including festivals, concerts, amplified events, or similar activities, shall comply with all applicable temporary special event requirements.

C. Parking:
    1. Off-street parking shall be provided in accordance with the parking requirements established in Article 15.
    2. Overflow parking shall not be permitted within required landscape buffers, fire lanes, rights-of-way, or on adjacent property without written authorization.

D. Noise and Amplification: Sound amplification shall be directed away from adjacent residential properties to the greatest extent practicable.

E. Place of Worship. In addition to the requirements of Section 9.3.5, places of worship shall also comply with the following standards. Where conflicts exist within this section, the more restrictive provision shall apply.
    1. Places of worship shall be located on a collector or arterial road, as defined by the Rockdale County Department of Transportation. Primary ingress/egress shall be provided from/to that collector or arterial road.
    2. Signage:
        a. A place of worship signage in nonresidential zoning districts shall be limited to what is permitted in the sign table in Article 20.
        b. In residential zoning districts, signage shall not exceed 32 square feet in area for each panel of a double-sided sign and shall be attached to a permanent wall or pilaster constructed of brick, stone, wood or textured concrete masonry units not to exceed eight feet in height.
        c. In all zoning districts the sign shall be setback at least ten feet from the right-of-way and 15 feet from an intersection right-of-way.
        d. External, downward illumination is allowed.
        e. No more than 30 percent of the sign area may be composed of a reader board. Electronic reader boards shall be permitted only on properties abutting arterial or collector roads, as defined by the Rockdale County Department of Transportation.
        f. No signage shall be permitted for accessory uses.
    3. Accessory uses and activities conducted on the premises of a place of worship shall be customarily incidental and subordinate to the principal place of worship.
    4. Accessory uses and activities may include administrative offices, religious education, fellowship activities, meetings, food preparation and dining, childcare, recreational activities, religious counseling, charitable activities, and other activities customarily associated with the operation of a place of worship, subject to applicable requirements of this UDO.
        a. See Section 9.3.1 for cemeteries and mausoleums.
        b. The following additional, not-for-profit uses may be permitted as accessory to a place of worship only upon approval of a special use permit in accordance with section 18-7, and provided that they meet all regulations specific to the proposed use or facility contained in this section.
            i. Indoor recreation facilities, such as gymnasiums.
            ii. Non-profit adult day center, childcare learning center, group day care home, or pre-kindergarten (Pre-K) owned, maintained and operated by the place of worship primarily for the use of facility members. Supplemental use standards contained in this

Article for adult day center, child care learning center, group day care home, or pre-kindergarten (Pre-K) shall apply.

iii. Private school (K-12), owned, maintained and operated by the place of worship primarily for the use of facility members. Supplemental use standards contained in this Article for School K-12, private shall apply.

iv. One dwelling for an employee/caretaker of the place of worship in residential zoning districts.

5. For-profit retail and wholesale sales and commercial services shall be prohibited from operating in a place of worship.
6. The rental, lease, or use of space within a place of worship by a separate organization, business, group, or individual for an activity that constitutes a separate principal or accessory use under this UDO shall comply with all applicable zoning requirements for that use.
7. The owner or operator of a place of worship shall not permit the premises to be used for a use that is not permitted in the applicable zoning district.
8. Accessory uses and activities shall not be conducted in a manner that changes the principal use of the property or creates an independent use that is not otherwise permitted by this UDO.

F. Banquet Hall/Event Center. In addition to the requirements of Section 9.3.5, banquet halls and event centers shall also comply with the following standards. Where conflicts exist within this section, the more restrictive provision shall apply.

1. Banquet halls and event centers shall be located on a collector or arterial road, as defined by the Rockdale County Department of Transportation. Primary ingress/egress shall be provided from/to that collector or arterial road.
2. The hours of operation for a banquet hall or event center shall be limited to 8:00 a.m. to 11:00 p.m., unless extended by the Board of Commissioners per a Special Use Permit condition of approval.
3. A minimum distance of 1,000 feet shall be provided between a banquet hall or event and any dwelling unit. The minimum distance shall be measured from the property line of the proposed banquet hall to the closest property line of a residential use. The aforementioned distance separation shall be certified by a site survey from a professional engineer, landscape architect, or land surveyor licensed by the State of Georgia.
4. The owner(s), operator(s) or manager(s) of all such establishments shall provide the department with the name, telephone number, and address of a 24-hour contact with authority to address any code compliance issues that may arise.

9.3.6 Watershed Protection - Publicly-Owned Recreation Facility

A. Recreation/education and support facilities—Government owned. Areas designated for public use as recreation/education with the normal support facilities necessary for the operation and maintenance of such areas. Recreation/education uses shall include, but not be limited to, the following uses:
    1. Picnic areas
    2. Boat ramps
    3. Amphitheatre
    4. Nature center
    5. Nature trails
    6. Camping areas
    7. Fishing piers
    8. Horticultural gardens
    9. Community fairs and events

9.4 Commercial Uses.

9.4.1 Adult Entertainment Establishment.

A. This use is subject to all provisions of Chapter 22 - Business, article V, the provisions of the Rockdale County Code of Ordinances, and all of the following:
    1. No adult entertainment establishment shall be located within 1,000 feet of any school, place of worship, public park, hospital, government building, library, licensed adult day center, childcare learning center, group day care home, family day care home, or pre-kindergarten (Pre-K), establishment licensed to sell alcoholic beverages, or property zoned for residential purposes. Measurements shall be made in a straight line, without regard to intervening structures or objects, from the nearest point on the property line of the proposed adult entertainment establishment to the nearest point on the property line of such school, place of worship, public park, hospital, government building, library, licensed adult day center, child care learning center, group day care home, family day care home or pre-kindergarten (Pre-K), establishment licensed to sell alcoholic beverages, or property zoned for residential purposes.
    2. No adult entertainment establishment shall be located within 1,000 feet of any other licensed adult entertainment establishment. Measurements shall be made in a straight line, without regard to intervening structures or objects, from the nearest point on the property line of the proposed adult entertainment establishment to the nearest point on the property line of any adult entertainment establishment.

3. No adult entertainment establishment shall sell or dispense alcoholic beverages upon the premises of the adult entertainment establishment.

9.4.2 Banquet Hall/Event Center.

See Section 9.3.5 (Place of Assembly).

9.4.3 Food and Beverage Establishments.

A. Brew pub. Brewing activities shall be:
    1. Accessory to sales and consumption of food and beverages on premises.
    2. Shall be located in a wholly enclosed building.
    3. Production space shall be limited subject to state law.
    4. No outdoor equipment or outdoor storage is permitted.

B. Microbrewery, Distillery, or Winery.
    1. Production space shall be limited subject to state law.
    2. Storage tanks shall be screened from view of public roadways.
    3. Such uses shall be allowed as accessory uses:
        a. Guided tours.
        b. Concerts.
        c. Tasting rooms.
        d. Special events.
        e. Distribution between 7 a.m. and 10 p.m., or as more stringently restricted in Chapter 10 - Alcoholic Beverages.
    4. Such uses shall not:
        a. Produce more than 2 million gallons of spirits annually.
        b. Exceed 15,000 square feet in gross floor area.
        c. Produce noxious odors.

C. Mobile Food Vendor.
    1. No mobile food vendor shall conduct business on public streets or in the public right-of-way except as part of an approved special event permit.
    2. Mobile food vendor operations shall be limited to the parking areas of privately owned, non-residential property, except that mobile food vendors may be allowed on privately owned residential property in conjunction with a temporary special event which will make no use of public property, including streets, other than lawful parking.
    3. Any and all drivers of a mobile food vending vehicle must possess a valid Georgia driver's license.
    4. All mobile food vendors shall maintain proof of a $1,000,000.00 liability insurance policy, issued by an insurance company licensed to do business in the State of Georgia, protecting the mobile food vendor, the public, and Rockdale County from all claims of damage to property and bodily injury, including death, which may arise from operation under or in connection with

the permit. Such insurance shall name Rockdale County as an additional insured and shall provide that the policy shall not terminate or be canceled prior to the expiration date without 30 days advanced written notice to the county.

5. Prior to issuance of the required permit under this article, any person or entity operating as a mobile food vendor shall execute an indemnity agreement indemnifying and releasing Rockdale County, its agents, employees, and elected officials from any and all liability against any and all claims, actions, and suits of any type whatsoever.
6. Prior to the issuance of the required permit under this article, mobile food vendors shall submit the written, notarized consent of the private property owner upon whose lot it is requesting to operate, a valid food service permit obtained from the Rockdale County Environmental Health Department, proof of liability insurance, the indemnity agreement releasing Rockdale County, and a valid Georgia driver's license to the department of planning and development. The mobile food vendor permit, written consent of the property owner, food service permit, and Georgia driver's license must be readily available for inspection within the vehicle at all times during hours of operation.
7. Location. No mobile food vendor shall be located:
    a. Within 150 feet of the property line of a lot containing a single-family home or townhouse without a temporary special event permit.
    b. 150 feet of an entrance to a restaurant.
    c. Within 15 linear feet of any street intersection, pedestrian crosswalk, driveway, fire hydrant, alleys, handicapped parking spaces, or building entrances.
    d. Within 150 feet of gas pumps, underground gas storage tanks, and vent pipes.
8. Operational Standards.
    a. Mobile food vendors shall not operate between the hours of 10:00 p.m. and 7:00 a.m. daily and shall not be left unattended, parked, or stored on a vending site during the restricted hours of operation or while not actively vending.
    b. All mobile food vending vehicles must return to their base of operations when not in use.
        i. No more than two mobile food vendors may operate on a single property at any one time, except as may be allowed during a County-sponsored event or approved temporary special event.

c. No external speakers, sound equipment or other devices shall be used to play music or omit noises for the purpose of advertising the mobile food vendor's location while vending.
d. No flashing, blinking, or strobe lights shall be used on or within a mobile food vendor vehicle.
e. No mobile food vendor shall be permitted to have or operate as a vehicular drive-through facility or drive-up window.
f. All mobile food vending vehicles shall be equipped with a reverse gear signal alarm that is distinguishable from the surrounding noise level and rear-vision mirrors, firmly attached, on each side of the vehicle.
g. Free-standing signs or signage that projects from the body of the mobile food vending vehicle shall be prohibited. No sign used on a mobile food vendor vehicle shall be illuminated, flash, or produce motion.
h. Mobile food vendors shall conduct business only when positioned on hard-surfaced, designated parking areas and shall not block driveway entrances, parking lot aisles, access to loading areas, or emergency access or fire lanes.
i. Each mobile food vendor shall provide at least one trash receptacle for its patrons that is regularly emptied and shall remove all such waste materials before departing from the site. Such waste materials shall be disposed of at the mobile food vendor's base of operations. The mobile food vendor shall be responsible for maintaining the area around their vehicle clear of trash and debris at all times.
j. The dumping of gray water, grease, or other waste liquids on public or private property or into storm drains shall be prohibited.

D. Mobile Food Court (Permanent Vending Location).
1. Lot Size and Mobile Food Vendor Density:
a. Minor Food Court:
i. Lot Size: Minimum 21, 780 sq. ft. (0.50 acres)
ii. Maximum Permitted Vending Units: Up to 4 trucks
b. Major Food Court:
i. Lot Size: Minimum 1 acre
ii. Maximum Permitted Vending Units: Up 8 trucks
c. Regional Food Park:
i. Lot size: Minimum 2.5 acres
ii. Maximum Permitted Vending Units: 16 trucks
2. Setbacks and Buffers:

a. No mobile food vendor truck, customer seating, or temporary structure may be located within forty (40) feet of the right-of-way of collector streets,
b. No mobile food vendor truck, customer seating, or temporary structure may be located within seventy-five (75) feet of the right-of-way of arterial streets.
c. A minimum twenty (20) foot setback is required from any adjacent commercial or industrial district property line.
d. Where a mobile food court directly abuts a residential district, the following provisions apply:
    i. A mandatory one hundred (100) foot buffer must be maintained. Buffers shall be undisturbed (natural) but may include fences and earthen berms, in compliance with this UDO.
    ii. No mobile food vendor truck, mechanical equipment, trash dumpsters, customer seating, or outdoor speakers are permitted within the buffer.

3. Landscaping:
    a. For Major and Regional Food Parks (1.0+ acres), a minimum of ten percent (10%) of the internal usable lot area must be dedicated to pervious, landscaped "green islands" featuring shade trees or ornamental plants to mitigate the heat island effect from large gravel or asphalt parking surfaces.
    b. A minimum ten (10) foot wide landscaped aesthetic strip must run along the entire front property line parallel to the public roadway (excluding approved entrance/exit driveways). This area must be planted with low-profile turf grasses, shrubs, or native ground covers that do not exceed three (3) feet in height, ensuring a clear line of sight for exiting traffic.
4. All dumpsters shall comply with Section 10.3.

E. Beer, Wine, and Liquor Stores.
    1. No package store shall be located within 1,000 feet of any of the following uses (Distance shall be measured in a straight line from the closest property line of each establishment):
        a. Public or private schools (K-12)
        b. Daycare or childcare facility
        c. Place of assembly
        d. Place of worship
        e. Public Park or recreation facility

f. Existing package store or vape/smoke store
g. Gas Station or Convenience Store
h. Residentially Zoned Properties

2. The gross floor area of any package store shall not exceed 3,000 square feet.
    a. Expansion of an existing establishment shall not result in a total floor area exceeding this maximum.

9.4.4 Lodging.

A. Bed and Breakfast.
    1. The length of stay for guests in a bed and breakfast may not exceed 14 continuous days, and guests may not re-register for at least 30 days from the termination of their previous stay.
    2. The bed and breakfast shall be occupied by the owner of the principal dwelling unit.
    3. The minimum lot area required for a bed and breakfast use is 20,000 square feet. The detached house in which the use is located shall have floor area of at least 2,500 square feet.
    4. No separate kitchen facilities are allowed. Breakfast may be served on the premises only for guests and employees of the bed and breakfast.
    5. At least one off-street parking space shall be provided for each bedroom.
    6. The residential character of the dwelling shall be maintained.
B. Hotel/Motel. Hotels, motels, and extended-stay hotels shall comply with the following:
    1. Such uses shall be constructed on a tract of land containing no less than two acres in lot area.
    2. Limited to no more than 25 guest rooms per acre.
    3. All guest rooms shall be accessed internally to the building with no direct room access to the outside. The lobby shall be a minimum of 700 square feet in size.
    4. Each guest room shall contain a minimum square footage per unit of 300 square feet and shall be accessed with a magnetic keycard entry/locking device.
    5. Such uses shall contain an enclosed, heated and air-conditioned laundry space containing a minimum of three clothes washers and three clothes dryers for the use of guests.
    6. Daily maid service shall be included in the standard room rate.
    7. Such uses shall provide a minimum of 1,000 square feet for recreational use by guests. In computing the 1,000 square feet requirement, swimming pools, fitness or recreation centers and other recreational facilities may be used in determining the square footage required by this subsection.

8. No guest shall register, reside in, or occupy any room or rooms within the same licensed facility for more than 60 days. Upon approval by the hotel management, a guest may be allowed to stay a maximum of 60 additional days.
9. Management shall be on the property 24 hours a day, seven days a week.
10. A 75-foot natural buffer, enhanced with an additional 25-foot landscaped buffer, shall be provided adjacent to residentially zoned property.
11. No business license shall be issued for any business operating from any guest room of the facility.
12. Extended stay hotels/motels shall comply with the following additional requirements:
    a. No extended stay motel/hotel may be located within 1,000 feet of another extended stay hotel.
    b. No applicant shall operate, conduct, manage, engage in, or carry on an extended-stay hotel under any name other than his name and the name of the business as specified on the occupation tax certificate.
    c. Any application for an extension or expansion of a building or other place of business where an extended-stay hotel is located shall require inspection and shall comply with the provisions and regulations of this subsection.

C. Short-term Rental.

Short-term rentals are permitted in A-R (Agricultural-Residential) and R-1 (Single-Family Residential) in accordance with the supplemental regulations found in Sec. 9.4.3(c) with approval and issuance of a License from the Director of the Department of Planning and Development with the concurrence of the Chair of the Board of Commissioners or the Chair's designee. For parcels of land within these districts (A-R, R-1, & WP-NR), short-term rental use is limited to no more than 250 total licenses. Upon issuance of the maximum allowed licenses, any application for licensure thereafter shall be waitlisted and considered for approval in the order in which they are received by the Department of Planning and Development. In the event of non-renewal or revocation of any existing licenses, the Department of Planning and Development shall review, process, and issue licensure to the waitlisted applications which conform with the regulations herein.

1. All structures used for short term rentals shall satisfy the National Fire Protection Association and International Fire codes, as adopted and amended by the Georgia Department of Community Affairs, and the Rockdale County Code of Ordinances.
2. All swimming pools, spas, and hot tubs shall comply with the International Swimming Pool and Spa Code as adopted and amended by the Georgia Department of Community Affairs and the Rockdale County Code of Ordinances as it applies to barriers and floatation devices. Short-term rental of swimming pools shall be prohibited.

3. No exterior alterations may be made to a residence to indicate that it is being used as a short-term rental. House numbers shall always be visible from the public street.
4. No advertising shall be visible from the street or from adjoining properties.
5. No detached structures, guest houses, or recreational vehicles or trailers shall be used as a short-term rental.
6. No short-term rentals shall be permitted in tiny home villages or cottage court villages.
7. The maximum overnight occupancy for any license issued pursuant to this section shall be two persons per bedroom.
8. Short-term rental premises must be maintained in compliance with standards contained within the Rockdale County Code of Ordinances.
9. Each operator of a short-term rental is required to keep a guest registry containing guest names, dates of occupancy, city of permanent residency, and description and license plate number of the vehicle they are using. Each operator of a short-term rental shall keep the above-described register for a period of at least 3 years, along with receipts and invoices, dates of occupancy, and such other information required by the Department of Planning and Development. Said records shall be made available for examination by the Rockdale County Board of Health or any authorized law enforcement agency upon the operator or owner of such a short-term rental being presented with a warrant to provide such information or immediately upon exigent circumstances.
10. Operators of short-term rentals shall not be permitted to serve food to guests for sale or otherwise; provided, however, that guests may prepare and serve food for persons that are staying at the short-term rental.
11. The license number shall be included on all advertisements for the short-term rental.
12. Special events or private functions are not permitted at short term rentals.
13. The operator shall not permit any occupant to sublet the premises and shall notify occupants of this prohibition in the guest occupancy agreement as required by O.C.G.A. § 43-21-3.2.
14. Each person seeking to obtain a license to operate a short-term rental shall submit an application to the Department of Planning and Development on a form provided by the same. The said application shall include:
    a. A statement that each applicant is a citizen or legal resident of the United States.
    b. The address, phone number, and email address of each applicant.
    c. The address of the short-term rental.
    d. Consent by each applicant to undergo a State of Georgia criminal background check.
    e. A copy of a deed showing the applicant to be the owner of the premises for which the license is sought.

f. All other state and local permits pertain to the operation of short-term rentals, including approvals, as applicable, or as determined by the Director of Planning and Development.

g. A copy of the guest occupancy agreement as required by O.C.G.A. § 43-21-3.2. This agreement shall contain, at a minimum, notice to the occupants regarding the County's noise ordinance, special event prohibition, prohibition on subleasing, and notice that failure to vacate the premises for violating the agreement will be considered trespassing and thus subject to criminal prosecution.

h. An affidavit swearing to use a platform that complies with state laws and collection of appropriate sales and lodging taxes.

i. The name, address, telephone number, and email address of the short-term rental agent, which shall constitute his or her 24-hour contact information, and who shall be at least 25 years old and shall be able to be present onsite within one hour of contact.

j. The number and location of parking spaces allotted to the premises and site plan indicating designated parking areas.

k. The owner's agreement to use his or her best efforts to assure that use of the premises by short-term rental occupants will not disrupt the neighborhood, and will not interfere with the rights of neighboring property owners to the quiet enjoyment of their properties and will abide by all other short-term rental regulations, and will abide by any and all other regulations established by this Code.

l. Any other information that may be required by the Department of Planning and Development.

m. All applications for a license to operate a short-term rental shall be accompanied by the payment of applicable fees as set in a schedule of fees adopted by the County and amended from time to time.

n. Applicant must obtain an occupational tax certificate receipt, also known as a business license, from the Department of Planning and Development, in accordance with Rockdale County Code of Ordinances Sec. 86-32.

15. Licensees shall not allow occupants to violate any federal, state, or local law, statute, rule, or ordinances, including, but not limited to this section, and shall maintain compliance with all requirements regarding the appointed short-term rental agent.
16. All marketing and advertising of the licensed premises shall include the prominent display of the number of the license issued pursuant to this chapter, and such license number shall be prominently displayed on the licensed premises. All marketing and advertising shall include notification of the maximum occupancy and maximum number of vehicles allowed.
17. A licensee may retain a management agency, managing agent, operator, representative or local contact person to comply with the requirements of this section, including, without limitation, the licensing of the short-term rental, the management of the short-term rental and the compliance with the conditions of this license. Any such person so retained must be eligible under Georgia law to serve in that capacity. The owner of the short-term rental is responsible for compliance with the provisions of this section, and the failure of an agent,

representative, or local contact person to comply with this section shall be deemed noncompliance by the owner.

18. Each licensee shall designate a short-term rental agent who has access and authority to assume management of the short-term rental unit. The licensee may be designated as the short-term rental agent. The name of the property owner and the short-term rental agent shall, along with their email addresses and telephone numbers at which the agent may be reached on a 24-hour, seven-days-a-week basis, must be displayed with the short-term rental license. The short-term rental agent shall be required to respond to the location of the short-term rental within one hour after notification of the existence of a violation of this chapter or any other provision of this Code or any disturbance requiring immediate remedy or abatement. A licensee must immediately notify the Department of Planning and Development in writing upon a change of short-term rental agent or any change in such agent's contact information, and such notification will be through forms prescribed by the Department of Planning and Development within five days of any change in agent or contact information.
19. A copy of a valid short term rental license shall be posted in a conspicuous location inside the main entrance of the short-term rental and shall be presented by the owner, agent, renter, or occupant of the premises when requested by the sheriff, any deputy sheriff, fire marshal or official, or code enforcement officer. The contact information for the short-term rental license holder and agent, if applicable, must be prominently displayed within the premises at all times.
20. The licensee must furnish the renter of the property with a copy of the ordinance from which this article is derived and a contract specifying the terms of the rental, which will include the maximum number of people allowed on the premises at any time. The said contract will also specify the maximum number of vehicles allowed on the property at any time during the rental period. The property owner, agent, or occupant of the short-term rental, when requested to do so, will present a copy of the rental contract to the sheriff, any deputy sheriff, fire marshal or official, or code enforcement officer.
21. The presence of more people on the premises of a short-term rental than the maximum number specified in the rental contract shall be a violation of this article, and the person(s) named in the rental contract shall be subject to being cited for said violation. The sheriff, any deputy sheriff, fire marshal or official may order the excess number of people to vacate the premises, and any person refusing to do so shall be subject to arrest and prosecution for disorderly conduct as provided for in the Rockdale County Code of Ordinances.
22. It shall be unlawful for any occupant of a short-term rental to make, continue or cause to be made or continue any excessive, unnecessary, or unusually loud noise which disturbs the peace or quiet of anyone in the neighborhood or which causes discomfort or annoyance to any reasonable person of normal sensitivity. All electronic devices with speakers, including televisions, radios, and stereo systems, must be operated within the enclosed confines of the primary residence between the hours of 10:00 p.m. and 7:00 a.m. The frequent or continuous barking or other means of communication by animals that disturb the comfort or repose of the residents of any residential neighborhood shall not be allowed.
23. The minimum age of the person signing the rental agreement is 25, and such person shall be responsible for adherence to all regulations in this section by all occupants staying at the short-term rental. The person signing the rental agreement shall be required to be

present at the short-term rental within one hour upon request by the sheriff, any deputy sheriff, fire marshal or official, or code enforcement officer during the rental period.

24. No vehicles shall be parked on any public or private right-of-way, and all parking shall be consistent with the parking plan submitted with the license application. The parking plan, which should be approved as part of the licensure, should be sufficient to allow adequate parking for the maximum occupancy of the rental unit. No person occupying a short-term rental shall park any vehicle illegally on any street or road nor park adjacent to any such street in a manner that would prevent or hinder any emergency vehicle from traveling thereupon. No person occupying a short-term rental shall park on any other person's property or block any driveway of any other person or property owner without permission to do so. No occupant of a short-term rental shall dock or otherwise tie any boat or vessel to the dock of any other property owner without the permission of the property owner. The sheriff, any deputy sheriff may impound any vehicle found parking in such a manner.
25. The presence of more vehicles on the premises of a short term rental, or more boats or vessels docked or moored on a body of water adjacent to the premises, than the maximum number specified in the rental contract shall be a violation of this article and the person(s) named in the rental contract shall be subject to being cited for said violation. The sheriff, any deputy sheriff, or code enforcement officer may order the owners or operators of the excess number of vehicles, boats, or vessels to remove them from the property, and any person refusing to do so may be cited for violating this article. The sheriff, any deputy sheriff, may further impound the excess vehicles, boats, or vessels that are not removed upon a request to do so.
26. No renter shall go upon any adjacent properties or the common areas of the neighborhood community unless specifically authorized in advance and in writing by the owner of the short-term rental property.
27. No accessory structures shall be used for any overnight occupancy.
28. Any and all pets on premises must be leashed or contained at all times. A renter should adhere to Code Chapter 18 -Animals; and Sections 18-12 and 18-13 regarding restraint and control of dogs.
29. The premises may not be utilized for any special event, as defined by this Code, and there shall be no admission charged by the renter for access to the premises.
30. No renter shall be allowed to sublet the premises or any rooms during rental.
31. No renter shall be allowed to place, site, or occupy any recreational vehicles or campers on the premises during rental.
32. All external lighting shall be directed within the parcel and shall not be allowed to impact adjacent properties.
33. All garbage and trash must be stored in a trash container or appropriate receptacle and shall not be placed within or adjacent to any private or public right-of-way for a period greater than 48 hours.
34. An interconnected and hard-wired smoke detection and notification system with battery backup is required and must always be operable and in good working order.
35. Subject to state law, the use of fireworks is prohibited at all short-term rentals.
36. No licensee or person occupying a short-term rental shall engage in any behavior on the premises of the rental property that constitutes a violation of the Rockdale County Code of Ordinances.

37. A short-term rental property owner shall always have a current license on file with the Department of Planning & Development.

38. A property owner seeking to operate a short-term rental in a community that has a homeowners' association (HOA) should contact the association prior to applying for a license regarding their community regulations. If a HOA approves a short-term rental, include a copy of the letter with the license application.

39. Upon determining that an application is complete, applicable fees are paid, and all the standards of this section are satisfied, the Department of Planning and Development shall issue the appropriate license for one year for which approval was granted.

40. No license shall be issued for any short term rental where any individual having interest either as an operator, owner, partner, principal stockholder, or licensee, whether such interest is direct or indirect, or beneficial or absolute, has been convicted or has taken a plea of nolo contendere within five years for a felony or any crime involving moral turpitude, or has been convicted or has taken a plea of nolo contendere within two years for any misdemeanor of any state or of the United States or any municipal or county ordinance which would have any effect on the applicant's ability to properly conduct such business, except traffic offenses. The term "conviction" as used in this section shall include adjudication of guilty plea, plea of nolo contendere, or forfeiture of a bond when charged with a crime.

41. All licenses issued pursuant to this article are annual licenses that run 365 days from the issuance of the license. Holders of existing licenses in good standing shall apply to the Department of Planning and Development for renewal by filing a renewal application in proper form and tendering the required fees. Renewal applications shall be accompanied by compliance documentation for payment of excise taxes and sales taxes.

42. The abandonment or failure to use a residence as a short-term rental for 12 consecutive months for any period shall be deemed an abandonment of the short-term rental use, and the owner shall be required to obtain a new short-term rental license for the property.

43. Licenses are issued to the applicant and do not carry with the land or premises. No license issued pursuant to this article shall be transferred from one person to another. Any violation of this section shall constitute due cause for probation, suspension, or revocation of the license.

44. The Department of Planning and Development through available enforcement officers shall notify the holder of a short-term rental license of all instances in which acts or omission of the owner, agent, or any individual results in a citation for a code violation or other legal infraction. Citations may be served upon the short-term rental owner, rental agent, or any individual violating the provisions of this article. Each individual code violation, regardless of whether citation for such violation is served collectively with any other violation, and each day or instance of a violation, shall be treated as a separate and independent violation.

45. The Department of Planning and Development shall maintain, for each short-term rental property, a record of all code violation citations, findings of responsibility, and convictions related to the short-term rental property. If a licensee receives three (3) violations within a consecutive 12-month period, the County shall revoke the short-term rental license and deny all license applications for the short-term property for a period of 12 consecutive months.
46. If a short-term rental applicant has been cited and found to be in violation of any zoning, building, health, or life safety code provision, the owner must demonstrate compliance with the applicable code prior to being eligible to receive a short-term rental license.
47. Citations shall be heard in the same fashion as other violations of this Code. In addition to the available fines, a court of competent jurisdiction may impose any other available remedy and may suspend the subject license for one violation for the remainder of the license term, regardless of whether the subject property had previously been subject to a violation.
48. The following conduct shall constitute a violation for which the penalties specified herein of this section may be imposed, or the short-term rental license revoked:
    a. The owner or local contact person has violated any of the provisions of this chapter; or
    b. The owner or local contact person has violated any zoning, building, health, or life safety provision; or
    c. Each day the short-term rental is marketed or rented for overnight accommodation shall constitute a separate violation.
    d. Failure of the owner or local contact person to respond to calls or complaints regarding the condition, operation, or conduct of occupants and/or guests of the short-term rental in a timely and appropriate manner as specified herein shall be grounds for the imposition of penalties as outlined in this section.
49. Any violation of the provisions of this section by occupants and/or guests of the short-term rental shall be enforced pursuant to this section and any other applicable Code sections. Enforcement actions may be brought against occupants and/or guests of a short-term rental for violations of this section and any other provision of this Code, notwithstanding that this section may also make the owner or local contact person of the short-term rental responsible for the conduct constituting the violation. The penalties for violations shall be as follows:
    a. For the first violation within any 12-month period, the penalty shall be a citation and a fine not to exceed $500.00.
    b. For a second violation within any 12-month period, the penalty shall be a citation and a fine not to exceed $750.00.
    c. For a third violation within any 12-month period, the penalty shall be a citation, a fine not to exceed $1,000.00, the revocation of the short-term rental license for 24 months, and the owner or local contact person shall

not be eligible to reapply for a short-term rental on the property in violation for 24 months from the date of revocation.

50. If non-compliance with the provisions of this section occurs, the Department of Planning and Development, Code Enforcement Officer of the County, and/or the Rockdale County Sheriff Department shall investigate whenever there is reason to believe that an owner and/or local contact person has failed to comply with the provisions of this chapter. The investigation may include an inspection of the premises, a review of law enforcement/security reports, online searches, citations, or neighbor documentation consisting of photos, sound recordings, and video, all of which may constitute evidence of a violation.

51. The Department of Planning and Development, Code Enforcement Officer of the County, and the Rockdale County Sheriff Department are hereby authorized and directed to establish such procedures, which may, from time to time, be required to carry out the purpose and intent of this chapter. The Rockdale County Sheriff or designee or Code Enforcement shall also have authority to enforce this chapter.

52. Complaints about the property may result in a notice of the violation being directed at the local contact person. The local contact person shall be responsible for contacting the responsible guests and/or occupants to correct the problem within one hour. This local contact person is required to visit the property to confirm compliance with this chapter unless compliance can reasonably be confirmed without visiting the property. It is not intended that an owner or local contact person act as a peace officer or place himself or herself in an at-risk situation.

A. Recreation Vehicle Parks/Campgrounds.
    1. Recreational vehicle (RV) park/campground uses shall require a minimum lot size of twenty (20) acres with a maximum density of eight campsites per acre.
    2. Setbacks. A RV Park/Campground uses, and all ancillary equipment or accessory structures shall be set back a minimum of 50 feet from all non-residential district property line and 100 feet from any residential district property line.
    3. Buffers and Screening. RV Park/Campground uses shall be screened to create a visual buffer from neighboring parcels and rights-of-way. Buffers shall be undisturbed (natural) but may include fences and earthen berms, in compliance with this UDO.
    4. No outdoor storage shall be allowed.
    5. No outdoor public address system shall be allowed
    6. Outdoor recreation activity adjacent to residentially zoned property shall cease before 8:00 p.m.
    7. All outdoor activities shall take place at least 100 feet from any property line adjacent to a residential zone or use.
    8. RV Sites:

a. Each site shall be at least 1,400 square feet in size.
b. Each site shall contain a stabilized vehicular parking pad.
c. No part of an RV or other camping unit shall be positioned less than five feet to a shared campsite line.
d. Recreational vehicle parks shall be operated for temporary recreational occupancy and shall not be used to establish permanent residences.
e. The occupancy of any individual campsite shall not exceed thirty (30) consecutive days or 90 days annually.
f. An occupant shall not establish a permanent residence at an RV park, including using the site as a primary residence or permanent mailing address.
g. A responsible manager or designated representative shall be available to respond to the property on a twenty-four-hour basis.

9. Recreation Vehicles (RVs):
    a. Recreational vehicles shall maintain a minimum separation of ten feet. Any accessory structure such as attached awnings, carports, or individual storage facilities shall be considered as part of the RV under this UDO.
10. There shall be at least three off-street parking spaces designated on-site for every two RV sites. Off-street parking may be provided in common parking areas or at individual sites.
11. Accessory Uses. Accessory uses and associated structures shall be considered accessory structures and shall comply with Section 9.8, Accessory Uses and Structures. Typical accessory uses may include management headquarters, recreational facilities, toilets, dumping stations, showers, and laundry facilities.
    a. Such accessory uses shall be setback a minimum of 100 feet from any public street and shall not be directly accessible from any public street. Instead, such uses shall be accessed by the site's internal street network.

9.4.5 General Retail.

A. Small Box Discount Retailer.
    1. Such a use shall not be established on any lot that is adjacent to a residentially zoned parcel.
    2. No small-scale general retail use shall be located within four (4) miles of another small-scale general retail use. This distance shall be measured in a straight line as defined by this UDO.
B. Vape Store or other Smoke Shop.

1. In all zoning districts of the County, such uses shall be considered objectionable and are prohibited.
2. Any existing vape store or other smoke shop shall be declared to be legally nonconforming and shall be regulated as set forth in this UDO.

9.4.6 Vehicular Services.

A. Automobile Impound and Towing.

12. All outdoor vehicle storage areas shall be enclosed by an opaque fence or wall of a minimum height of 8 feet, in compliance with Article 11.
13. Minimum lot area of 2 acres.
14. Site shall be limited to motor vehicle towing and automobile impounding only.
15. If the site is located in M-1, only cars and light-duty trucks can be impounded.
16. Vans, medium-duty trucks, box trucks, and big rigs can only be impounded in the M-2 zoning district.
17. Shall not be located within 1,000 feet of residential zoning or use.
18. Entire storage area shall be enclosed by an opaque fence or wall, minimum 8 feet in height. Stored vehicles shall not be visible from public rights-of-way. All fencing shall be continuously maintained in good condition.
19. A 10 ft landscape buffer is required between the fence and any public right-of-way. The landscape buffer shall consist of the following:
    a. 10 medium to large native trees and 5 small native trees per acre.
    b. 1 shrub for every 250 feet of impervious surface.
    c. 10% of the landscape buffer shall consist of a combination of annuals, perennials, ornamental grasses, lilies, and irises.
    d. Exposed mulch shall be limited to 5% of the entire landscape buffer.
20. A Land Disturbance Permit is required.
21. All driveways, vehicle storage and maneuvering areas shall be paved with asphalt or concrete. Gravel or other pervious surfaces shall not be permitted for vehicle storage.
22. Vehicle storage shall not exceed one (1) impounded vehicle per three hundred fifty (350) square feet of paved storage area as shown on the approved site plan

B. Automobile Repair Service, Major.

1. Associated outdoor storage shall be located in the rear yard, screened by an eight-foot-high fence or wall. Outdoor storage area shall be limited to 25 percent of the total parcel area.
2. An automotive service use that includes outdoor storage and repair shall not be located within 200 feet of a property zoned or used residentially.
3. There shall be no junkyards; long-term storage of inoperative vehicles shall be prohibited.

C. Automobile Repair Service, minor.
    1. Associated outdoor storage shall be located in the rear yard, screened by an eight-foot-high fence or wall. Outdoor storage area shall be limited to 25 percent of the total parcel area.
    2. An automotive service use that includes outdoor storage and repair shall not be located within 200 feet of a property zoned or used residentially.
    3. There shall be no junkyards; long-term storage of inoperative vehicles shall be prohibited.

D. All minor automotive services shall be conducted inside an enclosed building.
    1. Car Wash.
        a. Paved stacking lanes with the capacity for up to five vehicles shall be provided for vehicles waiting to use automatic car wash facilities and two vehicles per bay for self-service car washes.
        b. Automobile repair or storage shall be prohibited in conjunction with a car wash.
    2. Commercial car wash water recycling requirement:
        a. All commercial in-bay and conveyor car washes that are constructed after July 11, 2017, or those that are expanding in any way beyond customary maintenance, shall utilize a recycling system where a minimum of 50 percent of water utilized must be recycled.
        b. Self-service car washes are not required to install recycled water systems.

E. Gasoline Station (with or without Convenience Store).
    1. The use shall not be established on any lot that is adjacent to any residential district.
    2. The use shall not be within 100 feet of a lot that is residentially zoned as shown on the Rockdale County Zoning Map.
    3. Outdoor storage or display of items for sale is prohibited.
    4. The use shall have a minimum frontage on the primary street of 150 feet and shall meet the applicable minimum lot size requirements of this UDO.
    5. Gas pumps, canopies, air hoses and other accessories, appurtenances and equipment shall be set back at least 25 feet from the right-of-way.
        a. Pump island(s) shall be a minimum of 30 feet from any right-of-way or property line and a minimum of 30 feet from any building on the lot and shall be above grade with respect to any street adjoining the property.
        b. A maximum of six (6) fueling positions shall be permitted per principal use.
    6. Vehicular entrances or exits:

a. Shall not be allowed more than one curb cut for the first 150 feet of street frontage.
b. Shall contain an access width along the curb line of the street of not more than 35 feet, as measured parallel to the street at its narrowest point and shall not be located closer than 60 feet to a street intersection or closer than ten feet to the adjoining property.
c. Shall provide for adequate acceleration and deceleration lanes, if required by the Georgia Department of Transportation or Rockdale County.

7. All drives, parking, storage and service areas shall be paved and curbed.
8. Outside above-ground tanks for the storage of gasoline, liquefied petroleum gas, oil, and other flammable liquids or gases shall be prohibited at any gasoline service station.
9. Overnight accommodation, showers, and overnight customer parking are prohibited.
10. The use shall not be combined with any other use(s) or facility so as to create a truck stop.
11. No gas station shall be located within four (4) miles of another gas station. This distance shall be measured in a straight line from the nearest property line of the existing gas station to the nearest property line of the proposed gas station.
    a. Gasoline service stations shall be located in those districts set forth in the Rockdale County Unified Development Ordinance.
    b. There shall be a minimum distance of 500 feet measured from the nearest points of lot boundaries between a proposed gasoline service station and any lot occupied by a church, hospital, school, or other place of public assembly.

9.4.7 Airport, Private.

A. All such uses proposed by a public authority shall include a certified copy of the law, regulation, or other official act adopted by the governmental entity proposing the use and authorizing the establishment of the proposed use at the proposed location.
B. All applications shall include evidence that the proposed facility will meet the standards and requirements imposed by agencies such as the Federal Aviation Administration and all other applicable federal, state or local statutes.
C. A statement shall be provided detailing noise abatement procedures, methods and devices that will be employed on the operation of the facility, and sufficient analysis shall be presented to indicate what adjoining lands will be affected by the anticipated noise.
D. All facilities shall be located and so designed that the operation thereof will not seriously affect adjacent areas, particularly with respect to noise levels.

E. All areas used by aircraft under its own power shall be provided with an all-weather, dustless surface.
F. A map shall be presented showing the landing and take-off corridors as projected, with the map covering an area within at least a 5,000-foot radius of the boundaries of the proposed facility.

9.4.8 Recreation or Entertainment, Outdoor.

A. General requirements:
    1. Side and rear property lines shall include a 50-foot landscaped buffer that shall be continuous except to allow driveways and/or utility lines that are placed perpendicular to property lines.
    2. Any commercial recreation or entertainment facility that includes amusement rides, water slides, amusement vehicles, golf driving ranges, miniature golf, batting cages, or fully enclosed buildings shall meet requirements of amusement arcades.
    3. External lighting shall consist of cut-off type fixtures designed to cast light downward and away from adjacent properties.
B. Amusement Arcades; amusement theme park
    1. An outdoor recreation facility consisting of amusement rides, games, water slides, amusement vehicles, golf driving ranges, miniature golf, batting cages, water slides or any similar commercial outdoor recreation shall be limited as follows:
        a. Minimum lot size: Five acres.
        b. Maximum lot size: 20 acres.
        c. Outdoor rides, games, water slides, amusement vehicles, golf driving ranges, miniature golf, water slides or other similar commercial outdoor recreation facilities and equipment must be enclosed within an eight-foot-high fence with gates that are to be locked except when the facility is open to the public.
        d. Outdoor activities are limited to the hours of 10:00 a.m. to 10:00 p.m.
        e. A site plan shall be prepared at a scale of one inch = 50 feet to indicate access and egress, type, location and height of recreation facilities, buildings and other structures and lights, parking areas, landscaping, buffers and drainage. A site location plan at a scale of one inch = 200 feet shall illustrate surrounding property uses and the location of the nearest residence.
        f. The site shall have at least one approved entrance to a street classified by Rockdale County as an arterial.
        g. All outdoor equipment, rides, vehicles and structures taller than 35 feet shall be setback at least 75 feet from property lines.

h. Lighting must be designed to direct light downward and away from adjacent properties.
i. A 100-foot buffer shall be maintained adjacent to all abutting residentially zoned property.

9.4.9 Recreation or Entertainment, Indoor.

A. Indoor Shooting Range.

1. Buildings containing ranges shall have walls, ceilings and floors that are either impenetrable to the bullets of the firearms being used within it, or have internal baffling built so that the bullets cannot hit the walls or ceilings. Provisions shall also be made to stop glancing bullets or particles of bullets at the sides of the target area.
2. A system of ventilation shall be installed within the range in accordance with the standards and requirements of the Environmental Protection Agency.
3. The range shall be so constructed and insulated that the discharge of firearms within it shall not disturb persons outside the premises. The discharge of firearms shall be deemed to constitute a disturbance if the noise level exceeds fifty-five decibels (55dBA) at a distance of 50 feet or more from the building containing the range. Sound measurements shall be made with a sound level meter.
4. No person under the age of 18 years shall be permitted to enter a range unless accompanied by an adult.
5. No weapons other than handguns or rimfire rifles with a .22 caliber or less shall be allowed on the premises. All weapons brought into the range shall be in a case designed for the weapons so that no part of the weapon will be visible. Certified law enforcement officers are exempt from the provisions of this article.
6. Loaded weapons shall only be allowed in the firing area of the range and shall not be permitted in any other place inside the building or premises or within the property boundaries outside the building.
7. An emergency system shall be installed within each range, capable of alerting the people on the range to stop firing immediately.
8. It shall be unlawful for any person operating a range to permit any person or persons to bring any alcoholic beverages on the premises of any range, or to permit the consumption of alcoholic beverages on the premises or to permit alcoholic beverages to be left at any place on the premises. It shall also be unlawful for any person operating a range to permit any intoxicated person to be or remain in the premises of a range.
9. It shall be unlawful for any person operating a range to permit any form of gambling or wagering.

10. It shall be the responsibility of the licensee or instructor to brief patrons concerning the rules and regulations in the range before they are permitted to use the firing range. The licensee shall keep posted in a conspicuous place inside the building and outside the building a sign stating the rules and regulations of the range.
11. All ranges shall be subject to all requirements of the Occupational Safety and Health Act, and the National Institute for Occupational Safety and Health.

9.4.10 Animal Services.

A. Animal Service, General.
    1. Kennel or boarding:
        a. Kennel or boarding operations incidental to a veterinary service principal use shall be permitted only within an enclosed building or structure located at least 100 feet from any property zoned or used for residential purposes.
        b. Such uses shall require a minimum lot size of two (2) acres.

B. Animal Services, Limited.
    1. Kennel, hobby:
        a. An accessory use for the keeping of no more than five dogs or cats or other small animals or any combination thereof (except litters of animals of not more than six months of age) is carried on for the purpose of showing, training, or breeding. Such use specifically excludes any operation for which a fee or other compensation is charged and also excludes any commercial use.

C. Veterinary Services.
    1. Any structure used as an animal hospital or veterinary clinic shall be located and its activities conducted at least 50 feet from any property zoned or used for residential purposes.
    2. Medical treatment or care shall be practiced only within an enclosed building or structure.
    3. The building or structure shall be designed to prevent the adverse impact of noise and/or odor from the animals on adjoining properties.

9.4.11 Family Travel Centers.

A. Travel centers shall comply with the following regulations:
    1. The site must be a minimum of four acres in size.
    2. The site must be located within 1,000 feet of an interstate highway, which includes on or off ramps.
    3. If adjacent to residentially zoned or residentially utilized property, a 100 feet wide natural or landscaped buffer shall be planted.
    4. Maximum lot coverage shall be 75 percent.

5. All primary and accessory structure(s) shall be limited to one (1) story in height.
6. All primary and accessory exterior building materials shall be constructed of brick, stone, stucco, or similar building materials as approved by the Director.
7. All canopy support structures shall be constructed of brick or stone.
8. Dumpsters shall be screened on three (3) sides by a brick or stone wall and have opaque closeable gates of a suitable height and material to adequately conceal them.
9. A traffic impact analysis shall be submitted prior to land disturbance permit approval and is subject to approval by the Rockdale County Department of Transportation and/or the Georgia Department of Transportation. Any required roadway and signalization upgrades shall be completed prior to issuance of a certificate of occupancy.
10. These establishments shall not have overnight accommodations, showers, or laundry facilities for use by the motoring public.

9.5 Industrial Uses.

9.5.1 Natural Resource Extraction.

A. These supplemental regulations apply to all forms of Natural Resource Extraction, including Incidental Extraction, Mineral Extraction, Quarrying, and Mining.
B. Use Classification. Where an activity involves more than one type of natural resource extraction, the activity shall be classified according to the most intensive applicable type, as defined in this UDO.
C. Relationship to Other Permits. Approval under this UDO does not substitute for, waive, or exempt compliance with any applicable state or federal permitting or licensing requirements.
D. Site Plan Required. All natural resource extraction uses, other than Incidental Extraction, shall require approval of a site plan demonstrating:
    1. Limits of extraction activity;
    2. Location of access points and internal circulation;
    3. Existing and proposed topography;
    4. Buffers, setbacks, and screening;
    5. Drainage and erosion control measures;
    6. Areas proposed for stockpiling, processing, or staging, if applicable.
E. Access and Traffic.
    1. Access points shall be designed to minimize impacts on public roads and adjacent properties.
    2. Haul routes, where applicable, shall be identified as part of the site plan review.
F. Setbacks and Buffers.
    1. Natural resource extraction activities shall be set back from property lines, rights-of-way, and adjacent uses as required by the applicable zoning district or use approval.

2. Areas being excavated shall be entirely enclosed within a fence located at least ten feet from the edge of any excavation and shall be a minimum of eight (8) feet in height.

G. Processing Activities. On-site processing activities, including crushing, screening, washing, or similar operations, shall be permitted only where expressly authorized as part of the approved use and site plan.

H. Stockpiling. Material stockpiling areas shall be identified on the approved site plan and managed to minimize off-site impacts, including erosion, dust, and visual intrusion.

I. Reclamation and Site Restoration.
   1. Areas subject to natural resource extraction shall be reclaimed following completion of extraction activities.
   2. Reclamation shall include stabilization of disturbed areas and restoration of the site to a condition suitable for future use, consistent with the approved site plan or conditions of approval.

J. Abandonment. Natural resource extraction operations that cease activity for a period of one year may be deemed abandoned and subject to reclamation requirements.

9.5.2 Utility Services.

A. Battery Energy Storage System.
   1. Facility Configuration.
      a. A battery energy storage system may consist of containerized battery units, cabinets, buildings, or similar enclosures, together with inverters, transformers, substations, cooling systems, fencing, and related equipment.
      b. Battery units may be arranged as a single installation or in multiple groupings within a unified facility.
   2. Accessory Uses. Accessory equipment customarily associated with a battery energy storage system, including transformers, substations, switchgear, control rooms, and monitoring equipment, shall be considered part of the primary use.
   3. Safety and Codes.
      a. Battery energy storage systems shall comply with all applicable fire, building, electrical, and safety codes, including those adopted and amended by the Georgia Department of Community Affairs.
      b. Emergency access, setbacks, and spacing between battery units shall be designed to accommodate fire suppression and emergency response activities.
      c. State and federal codes.

4. Noise. All equipment shall be operated in a manner that minimizes noise impacts on surrounding properties, including noise generated by cooling systems, transformers, and inverters.
5. Screening and Visual Impacts.
    a. Battery energy storage systems shall be screened from adjacent non-utility uses through a combination of fencing, landscaping, or other visual buffers.
    b. Screening shall be designed to reduce visual impacts while allowing necessary access and ventilation.
6. Lighting. Lighting associated with a battery energy storage system shall be limited to that necessary for safety and security and shall be directed away from adjacent properties.
7. Decommissioning.
    a. A battery energy storage system shall be removed by owner when it is no longer in active use.
    b. Decommissioning shall include removal of battery units, equipment, and associated infrastructure, and restoration of the site to a condition suitable for future use.
8. Relationship to Electric Generation. A battery energy storage system shall not be considered an electric generating facility solely because it discharges stored electricity for delivery to a utility or power service provider.

B. Utility structures and buildings.
    1. Utility structures and buildings, including electric power generating units and natural gas substations, telephone exchanges, and similar structures shall be fenced and properly screened with a six-foot high planted buffer in compliance with Article 11.

C. Electric Power Generation.
    1. Structures shall be setback a minimum of 50 feet from any property line.
    2. Structures are to be enclosed by a chain link fence at least eight feet high.
    3. The lot shall be suitably landscaped, including a buffer strip at least ten feet wide along the front, side, and rear property lines.
        a. Buffers shall be planted with evergreen trees and shrubs that grow at least eight feet tall, in compliance with Article 11.

D. Electric, petroleum, or gas substation.
    1. Structures shall be setback a minimum of 50 feet from any property line.
    2. Structures are to be enclosed by a chain link fence at least eight feet high.
    3. The lot shall be suitably landscaped, including a buffer strip at least ten feet wide along the front, side, and rear property lines.
        a. Buffers shall be planted with evergreen trees and shrubs that grow at least eight feet tall, in compliance with Article 11.

9.5.3 Data Management and Processing (including Data Centers).

A. Setbacks.
    1. All buildings, accessory structures, and substations must maintain a minimum 250-foot setback from any property line abutting residential uses or zoning, additionally the setbacks shall be measured from the edge of the required minimum transitional buffer, per subsection E in this section.
    2. All buildings, accessory structures, and substations must maintain a minimum 1,000-foot setback from any school, childcare learning center, and day care facility.

B. Location Requirements
    1. The nearest property boundary of a data management and processing facility shall be located within a maximum distance of one and one-half (1.5) miles from the Interstate 20 (I-20) right-of-way.
    2. Development shall be situated to minimize visual impacts of the bulk of the building from residential uses or zoning districts, preserve undeveloped areas, and incorporate appropriate stormwater management, energy efficiency, and water conservation strategies.

C. Utility Requirements. All data management and processing uses must be served by Rockdale County Water Resources for public water and sewer, based on service availability.

D. Buffers
    1. Adjacent to Residential
        a. A minimum 100-foot-wide landscaped buffer, to include evergreen species of landscaping, in compliance with Article 11, shall be maintained along all property lines abutting a property that contains a residential use or is zoned for single-family, residential; multi-family, residential uses; or mixed-use development containing residential uses adjacent to the data facility.
        b. Buffers shall include a sound-attenuating wall of eight (8) feet in maximum height. The wall shall be designed by a qualified professional to provide a minimum sound reduction of at least five decibels (5 dB), as measured in accordance with generally accepted acoustical standards.
    2. The transitional buffer requirements of Article 11 shall apply for any new development, redevelopment, or expansion adjacent to nonresidential zoning districts.
    3. Perimeter fences must not exceed eight (8) feet in height and shall comply with requirements of Section 11.8 (Fences, Walls, and Hedges).

E. Screening

1. All ground level and roof top mechanical equipment shall comply with Article 10 (General Development Regulations) and Article 11 (Buffers, Screening, and Fences), in addition to the following standards:
    a. Mechanical equipment shall be fully screened on all sides. Opaque screening must be constructed with a design, materials, details, and treatment compatible with those used on the nearest principal façade of a building;
    b. As determined by the Director of Planning and Development, screening for mechanical equipment may incorporate perforated surfaces on screening walls as necessary to permit ventilation of such equipment;
    c. Ground mounted mechanical equipment must be separated from any adjacent residentially zoned or used property, by a principal building and a distance of at least 200 feet;
    d. Ground mounted mechanical equipment shall not be located in any required front yard;
    e. All roof top mounted equipment shall be screened from ground view by a parapet wall, equipment penthouse, or other visually solid screen on all four sides that is constructed of materials complementary with those used on the exterior of the corresponding building;
    f. Mechanical equipment located in a manner found to have no adverse impact on adjacent properties zoned M-1 (Light Industrial) or M-2 (General Industrial) may be exempt from the screening requirements stated herein, provided that such equipment shall still be screened from any existing or planned public road. Such exemption shall be subject to approval by the Director of Planning and Development.

F. Outdoor Lighting. Compliance with Section 10.12 is required. There shall be no light spillover from fixtures onto any adjacent property or street.

G. Resource Efficiency.
    1. At a minimum, data management and processing facilities shall utilize a “closed-loop system,” which reuses and recycles water within its operation, significantly reducing the draw on external water sources and minimizing wastewater discharge.
        a. A closed-loop system shall not use evaporative cooling but may utilize air-cooled (dry) cooling, rear-door heat exchanger cooling, hybrid dry economizer cooling, direct-to-chip cooling, immersion cooling, or a similar approved cooling system.
        b. Alternative cooling and/or operating techniques or practices that demonstrate lower water consumption or greater efficiency that is

equivalent to or exceeds that of a closed-loop system without adverse impacts to the local wastewater or stormwater system shall be deemed acceptable.

2. Consideration of renewable energy sources (e.g., solar), low-impact development (LID) or sustainable development/operational practices such as Leadership in Energy and Environmental Design (LEED) certification silver or greater, EarthCraft certification, or others is encouraged.

H. Fire Safety Requirements.

1. Fire suppression systems appropriate for sensitive electrical equipment that comply with local fire and life safety codes shall be installed.
    a. An active clean agent fire protection system shall be provided and maintained in good working order within any structure which contains any data management or processing use. High sensitivity smoke detectors shall be installed and operational in order to activate the clean agent fire suppression system.
2. There shall be an emergency electricity termination switch installed outside of any containment structure which contains any data management and processing use.
3. Containment Space. The equipment used in any data management or processing use shall be housed in an individually metered, electrically grounded, and metal-encased structure with a fire rating designed to resist an internal electrical fire for at least 30 minutes. The containment space shall contain baffles that will automatically close in the event of fire independent of a possible electric system failure.
4. A site-specific emergency response plan shall be provided, subject to approval by the Rockdale County Fire Marshal. If approved, this plan may be subject to review and re-approval prior to the issuance of a certificate of occupancy (per building).

I. Noise Abatement

1. No data management and processing use shall produce a noise level exceeding sixty-five decibels (65 dB(A)) during the daytime and fifty-five decibels (55 dB(A)) during the nighttime as measured from any property line adjacent to a less intensive zoning district.
    a. For the purposes of this section, daytime means 7:00a.m. to 9:00p.m. (May 1 to September 30) or 7:00a.m. to 6:00p.m. (October 1 to April 30).
    b. For the purposes of this section, nighttime means 9:00p.m. to 7:00a.m. (May 1 to September 30) or 6:00p.m. to 7:00a.m. (October 1 to April 30).

2. Pre-Construction noise impact assessment (see subsection R5 below). The noise assessment provided during the Special Use Permit phase must be updated, based on available information and best management practices, prior to approval of a land disturbance permit, if necessary.
3. Within 6 months after issuance of a certificate of occupancy for any building and commencement of operations, the owner/operator shall submit a post-construction acoustical compliance report demonstrating compliance through field measurements from the property lines to the distances specified in the approved noise impact assessment. The County may require additional compliance testing when documented complaints are received, equipment modifications are made, facility expansion occurs, or previous testing demonstrates noncompliance. All County-required compliance testing shall be performed at the expense of the facility owner/operator.

J. Generators
    1. Any generators on the property shall comply with U.S. Environmental Protection Agency (EPA) New Source Performance Standards (NSPS) of at least Tier 4 emission standards and shall comply with the following:
        a. Testing for generators shall only occur between the hours of 9:00 a.m. and 5:00 p.m., subject to air quality conditions.
        b. Generators shall be enclosed by sound attenuation enclosures for noise and pollution reduction.
        c. A generator testing log to ensure compliance with these regulations shall be submitted as part of the annual compliance report to the Director of Planning and Development.
        d. Except for generator testing or commissioning activities, generator use is limited to backup/emergency use only.
K. Compliance/Enforcement
    1. Facilities shall be subject to inspection by the County, or its authorized agent, at such times and intervals determined by the County, to verify compliance with this section and zoning conditions of approval.
    2. Repeated or continued noncompliance may result in suspension or revocation of the Special Use Permit, building permits, or business licenses.
L. Annual Compliance Report. Following the issuance of a certificate of occupancy for a principal building, the owner or operator shall be responsible for the submission of an annual compliance report by January 1 of each year documenting continued compliance with all approved plans, assessments, and zoning conditions as approved by the Board of Commissioners.
M. In addition to the procedures of Section 18.7 (Special Use Permits), Special Use Permit applications for data management and processing uses, which includes data centers, must include the following:

1. Data management and processing facility capacity survey documentation, which identifies all operational, existing, and approved facilities located within five (5) miles of the subject property. This documentation shall justify the need for the proposed facility in relation to existing and approved facilities and consist of an analysis of the following: public infrastructure capacity to accommodate the proposed facility within the identified geographic area; evidence of service demand and the proposed capacity added within the identified geographic area; and the project's proposed contribution to or consistency with community, land use, and economic development goals, visions, or objectives within proximity to the subject property.
2. Letters of coordination from all relevant utility providers confirming that preliminary coordination has occurred and that service to the proposed facility is technically feasible, subject to regulatory compliance, contractual arrangements, and/or administrative review.
3. A noise impact assessment, completed by a qualified acoustical consultant and consistent with American National Standards Institute (ANSI) standards or best management practices, shall be required for all proposed data center developments to evaluate noise levels at a distance of five hundred (500) feet away from the property line of the development. The assessment shall:

    a. Define the scope of the analysis, including the study area, noise sources, and objectives;
    b. Measure existing ambient (pre-operation) noise levels and identify mitigation measures where operational noise (including generators) is projected to exceed sixty-five (65) decibels (dB(A)) during any hour of the day or night;
    c. Evaluate low-frequency sounds (or infrasound) and prominent discrete tones along with mitigation measures; and
    d. Propose recommendations to mitigate potential adverse noise impacts from data center operations.

4. A Water Consumption and Sustainability Plan identifying total projected water demand (including cooling needs) at full build-out (and by phases, if applicable) and demonstrating that the proposed use will not significantly strain the County's water supply. The plan shall evaluate:

    a. Water and sewer service availability and necessary service connections;
    b. Potential impacts on water and sewer service;
    c. Project vulnerability to water scarcity and drought;
    d. Existing drought monitoring and forecasting systems in the project area;
    e. Proposed water conservation, drought management, and/or alternative water source strategies, if applicable; and

f. Use of advanced low-water, hybrid, or water-free cooling technologies consistent with regional water planning efforts, including those of the Metropolitan North Georgia Water Planning District.

5. An Energy Consumption and Sustainability Plan estimating total electrical demand and future daily operational load. The plan shall address:

    a. Peak electricity demand, power utilization efficiency (PUE), and strategies to minimize impacts on local power infrastructure;
    b. Measures to reduce the need for new or expanded transmission lines;
    c. Use of on-site renewable or sustainable energy systems to offset power or water consumption, improve water or energy efficiency, or mitigate environmental impacts;
    d. Feasibility of energy sharing arrangement with a nearby facility;
    e. Transmission Line Impact Assessment to identify any need for new or upgraded transmission lines or substations;
    f. A decommissioning and recycling plan for electronic infrastructure in accordance with Responsible Recycling (R2) and/or e-Stewards® standards; and
    g. Any proposed substations.

6. If the county or a county-appointed consultant is required to perform a study on any regulatory, environmental, traffic, or public safety aspect of the development project or to confirm findings performed by the applicant or the applicant's consultant, such study shall be performed at the applicant's expense.
    a. The funding amount shall be determined by the Board of Commissioners based on an estimate by a qualified independent entity.
    b. Alternatively, the applicant may proffer to provide funding for independent third-party studies, subject to subsection a (above). Funding may be provided in the form of a bond, escrow, letter of credit, or other financial instrument, as approved by the Board of Commissioners. Regardless of funding, the third-party study shall be conducted by a person or entity chosen by the County.
        i. The funds shall be held for a negotiated period of time to cover the cost of any third-party studies.
        ii. Any unused or remaining funds shall be returned to the applicant at the conclusion of the negotiated period of time.
7. A Decommissioning Plan, which addresses abandoned infrastructure, removal of equipment, adaptive reuse, and/or site restoration if a data center discontinues operations shall be required.

9.5.4 Solar Energy Facility ***(reserved)***

9.5.5 Wind Energy Facility ***(reserved)***

9.5.6 Materials Recovery Facilities (MRF).

A. General requirements for all materials recovery facility uses:
    1. Minimum acreage of site: Five (5) acres.
    2. Maximum acreage of site: Ten (10) acres.
    3. The property shall be located at least 500 feet from:
        a. Any residentially zoned or used property line;
        b. Any private or public well or body of water;
        c. Any medical facilities, childcare facilities, schools or churches.
    4. Buffer required. A minimum 100-foot-wide landscaped buffer, to include evergreen species, in compliance with Article 11, shall be maintained along all property lines including property lines abutting a public roadway.
    5. All runoff from wash water and stormwater shall be discharged to an on-site wastewater treatment system approved by the Department of Stormwater Management. All paved areas shall drain into the on-site wastewater treatment system.
    6. Parking and queuing:
        a. All parking and queuing of vehicles shall be paved and provided on-site.
        b. In addition to the parking requirements of this section and Article 15, a minimum of five (5) spaces for queuing of vehicles containing waste materials shall be provided.
        c. No parking or queuing shall be allowed in any buffer area or on a public roadway.
    7. All permits are required to be in force and active from the state environmental protection division prior to permitting of the facility. Permit or certificate of approval from the state environmental protection division is to be provided to the Department of Stormwater Management and the Department of Planning and Development on an annual basis at the time of business licensing renewal.

B. Compost Facility.
    1. Composting materials shall be limited to tree stumps, branches, leaves, grass clippings or similar putrescent vegetative materials; not including manure, animal products or inorganic materials such as bottles, cans, plastics, metals or similar materials.
    2. Along the entire road frontage (except for approved access crossings), provide a three-foot high landscaped earthen berm with a maximum slope of three to one and/or a minimum eight-foot-high, 100 percent opaque, solid wooden fence or masonry wall. The fence/wall or berm must be located outside of any

public right-of-way and interior to any landscaped strip. The finished side of a fence/wall shall face the exterior property lines.

C. Recycling Facility.

1. Activities shall be limited to collection, sorting, compacting, and shipping.
2. Screening:
    a. Along the entire road frontage (except for approved access crossings), provide a three-foot high landscape earthen berm with a maximum slope of 3:1 and/or a minimum eight-foot-high, 100 percent opaque, solid wooden fence or masonry wall.
    b. The fence/wall or berm must be located outside of any public right-of-way and interior to any landscaped strip. The finished side of a fence/wall shall face the exterior property lines.
3. The facility shall not be located adjacent to or across the street from any property used or zoned for residential use.
4. Lighting for such facilities shall be placed so as to direct away from any nearby residential areas.
5. Materials collected shall not be visible and shall be deposited in a bin or bunker. All sorting and collection bins shall either be enclosed and have chutes available to the public or be located inside a fully enclosed building.
6. No outdoor storage of non-containerized materials shall be allowed.

9.5.7 Wholesale Distribution, Warehouse, and Mini-Storage Warehouse.

A. Mini-Storage Warehouse

1. Minimum lot size is five acres.
2. The perimeter of any mini-storage warehouses must be completely screened by fencing or landscaping in addition to a 150-foot undisturbed buffer if adjacent to a residential zoning district.
3. Mini-storage warehouses are permissible in the M-1(P), M-2(P) with supplemental regulations.
4. Buildings shall have a pitched roof with a pitch of at least 4:12.
5. No sale of merchandise or flea markets shall be conducted on the property.
6. Access shall be only to streets classified as arterials by Rockdale County.
7. No outdoor storage is permitted. This prohibition includes, but is not limited to, the storage of vehicles, recreational vehicles, boats and watercraft.
8. No outdoor speakers or amplification shall be permitted.
9. All exterior lighting shall be located and designed with automatic cut-offs to minimize glare on adjacent occupied properties. Ground-mounted floodlights shall be screened with planting or other means so that the light source is not visible. The use of flashing, rotating, or oscillating lighting is prohibited in any manner that may be visible from the exterior of buildings. No light

standard shall be installed that extends above the height of the tree canopy. No lighting element of any kind shall be placed upon any structure to extend above the height of the tree canopy. If a self-service storage facility abuts a residentially zoned property, outdoor lighting shall have a maximum height of 15 feet. No light spillage of any kind is permitted above said tree canopy except as may be otherwise required by any applicable requirement of federal, state, or local law.

10. An office accessory to the operation of the facility shall be permitted onsite, including security and leasing offices and the rental of trucks or equipment.
11. Building access:
    a. Mini-storage warehouses may have exterior access to the individual storage units.
    b. Mini-storage secured storage warehouses shall not have direct exterior access to individual storage units; all individual storage unit access shall be internal. Vehicle loading/unloading bays shall only be located on the side or rear of the multistory self-storage building, and not facing a street. Vehicle loading/unloading bays on the side of the multistory self-storage building shall require a canopy.
12. All buildings shall maintain a decorative facing on those portions of the building which face public streets and any property zoned residential or agricultural-residential. The decorative facing shall consist of fiber-cement siding (i.e., Hardiplank), wood siding, brick/brick veneer, rock, stone, cast-stone, and stucco (including synthetic stucco).
13. Traffic lane widths on the lot shall be established to provide for the adequate circulation, safety, and accessibility of trucks, cars, and individuals who utilize dead storage in such facilities.
    a. The minimum traffic lane width shall be 25 feet.
    b. The maximum traffic lane width shall be 40 feet.
14. Traffic flow patterns, directional signage, and painted land markings with arrows shall also be clearly marked.
15. To ensure appropriate access and circulation by emergency vehicles and equipment, the turning radii of the aisleways shall be approved by the county DOT and the fire marshal at the time of preliminary plan review.
16. There shall be no aisleway or other vehicular access ways located in the buffer area or within the designated rights-of-way.
17. Should be permitted only on state highways or when adjacent to an interstate highway.
18. The board of commissioners shall also consider each of the following criteria when considering an application for mini-storage warehouses:

a. Whether the facility is sufficiently buffered by distance and landscaping relative to its nearby land uses, especially residentially zoned property. This shall include residential uses separated from the site by local right-of-way.
b. Whether the facility is of sufficient architectural quality, including façade materials, accents, fenestration, exterior painted surfaces, and similar architectural detailing to be in harmony with the surrounding community's character, especially in designated activity centers and commercial redevelopment corridors.
c. Whether the facility meets the goals of the comprehensive plan, small area plan, or character area, including degree of pedestrian orientation and targeted economic development sectors.

9.6 Wireless Communications.

9.6.1 General.

A. The supplemental wireless communication facility regulations of this section shall be applied within the constraints of state and federal law, the federal Telecommunications Act of 1996 and Section 6409 of the federal Middle Class Tax Relief and Job Creation Act of 2012, as well as all applicable rulings of the FCC and the Streamlining Wireless Facilities and Antennas Act of 2019, as codified in title 36, chapters 66B and 66C.
B. The intent of this section is to:
    1. Provide for the appropriate location and development of communication towers to serve the residents and businesses of the County;
    2. Minimize adverse visual impacts of towers through careful design, siting, landscape and innovative camouflaging techniques; and
    3. Encourage and concentrate the location of new communication towers in areas which are not zoned for residential use.

9.6.2 Wireless communication types.

A. Wireless Communication Facility. The equipment and network components necessary to provide wireless communications service, excluding the underlying wireless support structure. The term includes antennas, accessory equipment, transmitters, receivers, base stations, power supplies, cabling, and associated equipment necessary to provide wireless communications services.
    1. Carrier on Wheels (COW). A portable, self-contained wireless facility that can be moved to a location and set up to provide wireless services on a temporary or emergency basis. A COW is normally vehicle-mounted and contains a telescoping boom as the antenna support structure.
    2. Co-location. The placement or installation of wireless communication facilities on existing structures, including electrical transmission towers, water

towers, buildings and other structures customarily used for and capable of structurally supporting the attachment of wireless communication facilities in compliance with all applicable codes and regulations.

3. Concealed Wireless Facility. Any wireless communication facility that is integrated as an architectural feature of an existing structure or any new wireless support structure designed to camouflage or conceal the presence of antennas or towers so that the purpose of the facility or wireless support structure is not apparent to a casual observer.

B. Wireless Support Structure. A freestanding structure, such as a monopole or tower, designed to support wireless communication facilities.

9.6.3 Standards for all wireless communication uses.

A. Wireless communication facilities are allowed in accordance with the permitted use tables of this UDO; Table 5.2.2 and Table 6.2.2. In addition, the following activities are permitted as of right in all districts:
   1. Removal or replacement of transmission equipment on an existing wireless support structure that does not result in a substantial modification of the wireless communication facility; and,
   2. Ordinary maintenance of existing wireless communication facilities and wireless support structures; and,
   3. Distributed antenna systems when located within a building or on the exterior of a building.

B. Removal of Abandoned Antenna and Towers. Any wireless support structure that is not actively used by wireless carriers for a continuous period of six consecutive months will be considered abandoned, and the owner of the wireless support structure shall remove it within 60 days of receiving written notice from the County. The County shall ensure and enforce removal by means of its existing regulatory authority, with costs of removal charged to the owner.

C. Existing Towers and Antennas. Wireless telecommunication facilities lawfully existing on or before the effective date of this UDO are allowed to remain in place and continue in use and operation. Ordinary maintenance and co-location is permitted, provided that any substantial modification requires review and approval in accordance with the special use procedures of Section 18.7, Special Use Permits.

D. Safety standards. To ensure the structural integrity of communication structures, the owner of a structure shall ensure that it is maintained in compliance with standards contained in applicable local building codes and the applicable standards for towers that are published by the Electronic Industries Association, as amended from time to time. Tower owners shall conduct periodic inspections of communication towers at least once every three years to ensure structural integrity. Inspections shall be conducted by a structural engineer licensed to practice in the State.

E. Regulatory compliance. All structures and facilities shall meet or exceed current standards and regulations of the FAA, the FCC, and any other agency of the state or federal government with the authority to regulate communications towers and antennas. If such standards and regulations are changed then the owners of the communications towers and antennas into compliance with such revised standards and regulations within six months of the effective date of such standards and regulations, unless a more stringent compliance schedule is mandated by the controlling federal agency.
F. Lighting. No illumination is permitted on an antenna or tower unless required by the FCC, FAA, or other State or federal agency of jurisdiction, in which case the Director of Planning and Development shall review the available lighting alternatives and approve the design that would cause the least disturbance to the surrounding uses and views.
G. Signage. No signage shall be permitted on a facility or structure.
H. Visual Impact:
    1. Structures shall either maintain a galvanized steel finish or subject to any applicable standards of the FAA or other applicable federal or state agency, or be painted a neutral color, so as to reduce visual obtrusiveness.
    2. At a structure site, the design of the buildings and related structures shall, to the extent possible, use materials, colors, textures, screening, and landscaping that will blend the tower facilities to the natural setting and built environment.
I. Decisions:
    1. The environmental effects of radio frequency emissions may not serve as a basis to approve, deny, or otherwise regulate a telecommunication facility to the extent that emissions comply with Federal Communications Commission regulations.
    2. All decisions denying a request to place, construct, or modify a wireless communication use shall be in writing and be supported by a written record documenting the reasons for the denial and the evidence in support of the decision.
J. The placement of additional buildings or other supporting equipment necessarily required in connection with an otherwise authorized wireless communication use is specifically authorized.

9.6.4 Co-locations and concealed wireless facilities.

The following requirements shall apply to installments on existing buildings and structures on private property:

A. Antennas that are attached or affixed to existing wireless support structures or alternative telecommunication support structures are permitted as of right in all

zoning districts, provided that the antenna does not substantially change the physical dimensions of such structure.

B. Co-locations and concealed facilities in residentially zoned districts shall be visually screened from view of all abutting lots. Facilities in other zoning districts shall be screened or designed and installed so as to make the antenna and related equipment as visually unobtrusive as possible.
C. If a facility is installed on a structure other than a tower, the facility and supporting electrical and mechanical equipment shall be of a neutral color that is identical to, or closely compatible with, the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible.
D. Co-location antennas or concealed facilities that substantially change the physical dimensions of such structure require special use permit approval. For the purpose of this section, "substantial change" shall mean:
    1. Increases height by more than ten percent (10%) or 20 feet, whichever is greater, as measured from facility as it existed prior to enactment of this section.
    2. Appurtenances added that protrude from the body of a structure more than 20 feet in width.
    3. If it involves installing more than the standard number of cabinets for the technology involved, not to exceed four cabinets; or if it involves installation of any cabinets if there are no pre-existing cabinets or involves installation of ground cabinets that are more than ten percent larger in height or overall volume than any other associated ground cabinets.
    4. Involves excavation or deployment outside the current "site." "Site" shall be defined as the current boundaries of the leased or owned property surrounding the tower and any access or utility easements.
    5. For concealed or stealth-designed facilities, if a modification would defeat the concealment elements of the wireless tower or base station.
    6. The modification would not comply with other conditions imposed on the applicable wireless support structure or base station, unless the non-compliance is due to an increase in height, increase in width, addition of cabinets, or new excavation that does not exceed the above thresholds.

9.6.5 Wireless support structures.

The following requirements shall apply to stand-alone towers and structures:

A. Height Requirements. The following telecommunication facilities may be approved administratively by the Director of Planning and Development following administrative review.
    1. For a single user, maximum height is 70 feet.
    2. For two users, maximum height is 100 feet.

3. For three users, maximum height is 200 feet.
4. Towers clustered at the same site shall be of similar height and design.
5. Towers shall be erected at a minimum height necessary to provide parity with existing similar tower supported antenna and shall be freestanding where the negative visual effect is less than would be created by use of a guyed tower.
6. Setbacks. Wireless support structures shall be set back from all property lines a distance that is at least equal to its engineered fall zone.

B. Security. Communication towers shall be enclosed by decay-resistant security fencing not less than six (6) feet in height and shall be equipped with an appropriate anti-climbing device that meets the fencing and wall requirements of this UDO.

C. Landscaping. Landscaping shall be used to effectively screen the view of the tower compound from adjoining public rights-of-way, public property, and residential property and shall be as follows:
    1. A buffer area no less than six (6) feet wide shall commence at the base of the tower.
    2. The buffer zone shall consist of materials of a variety and spacing which can be expected to grow to form a continuous hedge at least five feet in height within two years of planting.
    3. Trees and shrubs in the vicinity of guy wires shall be of a kind that would not exceed 20 feet in height or would not affect the stability of the guys, shall they be uprooted, and shall not obscure visibility of the anchor from the transmission building or security facilities staff and maintenance.
    4. Native vegetation on the site shall be preserved to the greatest practical extent. The applicant shall provide a site plan showing existing significant vegetation to be replanted to replace that lost.
    5. In lieu of these standards, the Director of Planning and Development may allow use of an alternate detailed plan and specifications for landscape and screening, including plantings, fences, walls, and other features designed to screen and buffer towers and accessory uses. The plan shall accomplish the same degree of screening achieved by the provisions above, except as lesser requirements are desirable for adequate visibility for security purposes.

9.6.6 Wireless Application Requirements.

In the case where a special use permit is required, the information required herein shall be required for the special use review process. Regardless, the information shall be provided with a permit for the construction or a facility or support structure.

A. Each applicant requesting approval of a wireless communication use shall provide to the Director of Planning and Development, as a part of the application, an inventory of its existing facilities that are either within the County and/or within one-quarter

(1/4) mile of the County boundaries, including information regarding the location, height, and design of each facility.

B. No new wireless support structure may be permitted unless the applicant demonstrates that no existing facility or structure can accommodate the applicant's proposed antenna. Evidence shall be submitted at the time of application demonstrating that no existing facility or structure can accommodate the applicant's proposed antenna and may consist of one or more of the following:
    1. No existing facilities or structures are located within the geographic area required to meet applicant's engineering requirements.
    2. Existing facilities or structures are not of sufficient height to meet applicant's engineering requirements.
    3. Existing facilities or structures do not have sufficient structural strength to support applicant's proposed antenna and related equipment.
    4. The applicant's proposed antenna would cause electromagnetic interference with the antenna on the existing facilities or structures, or the antenna on the existing facilities or structures would cause interference with the applicant's proposed antenna.
    5. The fees, costs, or contractual provisions required by the owner in order to share an existing or structure or to adapt an existing facility or structure for sharing are unreasonable; or
    6. There are other limiting factors that render existing facilities and structures unsuitable.

9.7 Accessory Uses and Structures.

9.7.1 General Standards.

A. Accessory uses, structures, and dwelling units that are allowed only in connection with a lawfully established principal use.
B. Accessory uses are limited to those expressly regulated herein, as well as those that, in the determination of the Director of Planning and Development, satisfy all of the following criteria:
    1. They are customarily found in conjunction with the principal use of the subject property;
    2. They are subordinate and clearly incidental to the principal use of the property; and
    3. They serve a necessary function for, or contribute to the comfort, safety, or convenience of occupants of the principal use.
C. Accessory uses, structures, and dwelling units may be established only after the principal use of the property is established.
D. Accessory uses, structures, and dwelling units shall be located on the same lot as the principal use to which they are accessory, unless otherwise expressly stated.

9.7.2 Accessory Buildings and Structures.

A. Accessory buildings and structures are subject to the same regulations that apply to principal uses and structures on the subject lot, unless otherwise expressly stated.
B. Accessory buildings and structures shall be clearly subordinate to the principal structure in height, bulk, scale, and floor area.
C. Attachment
    1. Accessory buildings attached to the principal structure by conditioned space shall be considered part of the principal structure and shall comply with all applicable regulations for the principal structure.
    2. Accessory buildings attached by breezeways, passageways, or similar non-conditioned connections shall be considered accessory structures.
D. Accessory buildings and structures shall be compatible in appearance with the principal structure and maintained in good condition.
E. Bulk Standards
    1. Accessory buildings and structures shall be located in the rear yard or in the side yard behind the front yard building line. Accessory structures are prohibited within any street yard of a corner lot.
    2. Impervious surface limitations applicable to the zoning district shall apply to all accessory structures.
    3. No accessory building or structure shall exceed twenty-five (25) feet in height or the height of the principal structure, whichever is less and unless otherwise expressly permitted.
F. Number and Size. The maximum number and aggregate floor area of accessory structures, excluding swimming pools, shall comply with the table below, or fifty percent (50%) of the floor area of the principal structure, whichever is less.

Property Size	Maximum Floor Area*
0 to 0.999 acres	One (1) accessory structure not to exceed 1,000 square feet.
1.0 to 4.999 acres	Up to two (2) accessory structures; aggregate area not to exceed 1,200 square feet.
5.0 or more acres	Up to two (2) accessory structures; aggregate area not to exceed the floor area of the principal dwelling.
*Subject to impervious surface limits of the zoning district.	

9.7.3 Prohibited Accessory Structures.

A. The following shall not be used as accessory structures in any zoning district, unless expressly permitted elsewhere in this ordinance:
    1. Truck vans;
    2. Mobile homes or converted mobile homes;
    3. Recreational vehicles;

4. Trailers;
5. Bus bodies;
6. Self-storage, shipping, or transport containers;
7. Similar prefabricated or vehicular structures.

9.7.4 Accessory Dwelling Units.

A. Accessory dwelling units shall be considered accessory structures and shall comply with all applicable standards of Sections 9.8.1 through 9.8.3, in addition to the standards of this subsection; however, an accessory dwelling unit shall not be counted toward the maximum number of accessory structures otherwise permitted on the lot.
B. Where permitted, one accessory dwelling unit may be established on a lot containing a single-family detached dwelling.
C. Accessory dwelling units shall be permitted only on lots meeting a minimum lot area of 30,000 square feet.
D. The gross floor area of an accessory dwelling unit shall not exceed 1,000 square feet or fifty percent (50%) of the floor area of the principal dwelling, whichever is less. The building footprint of an accessory dwelling unit shall not exceed 600 square feet.
E. Accessory dwelling units shall maintain a residential appearance and shall be architecturally compatible with the principal dwelling, including the following:
    1. Exterior finish materials shall visually match the principal dwelling in type, scale, and placement;
    2. Roof pitch shall match the predominant roof pitch of the principal dwelling;
    3. Where visible from the street, window proportions and orientation shall be consistent with those of the principal dwelling;
    4. Where the principal dwelling has eaves, the accessory dwelling unit shall include eaves with a similar projection.
F. No additional off-street parking shall be required for an accessory dwelling unit. Required parking for the principal dwelling shall be maintained or replaced on-site.
G. Systems and Utilities.
    1. Where served by an on-site sewage management system, the applicant shall demonstrate that the system has adequate capacity to serve the accessory dwelling unit, as verified by the Rockdale County Environmental Health Department.
    2. Electrical service to the property shall be upgraded as necessary to safely accommodate the accessory dwelling unit, as determined by the Building Official.
    3. An accessory dwelling unit shall not be served by a separate electric, water, or gas meter from the principal dwelling.

9.7.5 Temporary Storage Containers.

Temporary placement of self-storage or transport containers for loading or unloading purposes may be permitted for a limited duration, subject to administrative approval, provided that such containers:

A. Are placed only on a paved or otherwise improved surface;
B. Do not occupy required parking spaces, drive aisles, sidewalks, landscaping areas, or required buffers;
C. Are located so as not to obstruct emergency access, utility access, or visibility at driveways or intersections;
D. Are removed within a period not to exceed thirty (30) consecutive days, or for the duration of an active and valid building permit, whichever is shorter; and
E. Are not used for habitation, commercial activity, or long-term storage.

9.7.6 Electric vehicle charging station.

A. Electric vehicle charging stations may be counted toward satisfying minimum off-street parking space requirements.
B. Vehicle charging equipment shall be designed and located so as to not impede pedestrian, bicycle, or wheelchair movement or create safety hazards on sidewalks.
C. Electric vehicle charging stations shall be posted with signage indicating that the space is reserved for electric vehicle charging purposes only. For purposes of this provision, “charging” means that an electric vehicle is parked at an electric vehicle charging station and is connected to the battery charging station equipment.
D. Electric vehicle charging stations shall be maintained in all respects, including the functioning of the equipment. A phone number or other contact information shall be provided on the equipment for reporting when it is not functioning, or other problems are encountered.
E. Electric vehicle charging stations in residential zones shall be prohibited within five (5) feet of the front façade, unless contained in or on a structure.
F. Electric vehicle charging stations may include integrated or accessory solar energy systems, including solar panels or solar canopies installed above parking spaces, provided such systems comply with all applicable building and electrical codes, and any zoning regulations.

9.7.7 Home Occupations.

A. Exclusions. The following uses are not considered home occupations and are not subject to the home occupation regulations of this section. Each use is allowed as indicated in the respective tables of land uses and expressly authorized elsewhere in the UDO.
    1. Personal Care Homes.
    2. Day Care.
    3. Bed and Breakfast.
    4. Short-Term Rentals
B. Prohibited Home Occupations. The following uses are expressly prohibited as home occupations:

1. Any type of assembly, cleaning, maintenance, or repair of vehicles or equipment with internal combustion engines or of large appliances (such as washing machines, clothes dryers, or refrigerators); and
2. Dispatch centers or other businesses where employees come to the site and are dispatched to other locations;
3. Wrecking, repossession, and/or towing services;
4. Medical or dental offices (including psychology and psychiatry)
5. Vehicle sharing and rental services, including but not limited to the rental, lease, storage, staging, dispatch, pickup, or return of motor vehicles by persons not residing on the property, including peer-to-peer vehicle sharing or similar services; and,
6. Motor Vehicle Sales
7. Equipment or supply rental businesses; and,
8. Taxi, limo, van, or bus services; and,
9. Tow truck services; and,
10. Firearms sales establishment; and,
11. Eating or drinking places (excluding catering); and,
12. Special trade contractors (including office and storage);
13. Landscape contractors;
14. Funeral, interment, or crematory services; and,
15. Any use involving the use or storage of vehicles, products, parts, machinery or similar materials or equipment outside of a completely enclosed building.

C. Permitted Home Occupations. The following uses may be permitted as home occupation uses, subject to the use limitations of this section:
    1. Tier 1 (no customer contact, subject to administrative approval)
        a. accounting, consulting, online sales, real estate services, auto and insurance brokerage, Computer programming, data processing, online/digital services, professional services (e.g., architecture, law, insurance, interior design, engineering, financial planning, etc.), or similar administrative occupations that do not involve in-person transactions or consultations.
        b. Offices for mobile service businesses
        c. Artist/sculptor, author/composer
        d. Home crafts, such as rug weaving, jewelry making, and ceramics, for sale off-site
        e. Locksmith
        f. Other uses determined by the Director to be similar in scope and impact (on the surrounding neighborhood).
    2. Tier 2 (customer contact, subject to Special Use Permit approval by the Board of Commissioners)

a. Barber and salon services, tutoring, music lessons or similar small clientele services.
    i. Barber shops, beauty shops, nail salons, and similar personal services are limited to one (1) chair (subject to approval by Environmental Health for private wastewater)
b. Dressmaker, seamstress and tailor
c. Pet grooming services, woodworking, catering, photography studios, and similar services
    i. Pet grooming services shall not include boarding of animals on-site.
d. Education or training services limited to no more than two (2) pupils at a time
e. Dance schools or fitness training limited to no more than two (2) clients at a time
f. Other uses determined by the Director to be similar in scope and impact (on the surrounding neighborhood).
g. Only one (1) home occupation may be permitted in dwelling.

D. Standards applicable to all Home Occupations:
1. Residential Character. Home occupations shall be accessory and secondary to the principal use of a dwelling unit for residential purposes. They may not change the character of the residential building they occupy or adversely affect the character of the surrounding neighborhood. Each applicant must submit a restrictive covenants affidavit, on a form provided by the Department of Planning & Development, indicating that there are no HOA/POA covenants, applicable to the subject property, which prohibits or conflicts with the proposed home occupation request.
2. Customers.
    a. Customers may visit the site of a home occupation only during the hours of 8:00 a.m. to 8:00 p.m.
3. Resident Operator. No person other than a resident of the dwelling unit shall be employed on-site in connection with a home occupation.
4. Licensing.
    a. Home occupations shall comply with all applicable business licensing, occupational tax certificate, and registration requirements of Rockdale County.
    b. Home occupation business licenses are subject to annual renewal.
    c. Home occupation applicants shall permit reasonable inspections of the premises by the Code Enforcement Division to determine compliance with this section and any conditions of the home occupation license.

d. The Director may revoke a home occupation business license for violation of this section or the conditions of the license. Notice of such revocation shall be given in writing, setting forth the reasons for the revocation, the date and time upon which the revocation is effective, and the appeals procedure. This provision shall not preclude the use of any other remedy prescribed by law with respect to violations of the provisions of this Ordinance.

5. Operation Impacts.
    a. Home occupations shall not produce light, noise, vibration, odor, parking demand, traffic, or other impacts that are not typical of a residential neighborhood.
    b. Home occupations shall be operated so as not to create or cause a nuisance.
    c. Any tools or equipment used as part of a home occupation shall be operated in a manner or sound-proofed so as not to be audible beyond the lot lines of the subject property.
    d. The use or storage of hazardous substances is prohibited, except at the "consumer commodity" level, as that term is defined in 49 C.F.R. Section 171.8.
    e. No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood. Any need for parking generated by the home occupation is required to be on-site and shall be done in a manner which protects the residential character of the area and the visual appearance of the residence.
    f. Only passenger automobiles, passenger vans, and passenger trucks may be used in the conduct of a home occupation. No other types of vehicles may be parked or stored on the premises. This provision is not intended to prohibit deliveries and pickups by common carrier delivery vehicles (e.g., United States Postal Service, United Parcel Service, FedEx, et al.) of the type typically used in residential neighborhoods.
    g. The Director may add, as a condition of the license approval, reasonable operational limitations to mitigate specific potential adverse impacts.
6. Exterior Appearance.
    a. External structural alterations or site improvements that change the residential character of the lot upon which a home occupation is located are prohibited. Examples of such prohibited alterations include construction of parking lots, the addition of commercial-like exterior

lighting or the addition of a separate building entrance that is visible from abutting streets.

b. Home occupations and all related activities, including storage (other than the lawful parking or storage of vehicles), shall be conducted entirely within the dwelling unit or accessory building or structure, as permitted.

c. No signs, accessory to such home occupation, shall be displayed. No window display or other public display of any material or merchandise is allowed.

7. Floor Area.

a. The area devoted to all home occupations present on the property is limited to 25 percent of the dwelling unit's floor area or 500 square feet, whichever is less.

b. Home occupations complying with the regulations of this section are permitted to operate in accessory dwelling units or other accessory structures or buildings.

9.7.8 Outdoor Storage.

A. The outdoor storage regulations of this section apply to the storage of goods, materials, and equipment as an accessory use to commercial or industrial use types when located outside of enclosed buildings, including:
   1. Material in boxes, in crates, or on pallets; and,
   2. Overnight storage of vehicles awaiting repair (not including new vehicles for sale) and construction and contractor's equipment, including lawnmowers; and,
   3. Fleet vehicles; and,
   4. Construction material such as lumber, pipe, steel and unpackaged soil, mulch, recycled material, or similar items; and,
   5. Other items like appliances, merchandise, equipment, garbage, landscape waste, glass, and rubbish.

B. Storage shall be fully enclosed by a fence not less than six (6) feet in height containing opaque material to provide visual screening, in compliance with Article 11. Operable fleet vehicles do not require screening.

9.7.9 Swimming Pools.

A. Swimming pools are considered accessory structures and shall comply with all accessory structure regulations Section 9.8.2, Accessory Uses and Structures in addition to those dedicated specifically to swimming pools in this section. Swimming pools shall be utilized only by property owner and

B. Pool heaters and pumps shall not be located in a front yard and shall be least ten (10) feet from any property line.

C. Swimming pools shall be located in the rear yard and shall be setback a minimum of ten (10) feet from rear lot lines and twelve (12) feet from side lot lines. Setbacks are measured from the outermost edge of the pool decking to the nearest the applicable lot line.

D. Any residential outdoor pool, including in-ground and above-ground pool facilities, shall be completely enclosed by a separate effective barrier. Barriers shall be constructed so as to facilitate control of entry into the pool area and to prevent or minimize unauthorized entry of animals and unsupervised children.
    1. Examples of effective pool barriers are a fence, wall, or building that limits access into the pool area.
    2. The barrier shall not be less than five (5) feet in height, as measured from the exterior grade.
    3. The barrier shall be designed to prevent climbing over and/or the ability to pass through barrier openings (excluding the designed point of entry). A detailed drawing of the barrier, including the barrier composition, placement, dimensions, elevations, and any other pertinent construction information shall be submitted and approved prior to installation. The barrier must be completely constructed, inspected, and approved prior to issuance of a certificate of completion.
    4. Any requirements of the Board of Environmental Health shall also apply here, and in the event of any conflict between regulations, the more restrictive shall apply.

E. Commercial accessory swimming pools shall be approved only after receipt of written approval from the Rockdale County Board of Environmental Health.

9.7.10 Unmanned Retail Structures.

A. Construction Up to one (1) unmanned retail structure is allowed per acre of a lot or fraction thereof, not to exceed a maximum of three (3) total on lots three (3) acres or larger.

B. An unmanned retail structure shall not exceed a footprint of 50 square feet and eight (8) feet in height.

C. An unmanned retail structure shall not encroach on any required site elements such as landscaping, buffers, setback areas, parking, or pedestrian access.

D. Building signs may be applied to the unmanned retail structure, provided that they follow the sign requirements in this chapter for signage and do not cause the lot to exceed its allocation of sign area.

9.7.11 Vending Machine Fulfillment Center.

A. Vending Machine Fulfillment Centers are only permitted as accessory structures to otherwise compliant principal uses occupying a principal structure.

B. Whether the structure is attached to the principal structure or not, signage shall only be permitted on all associated structures as if only a single structure exists.

9.7.12 Emission Testing Station.

A. Emission stations shall be setback no less than thirty-five (35) feet from the public right-of-way. A metal building may be used if it has a brick base at least three (3) feet high. No fabric structures may be used. Large planters for landscaping must be installed around any building.

9.8 Temporary Uses.

9.8.1 Temporary Construction Structures.

A. Standards applying to all Temporary Construction Structures:
    1. Temporary Construction Structures may be parked or stored on any lot when used in conjunction with a valid, unexpired building or land development permit.
    2. All Temporary Construction Structures shall be completely removed from the premises within 30 days of issuance of the final Certificate of Occupancy or project close-out pertaining to the building(s)/land development associated with the construction.
    3. When not associated with a valid permit, portable storage containers or temporary dumpsters shall not be parked or stored for more than fifteen (15) consecutive days or a total of more than 30 days during any calendar year.

9.8.2 Temporary Outdoor Sales of Merchandise.

A. Temporary outdoor sales of merchandise shall be permitted only in accordance with Chapter 74, Peddlers and Solicitors, of the Rockdale County Code of Ordinances.

9.8.4 Temporary Special Events.

A. Temporary special events on public and private property shall require a temporary special event permit from the Department of Planning and Development. Use of a county park facility shall require additional approval from the Department of Parks and Recreation.
B. The following activities are exempt from the requirements of this Section and shall not require the issuance of a Temporary Special Event Permit:
    1. Private parties and gatherings that do not meet the definition of “temporary special event” included in this Ordinance;
    2. Auctions of private real estate;
    3. Estate auctions, garage sales, yard sales and similar type sales on private residential properties;
    4. Neighborhood gatherings only for the residents of the applicable neighborhood;
    5. Temporary Uses, pursuant to Section 9.9.2, Temporary Outdoor Sales, of this Ordinance (temporary business license is required, however);

6. Indoor special events held in legally established businesses in commercial, mixed-use, and industrial zoning districts or legally established public facilities or civic facilities.
7. The activity has fewer than 50 people in attendance;
8. There are no impacts on public streets or rights-of-way; and
9. There are no impacts on normal vehicular and pedestrian traffic requiring the use of County services.
10. Funeral processions
11. Government sponsored events
    a. Government sponsored events are those held on public property for which a contract has been awarded by the Rockdale County Board of Commissioners to a person, group, organization, association, club, or other entity.
    b. The Chief Executive Officer (or designee) may waive or otherwise expedite any or all of the review process and fees applicable to such review and permit for special events sponsored and held by Rockdale County Government, Rockdale County Public School System, a state government agency, the federal government, and elected/appointed officials. All events are subject to temporary special event permits.

C. Temporary special event activities are subject to the following regulations:
    1. Parking.
        a. All parking shall be contained on the subject property or on a contiguous property. A recorded, parking agreement shall be required if temporary off-street parking is provided on a parcel other than the subject property. At no time shall associated event parking be allowed in a public or private right-of-way or access easement.
        b. Traffic and crowd control shall be provided by the Rockdale County Sheriff's Office. The number of officers and/or special arrangements shall be determined by the Sheriff. The permit holder shall be responsible for costs associated with public safety.
    2. Sanitation
        a. The event operator must provide a waste collection/sanitation plan if the event is held on private property.
        b. Portable toilets or access to restrooms shall be provided. If applicable, documentation from a service provider of temporary restroom facilities must be provided. Coordination with the Rockdale County Environmental Health Department may be required.
        c. If the operator is cited for or convicted of a waste or sanitation-related violation from a previous temporary special event, future event permits may be withheld by the Department.

d. If the event is held on public property, documentation from the Department of Parks and Recreation shall be provided regarding restroom facilities, trash collection, and post event clean up.

3. Vendors
    a. The sale of food, merchandise, or services by a vendor shall be allowed as a component of a special event.
        i. Food sales. The vendor of any food, whether hot or cold, as part of a special event shall be subject to all rules and regulations of the Rockdale County Environmental Health Department. It shall be the responsibility of the permit holder of an event to ensure compliance with this section by any such vendor.
        ii. Beer, wine, and liquor sales, service, and consumption shall be prohibited on public property, including public streets, sidewalks, rights-of-way, and parks.
    b. It shall be unlawful for any vendor to engage in such business on private property or at any location or in any manner not authorized by the permit holder of the event.
4. Duration and Frequency Events.
    a. Residential Properties. A temporary special event shall not operate for longer than one (1) calendar day, inclusive of set-up and breakdown activities, unless otherwise approved as part of the special event permit.
    b. Commercial or Public Properties. A temporary special event shall not operate for longer than ten (10) consecutive calendar days, inclusive of set-up and breakdown activities, unless otherwise approved as part of the special event permit.
    c. Temporary special events held on private or public property shall be limited to three (3) special events per calendar year per private or public property location.
    d. Each Temporary Special Events Permit shall only be valid for a single event. Commercial or public property temporary special events within the same ten-day period shall require separate temporary special events permits.
5. Public Safety.
    a. Security or off-duty law enforcement officers shall be on-site during the operating hours of the event.
    b. Depending upon pertinent event details, the event operator shall provide a public safety plan, which addresses first aid/medical,

security, access management, crowd control, emergency management, and/or other applicable considerations.

6. Amplified Sound. Activities on residential private property shall not involve the amplification of voice, music, or instruments. Exterior amplification shall not be used for the continuous broadcasting of music, announcements, advertisements, or other sound for the purpose of attracting attention to a commercial establishment when such sound is directed toward adjacent residential areas.
7. Stages or Tents.
    a. A temporary stage shall be subject to building permit approval.
    b. Tents over 400 square feet may require a valid building permit, if applicable.
    c. Other temporary structures shall be subject to applicable building or fire code reviews and permits, as necessary.
8. Signs. Special event signs shall be authorized, as provided under Article 20 (Sign Code).

D. Application Procedures
    1. Applications must be submitted at least forty-five (45) business days prior to the commencement of the temporary special event.
        a. Application Contents
            i. Completed temporary special event application form
            ii. Application fee
            iii. A detailed letter of intent describing the purpose of the event, indicating date(s) and time(s), anticipated number of participants, and other pertinent details must be submitted to Planning & Development.
            iv. A legible site plan, drawn to scale, indicating vehicular traffic areas (parking, driveways, circulation etc.), gathering areas, restrooms, vendor locations, and locations of existing and planned structures to be used as part of the event;
            v. Letters of coordination or regulatory approval from Fire Rescue, Sheriff's Office, Emergency Management, General Services, Parks & Recreation, and Department of Environmental Health, if applicable;
            vi. For public park facilities only:
                a. Approval from the Department of Parks & Recreation;
                b. Proof of comprehensive general liability insurance in a minimum amount of $1,000,000.00 combined limits for

bodily injury and/or property damage that names Rockdale County as an additional named insured.

vii. Other pertinent information, as deemed necessary by the Planning & Development Director

2. An online event roundtable meeting may be required, based on the scale of the proposed event, potential impacts, or other regulatory concerns.
3. Administrative Review
    a. The director shall cause the application to be circulated to each applicable department or other agency whose services the director determines would be affected by the nature and activities of the proposed event.
    b. Each department and/or agency reviewing an application may recommend in writing certain conditions or restrictions deemed necessary to facilitate the event, to comply with other laws or regulations, or to ensure the safety, health, and welfare of the community.
4. Review Tiers. To provide guidance to applicants regarding the level of regulatory review related to general event types, please see the table below:

Level of Review	**Tier I**	**Tier II**	**Tier III**
Activity	Outdoor parties, weddings, etc.	Holiday events, donation drives/giveaway, etc.	Carnivals, concerts, festivals, etc.
Number of Attendees	50 - 100	100+	500+
Impact	Small, contained to subject property, short duration, etc.	Moderate attendance expected, potential traffic impact, vendors, etc.	High attendance anticipated, traffic impact certain, temporary structures, increased adverse impacts, etc.
Application Fee	$	$$	$$$

Regulatory Reviews	P&D and/or Parks	Sheriff, EMA, P&D, and/or Parks	Fire, Sheriff, P&D, EMA, & Environmental Health

5. Permit Decision.
    a. After considering all comments and conditions of the reviewing departments and agencies as well as other information pertaining to the proposed event, as described on the application, and after the payment of all applicable fees and costs, the director shall approve or conditionally approve the application and issue a permit for a special event upon a finding that satisfactory provisions and arrangements have been made by the applicant concerning all requirements of this section to the satisfaction of each reviewing department and agency. The Director may include conditions of permit approval to mitigate specific potential adverse impacts.
    b. If such satisfactory provisions and arrangements have not been made by the applicant, the permit shall be denied. If the permit is denied, the applicant shall be notified in writing of the denial and the reason(s) for denial.
    c. A violation of the permit, including such conditions or restrictions, shall be deemed a violation of the UDO.
6. Waiver/Appeal.
    a. Applicants may request a waiver from the Board of Adjustment related to items 4, 6, and/or 8 of subsection C (above), subject to the approval criteria in subsection b (below). If approved, the waiver shall only be valid for up to one calendar year, as specified by the Board of Adjustment. However, no waiver shall be construed as bestowing permanent status to any temporary use, activity, or condition. The waiver request shall be subject to the public hearing provisions of Section 18.8 at a regularly scheduled meeting of the Board of Adjustment.
    b. Approval Criteria. The Board of Adjustment shall not grant a waiver unless it has, in each case, made specific findings of fact based directly upon the evidence presented supporting written conclusions that the request meets each of the following criteria:
        i. Will not adversely affect the general welfare or character of the immediate community;

ii. Does not hinder or endanger vehicular traffic and pedestrian movement on adjacent roads;
iii. Includes adequate provisions for items such as: setbacks and buffering to protect adjacent properties from the possible adverse influence of the proposed use, such as noise, vibration, glare, traffic congestion, and similar factors;
iv. The setup and disassembly of special events will not be detrimental to the surrounding community;
v. Includes sufficient safeguards for the use of temporary structures, if applicable;

c. Appeals from final decisions of the director regarding special event permits shall be to the board of adjustment pursuant to section 18.10. Decisions made by the board of adjustment shall be final. All appeals of the decisions made by the board of adjustment shall be in accordance with Title 5 of the Official Code of Georgia Annotated, pursuant to section 18.10.6.

Article 10: General Development Regulations

10.1 Building Projections into Yards.

A. No part of a lot's required yard, setback, buffer or open space shall be included as part of the yard, setback, buffer or open space required for another lot, except as specifically provided for herein.
B. Architectural features such as sills, buttresses, awnings, cornices, eaves, steps, gutters, fire escapes, balconies, chimneys, bay windows, uncovered decks, uncovered steps, and patios may project not more than three feet beyond any required setback line, except where such projections would obstruct access for service and/or emergency vehicles; provided, however, that canopies that extend from faces of buildings over sidewalks or entryways to shelter pedestrians shall be allowed to encroach into required setbacks so long as they are no closer than five feet to the street right-of-way line.

10.2 Height Limits.

The height limitations of this article shall not apply to church spires, chimneys, flues, belfries, flag poles, monuments, cupolas, domes, ornamental towers or observation towers not intended for human occupancy, water towers, transmission towers, radio or television towers, elevator shafts, or antennas. These exclusions shall not apply in the vicinity of airports where Federal Aviation Administration runway protection zone standards shall apply. The height of telecommunication facilities is regulated in Section 9.6, Wireless Communications.

10.3 Dumpsters and Recycling Areas.

10.3.1 Location.

A. Trash dumpsters and other waste/recycling containers shall be enclosed within a building, located out of sight from public or private streets, or situated in the rear yard and shall be located at least a minimum of twenty-five (25) feet from residentially zoned property or property containing a residential use.
B. Mixed-use development should be designed to comply with subsection A to greatest extent possible.

10.3.2 Pad.

A. Dumpsters and waste/recycling containers shall be placed on concrete pads of sufficient size and strength to support the weight of service vehicles.
B. Restaurants and other food service establishments shall place dumpsters on concrete pads that are designed to slope into a drain that is equipped with a grease trap or other waste disposal mechanism.

10.3.3 Screening.

A. Dumpsters and waste/recycling containers shall be screened and enclosed by a brick, rock, or stone structure on three (3) of four (4) sides. This structure shall be visually and aesthetically compatible with the principal structure.
B. The accessible, fourth side of the dumpster or waste enclosure shall be concealed with a gate. The gate shall be opaque and constructed of durable materials. The gate shall be maintained in good working order and kept closed except during loading, unloading, or removal of trash or recyclable materials.
C. The height of the enclosure and gate shall be equal to or up to one (1) foot taller than the height of the dumpster or six (6) feet in height, whichever is taller.

10.4 Drainage Systems.

10.4.1 Drainage system requirements.

A. Drainage improvements required. Drainage systems may include, but are not limited to, culverts, storm sewer piping, catch basins, drop inlets, junction boxes, headwalls, gutter, swales, channels, and ditches, shall be provided for the protection of public right-of-way and private properties adjoining project sites and/or public right-of-way. Drainage systems that are designed to carry runoff from more than one parcel, existing or proposed, and the public right-of-way, shall meet the requirements of these regulations.
B. Standard specifications. Unless otherwise specifically set forth herein, all of the materials, methods of construction and workmanship for the work covered in reference to drainage system construction shall conform to the most recent standard specifications of the GDOT "Standard specifications, construction of transportation systems," latest edition, and any amendments thereto. For roads constructed with

public funds, either wholly or in part, or for roads classified as principal arterials, minor arterials, or collector streets, materials that meet the GDOT design standards shall be used, unless an alternative is specifically approved by the department.

C. All drainage structures shall be constructed in accordance with the GDOT's current standard details.
D. All drainage structures going across public roads must be “RCP”.
E. Vertical pipe separation must be 18-inch minimum for all utility crossings.
F. General design criteria.
    1. All drainage system design calculations shall be certified by a registered professional engineer or landscape architect, licensed in the State of Georgia.
    2. The methods utilized in calculating stormwater runoff and peak flows from any drainage basin or basins, shall be appropriately selected based on the relative size of each basin and best engineering practice for recommended hydrologic methods and basin size limitations. See "Table: 10.4.1.F: Recommended Hydrologic Methods."

Table 10.4.1.F: Recommended Hydrological Methods	
Method	**Basin Size Limits**
Rational	0—25 acres
SCS	0—2,000 acres
USGS	25 acres—25 square miles

    3. All portions of a drainage system, which drain areas falling within a specific category above, shall be analyzed using the same methodology.
    4. Runoff coefficients used for the rational method and runoff curve numbers used for the SCS method shall be consistent with those shown in the "Georgia Storm Water Management Manual," latest edition.
    5. Culverts carrying live streams shall extend to where the crown of the pipe intersects the roadway slope. Pipes that do not carry live streams shall extend at least 50 feet beyond the front building setback lines and may be required to extend farther, where necessary to provide an adequately protected building site on the property. The length requirement, however, shall be subject to requirements for maintaining stream buffers in accordance with Georgia law or county regulations.
    6. No drainage system piping shall be installed beneath or within the load bearing soil strata supporting any building or structure.
G. Design criteria - cross drain culverts (Streams or major drainage channels).
    1. Cross drain culverts or pipe systems designed to convey water from one side of a public right-of-way to the other shall be designed to pass the fully

developed peak flow associated with a 100-year storm, with at least 1.5 feet of freeboard between the 100-year ponding elevation and the centerline of the road, without raising the 100-year flood elevation on upstream properties. Fully developed flows shall be based on the future land use plan adopted by the Board of Commissioners. See Section 14.4, Floodplain Management for more information.

2. The 100-year ponding limits at and upstream of the culvert shall be shown on the development plans and on the final plat (if applicable).
3. The minimum allowable culvert diameter shall be 18 inches. Culvert design shall include a thorough analysis of both inlet and outlet control conditions.

H. Design criteria—longitudinal storm sewer piping.

1. The preliminary design (initial pipe sizing and profile design) of longitudinal pipe collection systems shall be based upon conveyance of the peak flows associated with a fully developed 25-year storm with the hydraulic grade line (HGL) being one foot or more below the top of each structure, gutter line or proposed final ground surface elevation, whichever is lowest. All longitudinal piping within a Federal Emergency Management Agency (FEMA)-identified floodplain shall be sized to adequately convey the 100-year frequency storm event.
2. The minimum allowable pipe diameter shall be 18 inches.
3. Storm sewer inlets or catch basins shall be provided and spaced so that the gutter spread for a ten-year design flow shall not exceed the following, as measured from the face of the curb:
    a. Four feet or less based on the requirements of the GDOT Drainage Manual, if the street is classified as a principal arterial or minor arterial.
    b. Six feet, if the street is classified as a collector street.
    c. Fourteen feet at any given section, but in no case greater than eight feet on one side of the street, if the street is classified as a local street.
4. Gutter spread calculations shall be included in the hydrology study and on the development plans.
5. Complete pipe sizing, flow, velocity and hydraulic grade line computations shall be provided for all portions of a piped collection system. Hydraulic grade lines shall be shown on the storm drainage profiles contained with the development plans for the 25-year storm. A storm drainage pipe chart shall be provided with the construction drawings showing pipe identification, type, size, length, Qdesign, Q max, HGL
6. at each end and velocity at the discharge point.

7. Where open drainage channels are proposed, flow, typical sections, velocity and specifications for non-erodable linings shall be provided. Calculations are to be based on the 25-year storm event.

I. Energy dissipation - piped systems and culverts.
   1. Energy dissipation devices, such as splash pads, rip-rap, stilling basins, etc., shall be provided at the outlet of every culvert and piped collection system. Outlet protection shall be in accordance with the "Manual for Erosion and Sediment Control in Georgia," latest edition and Georgia Stormwater Management Manual.
   2. Energy dissipation devices shall be located entirely within the project site, no closer than 20 feet from any property line, and shall not encroach upon any required buffer.
   3. When uniform, graded stone rip-rap is used for energy dissipation, ultraviolet resistant filter fabric (200-pound test) shall be used between the stone layers.

J. Pipe material specifications. Pipe materials shall be provided in accordance with the Selection Guidelines for Storm Sewer Piping, based on application, traffic and flow conditions (See Standard Design and Construction Details).
   1. Corrugated steel pipe and pipe arches shall conform to the requirements of AASHTO M-36 and shall be Aluminized Type II.
      a. Aluminized Type II coated steel pipe shall comply with AASHTO M-274 for coating requirements and AASHTO M-36 for the pipe fabrication
      b. No corrugated steel pipe may be utilized in a flowing stream application.
      c. The gauge, diameter, and corrugation configurations for corrugated steel pipe and pipe arches shall be in accordance with GDOT Standard 1030-D.
      d. Each end of each pipe section, to be joined by a coupling band, shall have a minimum of two annular corrugations. Coupling bands shall be so constructed as to lap on an equal portion of each of the pipe sections to be connected. The connecting bands shall have a minimum of four annular corrugations and shall fully engage, over the entire pipe periphery, two corrugations on each pipe end. Bands shall be fabricated from the same material as is the pipe, and the gauges shall be as specified in section 9.2 of AASHTO M-36.
      e. Gaskets may be required, as determined by the county inspector in the field, and shall be either sleeve type or O-ring type, and shall meet the requirements for gaskets as specified in section 9.3 of AASHTO M-36.
      f. Corrugated steel pipe shall not be laid at slopes of less than one percentage of paved invert.

2. Reinforced concrete pipe joints shall be not less than eight feet in length, unless approved by the Director of Stormwater Management for the installation of very large diameter pipe. All joints shall be bell and spigot-type, using an O-ring gasket conforming to ASTM C-443. Pipe shall be manufactured in accordance with AASHTO M-170 and/or ASTM C-76. Class of pipe and wall thickness shall be in accordance with GDOT 1030-D.

3. Corrugated aluminum alloy pipe shall comply with AASHTO M-196 for material and fabrication.
    a. The gauge, diameter and corrugation configurations for corrugated aluminum alloy pipe and pipe arches shall be in accordance with GDOT Standard 1030-D.
    b. Each end of each pipe section, to be joined by a coupling band, shall have a minimum of two annular corrugations. Coupling bands shall be so constructed as to lap on an equal portion of each of the pipe sections to be joined. The connecting bands shall have a minimum of four annular corrugations and fully engage, over the entire pipe periphery, two corrugations on each pipe. Bands shall be fabricated from the same material as the pipe. The minimum band gauges for aluminum alloy pipe shall be as specified in AASHTO M-196, Section 19.
    c. Gaskets may be required, as determined by the county inspector in the field, and shall be either sleeve-type or O-ring-type and shall meet the requirements for gaskets published by AASHTO.
4. Structural plate drainage structures shall conform to the following specifications:
    a. Corrugated steel structural plate pipe, pipe arches and arches shall consist of galvanized plates, bolts and nuts of the size, shape and thickness as shown on the approved plans. These structures shall conform to the requirements of AASHTO M-167.
    b. Corrugated aluminum alloy structural plate pipe, pipe arches and arches shall consist of aluminum plates and galvanized bolts and nuts of the size, shape and thickness as shown on the approved plans. These structures shall conform to the requirements of AASHTO M-2

5. Corrugated high-density polyethylene pipe - Smooth lined Type "S".
    a. This specification is applicable to nominal sizes 18 inches in diameter or larger. Requirements for test methods, dimensions and markings of pipe sizes 18 through 36 inches in diameter are those found in AASHTO Designation M-294. HDPE pipe manufacturers shall be

approved by the GDOT. HDPE pipe larger than 36 inches in diameter shall be subject to approval by Rockdale County.

b. Pipes and fittings shall be made of polyethylene compounds that meet or exceed the requirements of Type III, Category 4 or 5, Grade P3 or P34, Class C per ASTM D-1248, with the applicable requirements defined in ASTM D-1248. Corrugated fittings may be either molded or fabricated by the manufacturer. Fittings supplied by manufacturers other than the supplier of the pipe shall not be permitted without prior approval from Rockdale County.

c. Joints shall be made with split couplings, corrugated to engage the pipe corrugations, and shall engage a minimum of four corrugations, two on each side of the pipe joint. Where required by Rockdale County, a neoprene gasket shall be utilized with the coupling to provide a soil-tight joint. Gaskets shall conform to ASTM F-477.

d. Installation shall be in accordance with ASTM Recommended Practice D-2321 or as specified by Rockdale County. Certification from the manufacturer that the product was manufactured, tested and supplied in accordance with this specification shall be furnished to Rockdale County upon request.

K. Pipe installation standards. Reinforced concrete pipe, corrugated steel and aluminum alloy pipe shall be bedded and backfilled in the same manner. Corrugated high-density polyethylene pipe shall be bedded and backfilled in accordance with the GDOT Standard Specifications. In addition, prior to approval of a final plat, the county may require the submittal of certification from a mandrel testing agency indicating that any HDPE pipe installed does not exceed 5.0 percent deflection.

1. *Pipe bedding.* All piping and structures shall be placed on stable earth, fine granular foundation, or rock backfill, the characteristics of which would be expected to provide long-term stability and allow for the pipe to be laid accurately. In all live stream pipe installations, in areas of low-bearing solid or non-uniform foundations, in areas where rock is encountered at the foundation level or in other locations where conditions warrant, a minimum of six inches of crushed stone bedding is required, (maximum size of stone shall be ¾-inch). Geo-textiles or geo-grids also may be required by the county inspector in unstable materials.
2. *Backfilling.* Backfill on all pipe installations shall be constructed using rock backfill material, as specified in GDOT Standards 812.01 and 812.02, respectively. These materials shall be placed in layers of not more than six

inches loose. Compaction of these materials shall be accomplished by hand tamping or machine tamping. Required compaction levels are as follows:

a. Backfill within all street rights-of-way shall be compacted to 98 percent maximum.
b. Backfill in all other areas shall be compacted to 95 percent maximum density, tested using the AASHTO Method T-99.

3. *Construction loads and minimum cover.* The minimum cover for any pipe or culvert shall be two feet. Minimum cover shall be measured from sub-grade elevations, to ensure adequate pipe protection from construction loads.
4. *Inspection of pipe installation.* All pipe shall be installed in a straight approach in strict accordance with the lines and grades shown in the approved construction drawings. The county inspector shall provide periodic inspections of all drainage system installation, to ensure compliance with these regulations. No cross-drain piping or piping under the proposed paved surface shall be completely backfilled prior to the inspection of all pipe joints, bedding, initial backfill and compaction up to the pipe center line. A final inspection and approval of all pipe installation shall be required at the completion of construction activities, and prior to final plat approval.

L. End finish. Headwalls or other end treatments are required on all culverts (except under residential driveways) and at the outlet of all piped collection systems.

1. Headwalls shall be pre-cast concrete or poured-in-place, with adequate steel reinforcement and concrete footings. Headwalls shall be required at any pipe inlet where erosion protection and slope stabilization shall be required.
2. Flared end sections shall be concrete or aluminized coated metal only, in accordance with GDOT Standard 1120. Tapered end cuts on metal pipe may be permitted in lieu of flared end sections, at the discretion of the department.
3. Safety end sections shall be concrete in accordance with GDOT Standard 1122.

M. Junction boxes and catch basin.

1. *General requirements.* A junction box, catch basin or other approved drainage structure shall be provided at all points where a change in the horizontal or vertical alignment of any pipe segment occurs, or at intervals not to exceed 300 feet. The change in directional flow in any junction box or catch basin shall not be greater than 90 degrees.
2. Junction boxes, catch basins, inlets and all other accessible drainage structures shall be constructed of pre-cast, reinforced concrete, minimum four feet in diameter or larger. Structures shall be properly sized (diameter) and pre-cored (inlets and outlets) based on the diameter(s) of piping to be connected. All pre-cast drainage structures with a finished depth greater than four feet shall be provided with accessible polypropylene composite steps spaced at not more

than 12 inches vertically on center. All pre-cast drainage structures shall include a metal ring and cover, to provide access for maintenance personnel. Junction boxes shall require a Standard 310 (traffic rated) ring and cover, which shall either be cast in or grouted to the cone section.

3. Catch basins shall be constructed in accordance with GDOT Standards 1033D (Single Wing) or 1034D (Double Wing). All catch basins located along the radius of any cul-de-sac shall be constructed in accordance with GDOT Standard 1033F or 1034F (Offset). Catch basins shall require a reinforced pre-cast "round-to-square" adapter set at a depth of not less than six inches below the gutter elevation, to provide additional gutter clearance and throat support. The throat and top of each catch basin shall be cast-in-place, and the edge of the top facing the travel lane shall include chamfered edges to prevent possible tire damage. The vertical opening of any catch basin, measured at the gutter line, shall not be less than 5½ inches or greater than eight inches. Each catch basin top shall include a metal ring and cover (Standard 1033) to provide access for maintenance personnel.
4. *Curb inlets.* The use of hood and grate curb inlets, in accordance with GDOT Standard 1019, may be used along curb radii less than 25 feet, but shall not be used in any cul-de-sac turnaround or at the low point of any sag vertical curve draining more than 300 linear feet of road surface.
5. *Finish.* Drainage structures shall be set at the proper location and installed plumb. The tops of all drainage structures shall match final grade. The pipe end at the connection to any drainage structure shall not extend more than six inches past the interior wall of the structure, when measured at the centerline of the pipe. All pipe end connections shall be adequately sealed with a non-shrink grout. Both sides of pipe shall be grouted (inside and outside) for erosion and sediment control and to ensure complete seal of structure. All sediment and debris shall be removed from each structure prior to final inspection and approval. All drainage structures that are damaged during construction activities shall be repaired and/or replaced, at the discretion of the county inspector.

N. Special structures. The use of special structures such as natural bottom arches and box culverts is subject to the review and approval of the Director of Stormwater Management. Special structures may be permitted in accordance with the latest "Georgia Department of Transportation, Standard Specifications, Construction of Transportation Systems," latest edition. Additional fees for review and inspection may be charged to the developer. In addition, a separate maintenance bond may be required for the approved special structure.
O. Drainage ditches and swales.

1. Ditches, swales or channels shall be designed and constructed to convey at least the fully developed 25-year storm, with freeboard equal to 20 percent of the design flow depth, or one foot, whichever is greater. All channels that lie within a FEMA-indicated floodplain shall be designed to adequately convey the 100-year frequency storm event.
2. Transition channels shall be provided at the inlet and outlet ends of all culverts and pipe systems, unless otherwise provided herein.
3. The maximum flow rate and velocity at the project site's downstream property line shall not exceed the pre-developed flow rate and velocity.
4. In cases of potential erosion due to irregular channel alignment, extreme velocities or excessive slopes, a paved ditch or concrete valley gutter may be required. However, if, in the opinion of the Director of Stormwater Management, the expected long-term maintenance of an open or surface drainage system could prove impractical; a closed or piped drainage system design may be required.
5. The cross-sectional shape of channels shall be as found in the standard design and construction details. "V"-shaped cross sections are not permitted in grassed channels.
6. If the channel will be affected by backwater from culverts, bridges, other structures or floodplains; backwater curves shall be shown in profiles of the channel.
7. *Construction standards.* Ditches and channels shall be constructed to the line, grade and cross section specified on the approved plans and shall be free of gullies or other irregularities. Protective cover in grassed channels shall be installed as soon as practical, to prevent possible erosion. All ditches or channels constructed in fill material shall be lined with appropriately sized coarse aggregate or other approved materials, based on design velocities.

P. Easement requirements.

1. Easements, where required, shall have a minimum width of ten feet on either side of the lot line where pipes outlet between lots.
2. Drainage easements for improved ditches, pipe construction and detention facilities shall be cleared, opened and stabilized at the time of development to control surface water run-off. Easements may not have a cross slope greater than 4:1 (horizontal: vertical).
3. Run-off slope and side slopes are to be specified by the developer's engineer, according to good engineering practice. Drainage easements shall be provided according to the minimum requirements found in the Table 10.4.1.P and shall conform to all applicable county standards.

Table 10.4.1.P: Easements for Storm Drain Pipes and Systems	
Diameter of Pipe	**Minimum Easement Width***

18 inches to 36 inches	20 ft.
42 inches to 72 inches	25 ft.
Over 72 inches	30 ft.
Multiple Pipes	Standard width plus ten feet
Improved Ditches / Natural Watercourses	20 feet + width at top of ditch
** Additional width may be required by the Director of Stormwater Management for deep installations.*	

4. Where a subdivision is traversed by a stream or other state waters, a stream buffer is required in conformity with Section 14.6, Soil Erosion and Sedimentation Control.
5. Where a subdivision is traversed by a drainage way or channel other than state waters there shall be a dedicated access and maintenance easement measuring not less than 20 feet in width or at least ten (10) feet on each side of the top of the bank, whichever is greater.

10.4.2 Bridges and concrete box culverts.

A. The design and construction of bridges and concrete box culverts shall comply with all applicable standards of the GDOT and AASHTO.
B. The review and inspection of bridge and concrete box culvert design and construction are subject to additional fees, as imposed by the Stormwater Management Department. Said fees shall cover the costs of an independent structural review and supplemental inspections, performed on behalf of the county at the discretion of the Director of Stormwater Management, by an independent registered professional engineer.
C. At the completion of bridge and/or concrete box culvert construction, the designer and engineer of record shall provide written certification that the structure was constructed in accordance with the approved plans, all applicable standards of the GDOT and that the bridge or concrete box culvert is complete, structurally sound and safe to accommodate traffic.

10.5 Architectural Design Standards.

10.5.1 Applicability.

A. The architectural design standards established in this section shall apply to all zoning districts where residential, mixed-use, commercial, or industrial development is permitted, as applicable.
B. These standards are intended to ensure high-quality design, long-term durability, and compatibility with surrounding development, particularly where new construction or redevelopment abuts residentially zoned properties.

C. Where any provision of this section conflicts with a standard or requirement expressly stated within a zoning district, overlay district, or adopted design guideline, the stricter standard or requirement shall control, unless otherwise expressly stated.
D. Review of proposed development to ensure compliance with the standards of this section shall occur concurrently with any zoning compliance review conducted during the process of approving a rezoning, variance, special use permit, preliminary plat, land disturbance permit, or building permit; modification of conditions; or other applicable permit or license, as appropriate.
E. These standards apply to new buildings, substantial redevelopment projects, and renovation of existing buildings.

10.5.2 Architectural Design Standards for Single-Family, Detached Residential Houses.

A. Exterior Materials.
    1. Exterior façades shall consist of brick, stone, stucco, cementitious siding, stucco, glass, cementitious shakes, wood shakes, or other materials not listed, on a case-by-case basis, subject to approval by the Director of Planning and Development. A minimum of thirty-five percent (35%) brick or stone shall be required on the front façade
    2. Side and rear façades shall include a minimum of twenty-five percent (25%) brick or stone.
    3. Prohibited materials include:
        a. Sheet metal
        b. Common concrete block
        c. Plywood
        d. Aluminum
        e. Vinyl siding, except for eaves and soffits finishings and window frame casings.
B. Façade Articulation and Massing.
    1. Front façades shall incorporate at least two (2) of the following architectural features:
        a. Shutters (plastic and vinyl materials are prohibited).
        b. Decorative windows or other fenestration, including Palladian, arched, bay, bow, garden, circular, or transom windows.
        c. Decorative doors, which may include paneled doors with or without glazing; sidelights (in pairs only) and transom windows are encouraged.
        d. Roof eave brackets or similar architectural detailing.
        e. Dormers
        f. Garages
    2. Porches.

a. A minimum of one covered porch per unit is required. The required covered porch may be located on any building façade.
b. Porches shall have a minimum depth of four (4) feet.

C. Roof Form.
1. All residential buildings shall have pitched roofs.
2. Rooflines may include varying forms customary to gable or hip roof designs.
3. Dormer windows or vents are encouraged.
4. Permitted roofing materials include asphalt shingles, standing-seam metal, and slate.
5. Solar panels shall be excluded from roof form requirements.

D. Garages.
1. Front-facing garage doors shall not occupy more than twenty-five percent (25%) of the linear width of the front façade.
2. Front-facing garage doors shall be recessed or offset a minimum of five (5) feet from the primary façade plane.

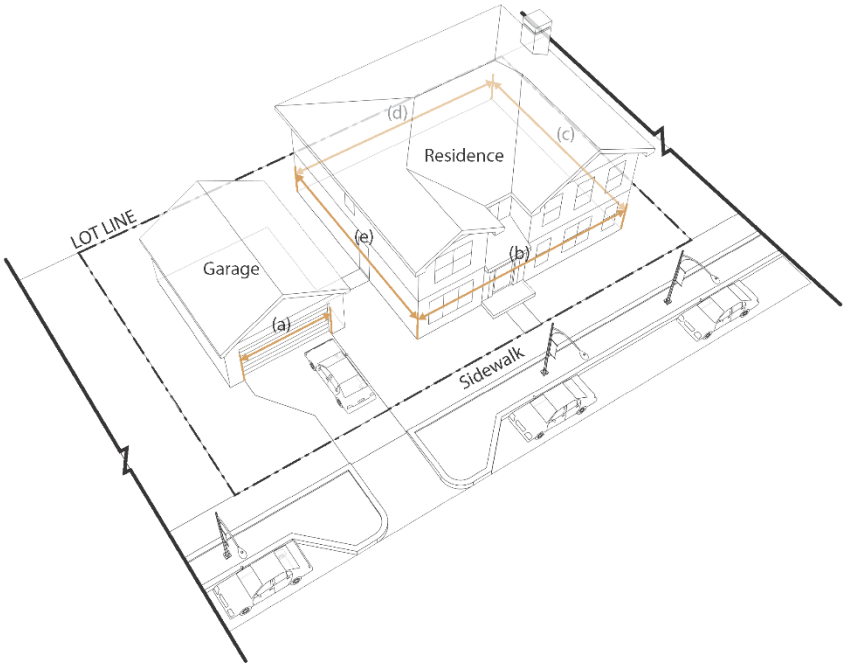


Figure 10.5.2 – Garage Requirements for Attached and Detached Residential Buildings.

E. Mechanical and Utilities.
    1. Ground-mounted or wall-mounted mechanical equipment shall be located on the side or rear of the dwelling and screened from public view in accordance with Article 11.
    2. All roof vents, pipes, antennas, satellite dishes, and similar equipment (excluding chimneys) shall be located on rear roof elevations where practicable. Rooftop equipment shall match the roof color or otherwise be integrated into the roof or house materials to minimize visibility from the public right-of-way.

F. Chimneys.
    1. All chimneys and fireplace enclosures shall extend to the ground and be clad in brick, stone, or stucco.
    2. Chimneys shall extend a minimum of three (3) feet above the roofline.
    3. The chimney's top must be at least 2 feet taller than any part of the building or roof structure (including a dormer, a peak, or an adjacent structure) within a 10-foot horizontal radius.

G. Landscaping. Each residential lot of record shall contain private yards on all four (4) sides. Every part of a required yard shall contain adequate ground cover (i.e. grass, lawn, vegetation) subject to compliance with applicable environmental and soil erosion control regulations and best management practices prior to issuance of a certificate of occupancy.
    1. Developments containing five (5) or more single-family, detached residences shall provide tree variation in the front and/or side yard. Identical or mirrored front and side yard tree species and placement shall not be the same as adjacent lots or directly across the street from one another.
        a. "Variation" shall mean that trees on each home's front and/or side yards must differ from adjacent residential properties and from those directly across the street in at least four (4) ways:
            i. Type or species
            ii. Placement or location
            iii. Number
            iv. Height
            v. Flower/foliage color
            vi. Leaf or branch shape or bark texture
        b. "Directly across the street" shall be determined perpendicularly from any point along a designated residential lot frontage across a private or public right-of-way to another residential lot within the same subdivision phase.

2. Infill development of four (4) or fewer residential units are exempt from the repetitive design requirements above. However, infill residential design shall demonstrate consideration of the residential character of the surrounding area through architectural design elements or features, building materials, and building colors. This does not necessarily require new homes to mimic existing housing stock.

H. Accessory Structures.
   1. Accessory structures shall be architecturally compatible with the primary structure to the greatest extent practicable. Agricultural accessory structures are exempt from this requirement.
   2. All accessory structures shall comply with Section 9.8, Accessory Uses and Structures.

I. Repetitive Design.
   1. Developments containing five (5) or more single-family, detached residences shall provide a minimum of five (5) distinct front elevations or at least ten percent (10%) of the total number of lots within a development phase, whichever is greater. Identical or mirrored front elevations shall not be located on adjacent lots or directly across the street from one another.
      a. "Distinct" shall mean that each home's front elevation must differ from adjacent homes' elevations and from those directly across the street in at least four (4) ways:
         i. Variation of type, placement, or size of windows or other fenestrations
         ii. Variation of type, placement, or size of doors
         iii. Roof form variation (including dormers)
         iv. Changes in building material and/or color
         v. Building articulation, projections, or recesses
         vi. Variation in the placement or location of front porches or stoops
         vii. Variation in the placement or location of garages and garage door designs
      b. "Directly across the street" shall be determined perpendicularly from any point along a designated residential lot frontage across a private or public right-of-way to another residential lot within the same subdivision phase.
   2. Infill development of four (4) or fewer residential units are exempt from the repetitive design requirements above. However, infill residential design shall demonstrate consideration of the residential character of the surrounding area through architectural design elements or features, building materials, and

building colors. This does not necessarily require new homes to mimic existing housing stock.

J. Site and Service Elements.
    1. Driveways shall be a minimum of twenty-five (25) feet in depth measured from the public right-of-way and shall not encroach into sidewalks.
    2. Sidewalks within residential developments shall be a minimum of five (5) feet in width and provided on both sides of public or private streets.
    3. Individual utility systems and metering shall be provided for each unit, and utility easements shall be established where lateral connections occur.

10.5.3 Architectural Design Standards for Single-Family, Attached; Multifamily Residential; and Mixed-Use Buildings.

A. Exterior Materials.
    1. Front façades shall include a minimum of fifty percent (50%) brick or stone.
    2. Side and rear façades shall include a minimum of thirty percent (30%) brick or stone.
    3. Vinyl materials may be utilized only in eaves and soffits and for window casings.
    4. All buildings within a development, including principal buildings and outparcels, shall be designed to be architecturally compatible with one another, including through the coordinated use of exterior materials, colors, roof forms, and architectural detailing.

B. Façade Articulation and Massing.
    1. Buildings shall incorporate architectural features such as offsets, balconies, pilasters, projections, material changes, or similar elements.
    2. The maximum uninterrupted wall length along any street-facing façade shall not exceed one hundred fifty (150) feet.
    3. Façades shall be articulated both vertically and horizontally to reduce apparent mass.
    4. Buildings greater than three (3) stories in height shall incorporate at least one significant color change, material change, or architectural feature on either the lower or upper story. This requirement shall not apply to corner elements, entrance features, or architectural projections designed to emphasize entrances or articulate a distinct building volume.
    5. Single-family, attached residential buildings shall be limited to a maximum of six (6) dwelling units per building.

C. Entrances and Ground-Floor Design.
    1. Primary building entrances shall be clearly defined and visible from the public street.

2. Where a building fronts a major or arterial roadway, the ground floor (sidewalk level) shall be occupied by commercial or office uses. Leasing offices, fitness centers, clubhouses, or other resident-only amenity spaces shall not satisfy this requirement. Uses open and accessible to the general public may satisfy this requirement.

D. Roof Form and Height Articulation.
   1. Rooflines shall be varied to reduce the appearance of mass.
   2. Buildings exceeding three (3) stories in height shall incorporate a significant color change, material change, or architectural feature on either the lower or upper stories.

E. Security and Transparency.
   1. Exterior burglar bars, security grilles, steel roll-down curtains, or similar security devices on windows or doors are prohibited.
   2. All street-facing fenestration shall consist of transparent glazing and shall not include mirrored, reflective, translucent, opaque, or blacked-out glass.

F. Residential Adjacency.
   1. Where a multifamily or mixed-use building abuts or is directly adjacent to a residentially zoned property, façades facing such property shall maintain a residential appearance through compatible materials, massing, roof forms, window proportions, and architectural detailing.

G. Building Performance.
   1. Common walls and common ceilings between dwelling units shall achieve a minimum Sound Transmission Class (STC) rating of 50.

H. Mechanical, Utilities, and Service Areas.
   1. Mechanical and HVAC equipment shall be roof-mounted and screened from public view using parapets or architectural screening.
   2. Exterior utility closets are prohibited.

10.5.4 Architectural Design Standards for Commercial Buildings.

The following provisions shall apply to all commercial, institutional, or professional buildings:

A. Exterior Materials.
   1. On all façades visible from a public right-of-way, the ground-floor portion of the building shall be constructed of brick, natural stone, high-grade stucco, or glass.
   2. Upper stories shall be constructed of brick, high-grade stucco, glass, or a combination thereof.
   3. A minimum of thirty percent (30%) of each street-facing façade shall consist of masonry materials.
   4. Exposed concrete block, metal panels, tilt-up concrete, or tile shall not be permitted as primary exterior façade materials on street-facing façades.

5. Masonry materials shall wrap building corners to avoid the appearance of applied veneer.
6. All buildings within a development, including principal buildings and outparcels, shall be designed to be architecturally compatible with one another, including through the coordinated use of exterior materials, colors, roof forms, and architectural detailing.

B. Façade Articulation and Massing.
   1. Commercial buildings shall incorporate architectural features such as windows, doors, pilasters, offsets, material changes, cornices, or similar elements to provide visual interest and reduce perceived mass.
   2. Blank walls exceeding fifty (50) feet in length along any street-facing façade are prohibited.
   3. Façades shall be articulated both vertically and horizontally through building plane offsets, material changes, fenestration patterns, or architectural detailing.

C. Entrances and Pedestrian Orientation.
   1. Primary building entrances shall face a public street where feasible and shall be clearly identifiable through architectural emphasis, such as canopies, recesses, projections, or material changes.
   2. Buildings located on corner lots shall orient primary entrances toward the corner or the more prominent street frontage where practicable.

D. Fenestration and Transparency.
   1. Exterior burglar bars, security grilles, steel roll-down curtains, or similar security devices on windows or doors are prohibited.
   2. All street-facing fenestration shall consist of transparent glazing and shall not include mirrored, reflective, translucent, opaque, or blacked-out glass.

E. Roof Form and Height Articulation.
   1. Rooflines shall be articulated through parapets, cornices, step-backs, or material changes to avoid flat, uninterrupted roof edges.
   2. Rooftop mechanical equipment shall be screened from public view using parapets or architecturally integrated screening materials.

F. Mechanical, Utilities, and Service Areas.
   1. Mechanical and HVAC equipment shall be roof-mounted and screened from public view using parapets or architectural screening.
   2. Exterior utility closets are prohibited.
   3. Loading docks, service doors, and refuse collection areas shall not be located along primary street frontages unless no reasonable alternative exists.

G. Residential Adjacency and Conversions.

1. Where a residential structure is converted to commercial, institutional, or professional use and is adjacent to single-family residential zoning, all required parking shall be located in the rear yard.
2. Converted structures shall retain a residential architectural appearance, including roof form, façade materials, window proportions, and overall massing.

10.5.5 Architectural Design Standards for Industrial Buildings.

A. Site Access, Circulation, and Development Pattern.
   1. Primary site access shall be located on/off of designated truck routes, highways, or major arterials, not residential streets. Routes shall be prioritized to create the lowest impact on residential uses.
   2. Access driveways between adjoining properties shall be shared to minimize the number of curb cuts. Curb cuts shall be concentrated at side streets or mid-block and ensure that they do not interfere with sidewalks and crosswalks.
   3. Existing street grid shall be maintained, including use of alleys for site ingress and egress, to the greatest extent possible to avoid the creation of new superblocks.
   4. Provide direct paths of travel for pedestrian destinations within development site and to adjoining sites.
   5. Developments shall have the option to implement the required sidewalk installation along each right-of-way or to develop and internal pedestrian circulation network for the purposes of non-motorized leisure and inter-parcel transportation.
   6. For larger developments, buildings and structures shall be clustered to allow for shared circulation and parking, easy access to common outdoor spaces, and to promote pedestrian safety.
   7. All signage (including wayfinding, directory, and wall signs) shall have a unified design theme.
   8. All parking areas, entrances, and pedestrian walkways shall be illuminated to improve safety. However, the site shall not be over-lit to avoid spillover impacts onto adjoining properties. Light sources should be integrated within the buildings or shielded to reflect down onto the ground. The lighting standards of Section 10.15, Outdoor Lighting shall apply.

B. Building Form, Materials, and Entrances.
   1. Buildings shall include a main entrance feature that is differentiated from the remainder of the building façade by a change in building material, pattern, texture, color, or accent material. The entrance feature must also either project or recess from the adjoining building plane.
   2. Façades shall be varied and articulated to avoid large monotonous walls. Where the building mass cannot be broken up, building walls may be

articulated through the use of texture, color, material changes, or other façade treatments.

3. Building materials visible from the public right-of-way shall convey a sense of permanence and meet the following material specifications, as applicable:
    a. Façades using corrugated metal shall provide:
        i. A minimum of an 18-inch brick water table along the length of the façade, and
        ii. Screening at regular intervals with evergreen landscape plantings.
    b. Tilt-up concrete is an acceptable façade material.
4. Building entries shall be oriented toward the predominant public view, usually the street frontage.
5. Highly reflective building materials and finishes that direct heat and glare onto nearby buildings are prohibited.
6. Windows, doors, or similar fenestration design features such as faux windows, shall be distributed horizontally and vertically across the facade and comprise a minimum of 30 percent of the individual façade.
7. High-intensity colors may be used as accent colors only. These colors are limited to ten percent of each façade.
8. All mechanical equipment shall be appropriately screened from view from the public right-of-way. Large vent stacks and similar features visible from the right-of-way are prohibited. Roof top mounted equipment shall be shielded from view by parapet walls at least 12 inches higher than the tallest equipment.
9. Exterior support equipment shall have a functional placement and be located where it can best integrate with the building's architecture. Exposed industrial systems and equipment shall be architecturally integrated where practical.
10. Utility facilities shall be placed underground.

C. Walls, Fences, and Screening.
    1. Walls and fences with expanses greater than 100 feet uninterrupted shall be broken up with landscaping, pilasters, offsets in the alignment of the wall or fence, and/or changes in material, color, or texture.
    2. Fences or walls shall use materials and colors consistent with the architectural character of the main building.
    3. Fences and walls visible and within 300 feet of the public right-of-way or an adjoining residential use shall be constructed of aluminum, steel, iron, pre-cast concrete, stone, or brick.

D. Parking and Loading.
    1. On-site parking, loading, and outdoor storage areas shall be located to the side or rear of buildings. Where located between a building and a public right-of-

way, such areas shall be fully screened from public view by walls, fences, landscaping, or a combination thereof.

2. Truck parking or loading docks shall not be located adjacent to residential uses or be placed along the primary street frontage.
3. Corner locations shall be reserved for buildings, not parking, loading, or outdoor storage.
4. Loading areas and larger business vehicle traffic shall be separated from areas that are used for public parking and public entrances.
5. Outdoor storage, truck parking, and truck maneuvering areas shall be paved or employ mitigation techniques to prevent dust or other airborne particles from leaving the site.

E. Buffers.

1. Buffers shall be in accordance with Article 11: Buffers, Screening, and Fences.

10.6 Minimum Lot Size.

A. Notwithstanding said standards of the UDO, no lot shall have a lesser area than that approved by the Rockdale County Board of Health for safe drinking water and septic tank operation.

10.7 Minimum Space Between Buildings.

A. Notwithstanding said standards of the UDO, the minimum distance between buildings located on the same lot shall be 20 feet.

10.8 Mailbox Support Structures.

A. Mailbox support structures erected within or adjacent to the right-of-way of any public street in unincorporated Rockdale County upon which the permanent posted speed limit exceeds 35 miles per hour shall consist of a single wooden post not exceeding four inches by four inches in size or a single metal pole not exceeding two (2) inches in diameter.

10.9 Property Numbering.

A. The intent of this section is to establish a uniform system of property numbering for the county, to provide the method for instituting such a system, and for the enforcement thereof.

B. A uniform system of numbering properties, as shown on the official county zoning maps, shall be on file in the office of planning and zoning.

C. All legal lots of record within the county may be identified by reference to the property numbering system in this section.

D. Any new structure built in the county shall conform to the provisions of this section before occupancy.

E. The assignment of numbers shall be as follows:
    1. A separate number shall be allowed for each 20-foot interval along a road or street (except where dictated otherwise by street alignment) within each land lot (except in the 4th District). The grid in the 4th District shall be an extension of the grids in the 16th District.
    2. Lots located on one side of a public street shall be assigned only odd numbers, and the lots located on the opposing side of the street shall be assigned only even numbers. This odd/even numbering pattern shall be maintained in a consistent manner along the full extent of each street and new streets shall be consistent with the pattern set by existing streets.
    3. For any structure that is occupied by more than one business or dwelling unit, each business or dwelling unit shall be assigned a separate number according to the location of each unit's primary vehicle access.
F. The owner of any improved parcel of land in the county shall cause the official assigned street numbers required by this section for such parcel to be posted in a conspicuous place in front of the principal entrance for each primary structure located thereon. Such number shall be affixed or painted on or adjacent to the front entrance or may be affixed or painted on the mailbox for that entrance provided that such mailbox is clearly associated with the entrance to which it refers; and such street number shall be painted on the street curb at the closest point of such curb to the relevant entrance. This requirement shall not be applicable if no street curb exists.
G. Numerals used for property numbering purposes shall be made of a durable material or shall be painted of a durable and weather-resistant paint and shall contrast in color with the background upon which they are placed or painted. Such numbers shall be posted or painted in numerals of no less than four inches in height with a minimum stoke width of 0.5 inch. All numerals required by this section shall be maintained in good condition at all times. All numerals shall be kept free of obstructions at all times so that they are clearly visible from the street right-of-way.
H. Neighborhoods, subdivisions, or residential properties utilizing a cluster mailbox or utilizing a post office box and not having individual mailboxes to use as address identification shall post individual address identification signage as follows:
    1. Address signage shall be no more than ten feet from the driveway and no more than 25 feet from the road.
    2. For multiple residential properties that share a common single private drive, each owner shall display address numbers at the vehicular access point to the private drive and at the vehicular access point to each individual structure.
I. The department shall issue to any property owner in the county upon request the number assigned to that property in accordance with the provisions of this section. The department shall assign additional numbers in the same manner whenever a property is subdivided or a new front entrance is opened.

J. The department shall be responsible for recording and maintaining the numbering system on the zoning maps. In the performance of this responsibility, the department shall assign numbers guided by the provisions of this section.

10.10 Community Mailboxes.

A. Installation of the mailbox unit(s), as well as any associated shelters, lighting, parking, and other related amenities shall be the responsibility of the developer.
B. Maintenance of the mailbox unit(s), as well as any associated shelters, lighting, parking, and other related amenities shall be the responsibility of the homeowners. The establishment of a homeowners' association is strongly encouraged in developments where individual mail delivery will be unavailable.
C. Cluster mailbox units shall be prohibited within the public right-of-way.
D. Cluster mailbox units, and any associated structures, shall not adversely impact sight distance to any driveway or road intersection, as determined by the Rockdale County Department of Transportation. Whenever feasible, the mailbox unit should be located within an amenity center, if one is proposed for the development.
E. Cluster mailbox unit(s) shall be located in area(s) that will best allow for vehicle stacking or parking without creating pedestrian safety or vehicle safety issues, as determined by the Rockdale County Department of Transportation.
F. A paved area with adequate ingress/egress, designed to meet the requirements of the Rockdale County Department of Transportation, shall be provided to allow vehicles to pull off the county roadway safely while retrieving mail.
G. All access to cluster mailbox unit(s) shall comply with current Americans with Disabilities Act and the Georgia Accessibility Code. Any sidewalks required by other provisions of this ordinance shall be incorporated into the mailbox area(s).
H. The mailbox unit(s) must be installed according to the manufacturer's standards.
I. The mailbox unit(s) and shelter, if any, shall be exempt from the normal setback requirements; however, shelters or other structures must be submitted to the building official for review and must meet all applicable building codes.
J. Any required cluster mailbox station and related improvements shall be installed and approved prior to the recording of the final plat.

10.11 Street Lighting.

10.11.1 Authority and responsibility.

A. The Board of Commissioners hereby declares that the cost and service for creation of street light districts or street lighting hereafter created shall be a service and not a tax, as authorized by Georgia Constitution Article IX, Section IV, Paragraph II.
B. The Board of Commissioners may contract with public utilities for the purpose of carrying out the terms of this article.

10.11.2 Applicability.

A. The owner, developer, or other person developing a subdivision shall be required to provide streetlights that conform to all of the standards provided for in this article and, in addition thereto, shall be required to obtain approval of the street light layout from the Transportation Department prior to the construction of any street light facilities. Approval or final acceptance of the subdivision requires compliance with this article.

B. The owner, developer or other person developing a shopping center, industrial park, office park, apartment complex or like master-planned development within a designated street light district shall provide street lights along public rights-of-way adjoining that property that conform to all standards provided for in this article; and the owner or developer shall obtain approval of the street light layout from the Transportation Department prior to commencing any construction of any street light facilities.

C. The Transportation Department shall not recommend the acceptance of any public streets or roads proposed to be dedicated to the county for perpetual ownership and maintenance until such time as the streetlights conform to the approved street light layout.

10.11.3 Procedures.

A. Streetlights. Streetlights shall be required to be provided by the developers of all new subdivisions or other developments utilizing new streets or roads to be dedicated to the county or existing county roads or any combination, unless waived by the Board of Commissioners. Unless so waived, the developer, at the time of submitting the final plat to the Transportation Department shall:

    1. Submit a final street light layout prepared by the utility company, which will provide the lighting service showing exact location of street lights within the development or subdivision. For residential and non-residential subdivisions, this drawing must be approved by the department prior to obtaining any building permit within the subdivision. Fixtures and standards/poles installed or used shall be approved by the utility company, which will be responsible for the maintenance of the facilities, and by the Department of Transportation. The fixtures shall be mounted a minimum of 25 feet above ground, and each fixture shall have appropriate arm length to illuminate the street. The Department of Transportation may require, in addition to other requirements, a light to be located at any or all street intersections within the subdivision or other development.
    2. Pay all costs for standards/poles, fixtures and any other related items or materials necessary for the installation.

3. Submit proof of payment for complete installation to the Rockdale County Department of Transportation.
4. Submit a copy of an executed agreement with the utility company for complete maintenance of all installations.

B. Underground cable for electric service. In developments utilizing underground cable for electrical service, the developers shall be required to accomplish the same items listed in the subsection above.

10.11.4 Creation of district.

A. Petition by lot owners.
1. Any lot owner in any unincorporated area of the county may present a request for the creation of a street light district to the Transportation Department. Upon receipt of the request, the Department of Transportation shall determine the appropriate boundaries for a street lighting district that will serve the lot owner presenting the request and neighboring lot owners. The Department of Transportation shall then prepare a plat showing this proposed street lighting district, and a petition for the creation of the proposed street lighting district then shall be circulated among the lot owners in the proposed district. That petition shall provide space for the lot owners in the proposed district to sign, showing whether it is their preference that the proposed district be created. Once a petition has been returned to the Department of Transportation, there shall be no changes in the preferences recorded thereon, and the petition shall clearly state the same. If more than 50 percent of the lot owners in the proposed district sign the petition approving the creation of the street lighting district, notices shall be posted in the proposed district stating that:
    a. "Notice: Rockdale County has received a petition for street lights. A public hearing is not required unless requested in writing by (date). For information call (telephone number)."
2. If such hearing is requested, the person requesting that hearing shall be notified of the date and time of the hearing, and a legal advertisement announcing the public hearing shall be published once in the official legal organ of the county. At any such hearing, the Board of Commissioners shall determine whether to create the proposed street lighting district. Safety and economic factors shall be the prime consideration in making such determination. If there is no request for a hearing or if 100 percent of the lot owners have signed the petition, the street lighting district shall be created, upon approval of the Board of Commissioners. The Department of Transportation will take no action on petitions with less than a majority of the lot owners' approval.
3. The petition for creation of the proposed street lighting district must be returned to the Department of Transportation within 90 days after it is

obtained from said department, however, the Director of Transportation may, in his discretion, for good cause shown, extend the time for the return of the petition an additional 30 days, for a total of 120 days, when a request for such extension is made to the Director of Planning and Development before the expiration of the original 90 days.

B. Special conditions. In areas where special conditions as to safety, security, land topography, economic and other factors may be involved; the Board of Commissioners may create special street lighting districts and provide for special street lighting under such terms and conditions as may be determined by the Board of Commissioners, any other provisions of this article to the contrary notwithstanding; provided, however, that in such instances, a public hearing shall be held by the Board of Commissioners after advertisement in the official organ of the County, in compliance with Article 18.

10.11.5 Costs and assessments.

A. The cost of providing and maintaining street light service in existing street light districts and in street light districts hereafter created shall be borne by the lots and lot residents within the street light districts who are billed for utility services provided to the lots by utility providers who, by agreement with the county, will bill for street light service, whether or not the lot is located within the boundaries of a particular subdivision, so long as the lot is located within the boundaries of a street light district.

B. The charge, therefore, shall be determined by the Department of Transportation and approved by the Board of Commissioners and shall be posted and open for public inspection in the offices of the Department of Transportation and the clerk of the Board of Commissioners. The initial charge for each proposed street lighting district created by petition also shall be included on the petitions circulated through the proposed district. In the event of excessive vandalism to street lights within a district that results in the county being billed for repairs, the county may prorate those repair bills and add a pro rata share of those bills to the charge.

    1. In those districts in existence as of the date of adoption of this UDO or that may hereafter be created in which there is construction cost, the same shall be retired as per agreement or contract with the public utility or other person to whom the indebtedness is owed and shall be accordingly per lot.

C. Payment date. The due date for the payment of the services and sums provided in this article shall be the same date of each month as the utilities are due to the utility provider that bills for lighting service on behalf of the county, and subject to the same penalties for late payment and for failure to pay. Any utility service provided by the utility provider may be discontinued for late payment or non-payment.

D. Responsibility for collection of money. The billing, accounting, collecting and receiving of the money provided for in this article shall be performed by Rockdale

County Department of Transportation, which will, by agreement with the county, perform those functions on behalf of the county.

10.11.6 Standards of installation and operation.

A. In order to ensure adequate illumination of public rights-of-way and promote safety and security, the American National Standard Practice for Roadway Lighting of the Illuminating Engineering Society, ANSI, as from time to time amended, is hereby adopted as the standard for the installation and operation of lighting in the unincorporated areas of the county, with the following exceptions:

1. Except for principal arterials, lighting fixtures installed within the public rights-of-way to be operated for the purpose of street illumination shall comply with these standards.

2. The minimum average horizontal footcandle illumination level by roadway classification shall be as shown in Table 10.11.6, below.

Table 10.11.6: Minimum Average Street Illumination Levels			
Roadway Classification	Commercial Area	Intermediate Area	Residential Area
Minor Arterial	1.2	0.9	0.6
Collector Street	0.8	0.6	0.4
Local Street	0.6	0.5	0.3
*Note: Illumination of Principal Arterials shall be determined by GDOT.			

3. The uniformity of illumination shall be such that the point of lowest illumination shall have at least one-third of the average horizontal footcandle required illumination level, except that on local or residential streets it may be no less than one-sixth of this average.
4. Any party requesting permission to install or operate lighting fixtures within public rights-of-way shall furnish plans and specifications to the Director of Transportation for approval showing how the proposed lighting meets the standard, and no lighting shall be installed or operated without this approval.
5. Should the Director of Transportation disapprove the request to install or operate lighting fixtures within any public right-of-way, he shall communicate the disapproval in writing to the party requesting approval. The written communication shall include the specific reasons for disapproval.
6. Any disapproval of a light or lighting system by the Director of Transportation may be appealed, pursuant to Article 18.
7. Roadway or street lighting luminaries or fixtures installed within the public rights-of-way as security lights or for the purpose of lighting areas other than the public streets shall be mounted on the side of the pole opposite from the

street, and shall be oriented in such a manner to ensure that the lateral light distribution pattern is parallel to the street and the vertical light distribution, at the initial light source, is perpendicular to the street, so as to protect the users of the street from objectionable glare. The approval of the Department of Transportation shall be obtained before installation of these lights.

8. Other lighting fixtures to be installed within or outside of public rights-of-way, for whatever purpose, shall be installed and operated in such a manner to prevent glare from being a hazard to or interfering with the normal use of the public rights-of-way.

10.12 Outdoor Lighting.

10.12.1 Purpose and intent.

A. Purpose and Intent. The purpose and intent of this Section is to provide a regulatory strategy for outdoor lighting that will permit reasonable uses of outdoor lighting for nighttime safety, utility, security, productivity, enjoyment and commerce; curtail and reverse the degradation of the nighttime visual environment and the night sky; preserve the dark night sky for astronomy; minimize glare, obtrusive light and artificial sky glow by limiting outdoor lighting that is misdirected, excessive or unnecessary; conserve energy and resources to the greatest extent possible; and help to protect the natural environment from the damaging effects of night lighting from human-made sources.

10.12.2 Applicability, exemptions, and prohibited lighting.

A. All outdoor illuminating devices must be installed in conformance with the provisions of the UDO, the building code, and the electrical code, as applicable and under appropriate permit and inspection. This section shall apply to the installation of new outdoor lighting fixtures or the replacement of existing outdoor lighting fixtures. Replacement of a fixture shall mean a change of fixture type or change to the mounting height or location of the fixture. Routine lighting maintenance, such as changing lamps or light bulbs, ballast, starter, photo control, housing and other similar components shall not constitute replacement and shall be permitted provided such changes does not result in a higher lumen output.

B. For all land uses, developments and buildings that require a permit, all outdoor lighting fixtures shall meet the requirements of this Code. All building additions of 25% or more in terms of additional dwelling units, gross floor area, or parking spaces, either with a single addition or with cumulative additions subsequent to the effective date of this Section, will invoke the requirements of this Section for the entire property, including previously installed and any new outdoor lighting.

C. Cumulative modification or replacement of outdoor lighting constituting 60% or more of the permitted lumens for the parcel, no matter the actual amount of lighting already

on a non-conforming site, will constitute a major addition for purposes of this Section.

D. Minor Additions.
    1. Additions of less than 25% of additional dwelling units, gross floor area, or parking spaces that require a permit, and that include changes to existing lighting require the submission of a complete inventory and site plan detailing all existing and any proposed new outdoor lighting. Any new lighting on the site must meet the requirements of this Section with regard to shielding and lamp type.

E. Exempt Lighting. The following shall be exempt from the provisions of this section:
    1. All emergency lighting needed by police or fire departments or other emergency services.
    2. Temporary lighting required for emergency or nighttime road construction repair by an emergency response agency.
    3. All hazard warning luminaires required by federal regulatory agencies.
    4. All vehicular luminaires.
    5. All outdoor light fixtures producing light directly by the combustion of natural gas or other fossil fuels.
    6. Signs.
    7. Street lights and traffic control lighting within public rights-of-way
    8. Aesthetic lighting limited to interior roadway lighting with a maximum height of two (2) feet within a development, not intended to take the place of required street lighting, or lighting to be utilized within open space used to feature decorative plantings, sidewalks, walkways, or ornamental objects, such as fountains or similar features. Aesthetic lighting, although exempt from an iso footcandle plan, shall be identified on all design plans as to type of light and location to ensure appropriate use of aesthetic lighting in accordance with this Section.
    9. Security lighting controlled and activated by a motion sensor device;
    10. Seasonal decorations;

F. Prohibited Lighting. The following lighting systems are prohibited:
    1. Aerial lasers.
    2. Searchlight style lights, however, temporary searchlights may be turned on for 8 hours within a 24-hour period and for no more than 3 consecutive days, once each calendar year.
    3. Other very intense lighting, defined as having a light source exceeding 200,000 lumens or intensity in any direction of 2 million candelas or more.
    4. Sodium and Mercury vapor lamps.
    5. Any Light strips used as decoration on the exterior of commercial establishments.

6. The use of neon, LED ribbon, LCD and all other similar bulbs, strips, and rope lighting used for exterior lighting, or to outline any architectural element of a structure such as, but shall not be limited to, doors, roof lines, and windows.
7. The use of glass tubes filled with argon, krypton, neon or other gas, and used for exterior lighting, or to outline any architectural element of a structure such as, but shall not be limited to, doors, roof lines and windows;

10.12.3 Outdoor lighting standards.

A. Cutoff fixtures. All luminaires not exempted from this section, hereafter installed for outdoor lighting, shall be full cutoff luminaires or another luminaire which does not emit any direct light above a horizontal plane. Light fixtures shall be designed, installed, located and maintained in such a manner that the cone of light is not directed at any property line or the public right-of-way in order to prevent the spillover effect of light.
B. Type of lighting. Outdoor lighting shall be limited to the following: incandescent, metal halide, compact fluorescent lamp (CFL), or light emitting diode (LED).
C. No lighting plan shall be approved which will result in direct light that exceeds the requirements or is otherwise inconsistent with this section.
D. All exterior lighting shall be designed, installed, located, and maintained such that light trespass onto abutting properties and the public right-of-way is prevented, and any light generated on that property is kept within the boundaries of that property.
E. In no case shall any lighting impair the vision of motorists on adjacent public rights-of-way.
F. All exterior lighting shall be architecturally consistent and compatible with the building style, material, and colors.
G. Fixture mounting height shall be appropriate for the project and setting. The overall height of all lighting within parking lots shall not exceed 30 feet in height from finished grade to the top of the light fixture. Lower mounting heights are encouraged where sites are located adjacent to residential areas or other sensitive land uses.
H. All exterior lighting fixtures shall be located a minimum of ten (10) feet from a property line.
I. Intensity specifications. Illuminance levels for outdoor lighting fixtures shall comply with the standards in Table 10.12.3. A and B, measured at three (3) feet above the ground or finished grade.

Table 10.12.3.A: Illuminance Levels at Property Lines

At Property Lines Including Rights-Of-Way	**Minimum Footcandles**	**Maximum Footcandles**
At property line abutting a residential use	0	0.5
At property line abutting an office or institutional use	0	1.0

At property line abutting an agricultural, commercial, or industrial use	0	1.5

Table 10.12.3.B: Illuminance Levels in Parking Lots			
Off-Street Parking Lots	**Minimum Footcandles**	**Average Footcandles**	**Maximum Footcandles**
Residential uses	0.5	2.0—3.0	4
Institutional and agricultural uses	1.0	3.0—4.0	6
Commercial uses	2.0	6.0—7.0	12
Industrial uses	1.0	4.0—5.0	8

10.12.4 Additional requirements by type.

A. Gasoline/Fuel Station/Travel Center Canopies and Parking Garages.
    1. All luminaries mounted on or recessed into the lower surface of fuel station canopies or parking structures shall be fully shielded and utilize flat lenses.
    2. The total light output of luminaries mounted on the lower surface, or recessed into the lower surface of the canopy, and any lighting within signage or illuminated panels over the pumps, shall not exceed 50 footcandles. The total light output of other illuminated areas of a fuel station shall not exceed 15 footcandles.
    3. Lights shall not be mounted on the top or sides of a canopy, and the sides of the canopy shall not be illuminated.
    4. Illuminance levels for the interior of parking structures, where interior lighting is visible from outside the structure, shall conform to Illuminating Engineering Society of North America (IESNA) recommended standards.

B. Security Lighting.
    1. Security lighting shall be directed towards the targeted area and shall not be on poles taller than 20 feet.
    2. Security lighting shall be maintained in such a manner as to prevent glare and lighting into properties of others or into a public right-of-way, and the system also shall be designed and maintained so that lights are not activated by activity off of the subject property.

10.12.5 Plans required.

A. Applicants for any permit for any single-family detached or attached use proposing outdoor lighting fixtures shall submit evidence that the proposed work will comply with the outdoor lighting regulations of this section.
    1. The submission shall include a description, count, and location of all proposed outdoor illuminating devices, fixtures, lamps, supports, reflectors. The

description may include, but is not limited to, catalog cuts, and illustrations by manufacturers.

B. Applicants for any permit for any non-single-family use proposing outdoor lighting fixtures shall submit evidence that the proposed work will comply with the outdoor lighting regulations of this section in accordance with the following:
    1. Plans indicating the location on the premises of each outdoor illuminating device, both proposed and any already existing on the site.
    2. Description of all proposed illuminating devices, fixtures, lamps, supports, reflectors. The description shall include, but is not limited to, catalog cuts, and illustrations by manufacturers.
    3. Photometric data, such as that furnished by manufacturers or similar, showing the angle of cut-off of light emissions.
    4. Photometric plans shall include the maximum and average light layout.
    5. Any other additional information as required by the Planning & Development Director (or his/her designee) in order to ensure compliance with the provisions in this section.

10.13 One Principal Use Per Lot

A. Only one principal use shall be authorized on each lot except where otherwise specifically authorized within a mixed-use zoning district.

Article 11: Buffers, Screening, and Fences

11.1 Minimum Screening Requirements and Transitional Buffers.

A. Applicability. Transitional buffers shall be provided in the accordance with the standards for this Section. In the case of conflict between the transitional buffer standards of this Section and those contained in Article 9 (Supplemental Use Standards), buffer standards of Article 9 shall apply.

B. Minimum required transitional buffer. A minimum required transitional buffer shall consist of a natural transitional buffer utilizing existing vegetation that provides a minimum opaque visual screening height of at least six (6) feet or any combination of existing and newly planted vegetation which can be reasonably expected to create an opaque visual screen of at least six (6) feet in height within two growing seasons.
    1. Natural transitional buffer. Natural transitional buffers may contain deciduous or perennial vegetation but shall contain evergreen shrubs and trees suitable to local growing conditions that will provide an opaque visual screen during all seasons of the year.
    2. Supplemented transitional buffer. Supplemented transitional buffers shall meet the following criteria:

a. Supplemented transitional buffers shall be vegetated throughout the minimum area required for the buffer, around any fences or walls, and upon any earthen berms, which may include grass, ground cover plants, shrubs, and trees.
b. All earthen berms shall have a maximum side slope of three horizontal to one vertical (3:1) and shall be a minimum of three feet in height and two feet in width at the crown.

3. Transitional buffers required alongside property lines shall extend to a street right-of-way line unless otherwise required to observe the sight distance requirements in Section 13.1, Streets and Sidewalks, or as authorized by a condition of approval.

11.2 Supplemental Plantings in Transitional Buffers.

A. Supplemental plantings and re-plantings shall comply with the following:
   1. Plantings shall consist of evergreen trees, shrubs, or combination thereof, native or adaptable to the region.
   2. All trees planted shall be a minimum of six (6) feet in height at the time of planting and shall be a species which will achieve a height of at least 20 feet at maturity.
   3. All shrubs planted shall be a large growing species, shall be a minimum of three (3) feet in height at time of planting and shall be a species which will achieve a height of at least ten (10) feet at maturity.
B. All supplemental plantings shall be installed to allow for proper plant growth and maintenance, in compliance with Article 12, Landscaping and Trees.

11.3 Non-vegetative Screening.

A. Non-vegetative materials utilized to satisfy the screening requirements of this section, in addition to the use of existing vegetation and/or supplemental plantings may consist of walls, fences, earthen berms, or a combination thereof.
B. If walls or fences are to be utilized, their placement and installation shall be such so as to cause minimal disturbance of existing vegetation.

11.4 Disturbance or Encroachments.

A. No development activity or storage (permanent or temporary) shall occur within required buffer areas except for permitted pedestrian paths, sidewalks, driveways, signs, and utilities.
B. Ditches, swales, stormwater conveyance facilities, stormwater detention ponds, sanitary sewer conveyance facilities, and any associated easements, shall not encroach into a transitional buffer unless otherwise approved by the Director of Stormwater Management. Access and utility crossings (e.g. stormwater or sanitary

sewer pipes) may encroach into the transitional buffer if placed as near to perpendicular as practical.

C. Supplemental plantings or re-plantings of vegetation or authorized non-vegetative screening devices shall be implemented to result in minimal disturbance to any existing vegetation.

D. Diseased, hazardous, dying or dead trees may be removed from a buffer provided minimal disturbance occurs. Vegetation removed from a transitional buffer shall be replaced where necessary to meet the screening requirements of this section.

11.5 Protection During Land Disturbing Activities.

A. During authorized land disturbing activities, buffers shall be clearly demarcated and protected prior to commencement of, and during, construction.
B. The method of demarcation and protection utilized shall be in accordance with tree protection fencing as described in Article 12, Landscaping and Trees.

11.6 Location and Width of Transitional Buffers.

11.6.1 General requirements.

Transitional buffers shall be required between dissimilar districts or uses in accordance with the provisions of this section.

A. Transitional buffers shall be required along any side and rear property line.
B. All transitional buffer areas and screening shall be established in accordance with the following requirements:
    1. Transitional buffers shall meet the minimum width requirements for dissimilar districts as shown in the "Table 11.6.2 of Minimum Transitional Buffer Requirements" unless otherwise authorized.
    2. In situations where the required transitional buffer width is partially or completely contained within an existing easement, the screening requirements of this UDO shall be met outside of the easement area.
    3. Single-family, detached dwelling units on individual lots shall be exempt from transitional buffer requirements.
C. Transitional buffer widths may be reduced by 50 percent or ten (10) feet (whichever is less) by the addition of a solid fence or wall at least six feet in height.
D. Structures including driveways, parking facilities, or retaining walls shall be located a minimum of five (5) feet from any buffer.
E. It shall be the responsibility of the applicant to designate all transitional buffers on the site construction plan/preliminary plat and final plat.
    1. The final plat shall contain the following note, "Property owner shall be responsible for maintaining the vegetation and non-vegetative screening materials within transitional buffers and outdoor screening required in

conformity with the UDO and all conditions of rezoning approval applicable to this property."

2. The transitional buffer shall be guaranteed for the life of the development. Necessary maintenance and upkeep shall be performed by the property owner to maintain the health and aesthetics of required vegetation.

F. Determination of Transitional Buffer Requirement

1. Determine the zoning district for the subject property or property to contain the proposed use under the column entitled “Zoning District of Proposed Use.”
2. Determine the zoning district for the adjacent property.
3. Navigate across the corresponding row and down the corresponding column to the intersecting cell for the minimum transitional buffer requirement.

11.6.2 Minimum Transitional Buffer Requirements.

	Adjacent Zoning District												
Zoning District of Proposed Use	W-P	A-R	PV	CRS	R-1	MR	MXD	CC	OI	C-1	C-2	M-1	M-2
WP	-	-	-	-	-	-	-	-	-	-	-	-	-
AR	-	-	-	-	-	-	-	-	-	-	-	-	-
PV	-	-	-	-	-	-	-	-	-	-	-	-	-
CRS	20	20	20	-	-	-	-	-	-	-	-	-	-
R-1	20	20	20	20	-	-	-	-	-	-	-	-	-
MR	75	75	75	50	50	-	-	-	-	-	-	-	-
MXD	75	75	75	50	50	20	-	-	-	-	-	-	-
CC	75	75	75	50	35	25	20	-	-	-	-	-	-
OI	75	75	75	75	50	35	20	15	-	-	-	-	-
C-1	75	75	75	75	50	25	20	15	-	-	-	-	-
C-2	100	75	75	75	75	50	25	25	25	25	-	-	-
M-1	100	75	75	75	75	75	50	75	75	75	25	-	-
M-2	100	100	100	100	100	100	100	100	100	100	100	50	-

11.7 Outdoor Screening.

A. Outdoor storage of materials and outdoor servicing activities shall be enclosed by a wall or fence of solid appearance, visually opaque continuous evergreen hedge, or a combination thereof not less than six feet high when adjacent to a residential or mixed-use district (A-R, R-1, MR, PV, CRS, , CC, or MXD).

B. In any district where reference is made requiring adequate screening of a specified operation, such screening shall be a wall or fence of solid appearance, visually

opaque continuous evergreen hedge, or a combination thereof not less than six (6) feet in height.

11.8 Fences, Walls, and Hedges.

11.8.1 General provisions.

A. Solid, opaque fences shall be strictly prohibited along any street right-of-way.
B. No opaque fence or landscape wall shall extend over 20 linear feet in length without a visual articulation, such as vegetative planting, a column, setback, or other approved ornamental feature.
    0. Ornamental features such as columns and gates shall be allowed to exceed the maximum height of a fence or wall by no more than 18 inches.
    1. Ornamental features shall be distanced by a minimum of ten linear feet.
C. All fences and walls shall be constructed with the finished side facing adjoining properties.
D. Maximum fence heights may be exceeded when the appearance of an even fence line is desired due to the slope of a property.
E. Fences are prohibited within public rights-of-way or future street rights-of-way, unless required as part of a transitional buffer, or otherwise required by this UDO.
F. Prohibited materials of construction in all zoning districts shall include tires, scrap and sheet metal, plastic and fiberglass, medium density fiberboard and plywood, exposed common concrete block, junk, or other discarded materials.
G. Plastic slats shall be strictly prohibited.
H. Chain link or other wire fences are prohibited along street frontages in any residential or mixed-use districts (A-R, R-1, RM, PV, , CRS, CC, or MXD).
I. Permitted materials:
    0. Ornamental metal: to include wrought iron, steel and aluminum.
    1. Treated solid wood: to include painted, varnished, pressure-treated and composite.
    2. Vinyl boards.
    3. Masonry: to include brick, architectural concrete block and stone.

J. Permitting required.
    0. A building permit shall be required prior to the construction, installation, or modification of any wall over four feet in height.
    1. Walls shall be inspected by the Chief Building Official.

11.8.2 Height and setback requirements.

Table 11.8.2: Fence and Wall Height Maximums and Setback Minimums		
	Height Maximums	Setback Minimums*

	Front Yard	Other Yards	ROW or Property Line	Side or Rear Property Line
Residential	4 ft.	6 ft.	3 ft.	0 ft.
Commercial or Mixed-Use	4 ft.	6 ft.	3 ft.	0 ft.
Industrial	4 ft.	8 ft.	3 ft.	0 ft.
* Setbacks for fences, walls, and hedges on corner lots shall meet additional Rockdale Department of Transportation requirements for sight clearance.				

11.8.3 Walls.

A. Height and location.
    1. Except as provided herein, no one wall shall exceed eight (8) feet in height.
    2. Walls are prohibited within public rights-of-way or future street rights-of-way, except for subdivision entrance walls, noise abatement walls, or walls required as transitional buffers.
    3. Walls located adjacent to a public road and within a required yard shall not exceed four (4) feet in height and shall not obstruct required sight distance for motorists.
    4. Wing walls shall not exceed the height of the foundation wall to which they are attached or eight (8) feet, whichever results in a lower height restriction.
    5. Walls shall not encroach into existing or proposed drainage easements, drainage courses, or floodplains in a manner that impedes the natural flow of stormwater.
    6. Walls shall be located to allow safe access for future maintenance of drainage facilities and to avoid compromising wall stability.

B. Engineered retaining walls.
    1. When proposed grading results in slopes steeper than 2:1 (horizontal to vertical), a retaining wall designed by a registered professional engineer shall be required.
    2. Retaining walls shall be constructed of reinforced concrete, masonry, or other materials approved through an engineered design meeting applicable building codes and U.S. Occupational Safety and Health Administration (OSHA) requirements.
    3. Pre-engineered wall systems may be used where the manufacturer has received pre-qualification approval from the Building Official.
    4. Stepped or Terraced Walls:
        a. Where site conditions necessitate additional grade separation, retaining walls may be constructed in a stepped or terraced configuration. The combined height of stepped or terraced retaining walls may exceed

eight (8) feet, provided that no single retaining wall exceeds eight (8) feet.

b. When stepped or terraced, the face of each upper retaining wall shall be separated from the face of the nearest lower retaining wall by a minimum horizontal distance equal to the height of the upper retaining wall. The height of the upper retaining wall should be measured from the ground level following completion of all grading.

c. Each stepped wall shall be structurally independent and shall not be tied, connected, or engineered as a single structural system with any adjacent wall.

C. Design requirements.

1. All wall designs must demonstrate complete dimensions for line and grade. Wall design will consider foundation drainage and select backfill material for the proposed conditions.

D. Retaining walls for stormwater facilities.

1. Retaining walls serving stormwater detention or retention functions shall be designed to withstand full hydrostatic loading from the top of footing to the top of wall.
2. Designs shall include:
    a. A minimum one (1) foot freeboard; and
    b. An emergency overflow capable of safely conveying the 100-year storm event.
3. Routing calculations shall not rely on the emergency overflow to meet detention requirements.
4. The overflow device shall be located above the projected 100-year water surface elevation.

E. Utility coordination.

1. Any construction within or affecting a water or sanitary sewer easement or right-of-way shall receive prior approval from the applicable utility provider.

Article 12: Landscaping and Trees

12.1 General Requirements.

12.1.1 Purpose and intent.

A. Purpose and intent. It is the intent of this article to provide standards for landscaping and for the preservation and replacement of trees as part of the land development and building construction process in unincorporated areas of the county. The requirements herein are designed:

1. To protect the health, safety and general welfare of the citizens of the county, and to implement the policies and objectives of the comprehensive plan through the enactment of a comprehensive ordinance governing tree preservation and replacement in the county.
2. To require landscaping and the preservation and replacement of trees in certain areas within the county in order to ensure the continued health of its citizens through improved air and water quality.
3. To provide developers and others active in the county with the appropriate guidance to better ensure proper tree preservation and replacement in the course of the land development process in the county.
4. To preserve property values in the county by maintaining a safe, aesthetically pleasing environment.
5. To reduce flooding of county rivers and streams by planting trees and other vegetation so as to aid in slowing the rate of stormwater runoff.
6. To reduce soil erosion in the county by planting trees and other vegetation so as to aid in prevention of soil loss through stormwater runoff and flooding and to promote stormwater infiltration.
7. To reduce noise and glare on adjacent properties from properties that has been extensively developed.
8. To conserve energy by cooling surrounding air temperatures through the existence of adequate shade trees.
9. To provide improved atmospheric quality by reducing airborne particulates and carbon monoxide and by increasing oxygen through adequate tree cover.
10. To promote the saving of trees in nodes throughout a development, rather than as individual trees scattered over a development or around the periphery of a development.
11. To prevent clear-cutting and mass grading of land that results in the loss of mature trees, and to ensure appropriate replanting when tree loss does occur.

12.1.2 Administration and responsibility.

A. The Director of Stormwater Management or their designee shall be responsible for the administration and enforcement of the tree protection provisions of this article, and for making professional judgments regarding any arboricultural principles or practices related to the implementation of the tree protection provisions of this Code.
B. The Director of the Department of Planning and Development or their designee shall be responsible for the administration and enforcement of the buffers and landscaping provisions of this article, and for making professional judgments regarding any arboricultural principles or practices related to the buffers and landscaping provisions of this Code.

12.1.3 Exemptions.

The following activities are specifically exempted from this article:

A. The construction of single-family detached and duplex dwellings in subdivisions of no more than four lots.
B. Any addition, alteration, improvement or remodeling of an existing residence or the construction of structures accessory to an existing residence.
C. Tree removal by individual single-family detached and duplex homeowners;
D. Agricultural activities, as defined by O.C.G.A. §1-3-3.
E. Removing trees from nurseries and botanical gardens, which are being grown for retail or wholesale sale.
F. Growing orchards of trees in active commercial operation.
G. Removal of diseased, damaged or infested trees upon receiving written confirmation from a certified arborist or the Director of Stormwater Management.
H. Timber harvesting operations, provided they comply with the provisions of O.C.G.A. § 12-6-24 and Section 12.6, Timber Harvesting.

12.1.4 Permit procedures; application and plan review.

A. All applications for a land disturbance permit or a building permit, pursuant to Article 16, shall require submission and approval of a tree protection and replacement plan as defined in this article.
B. All tree protection and replacement plans and landscape plans, as well as related documentation, shall be reviewed by the Director of Stormwater Management and the Director of Planning and Development or their designees for conformance to the provisions of this article and either approved, returned for revisions, or denied.
C. Signature by the Director of Stormwater Management and the Director of Planning and Development or their designee shall constitute an approval of the required landscape and tree protection and replacement plan and conformance to the provisions of this article.
D. The Department of Stormwater Management shall not issue a land disturbance permit without an approved landscape and tree protection and replacement plan.

12.1.5 Landscape and Tree Protection/Replacement Plan.

When required by this article, landscape and tree protection/replacement plans shall be submitted in accordance with this section and in accordance with the Rockdale County Tree Protection Review Checklist of Administrative Standards and other applicable UDO provisions.

A. The tree protection and replacement plan shall be approved by the county arborist/urban forester prior to any grading, bulldozing or other removal of existing vegetation that may affect the health of existing tree coverage.
B. Combination of the tree protection and replacement plan and the site landscaping plan is allowed with approval of the Director of Stormwater Management.

C. The Tree Protection and Replacement Plan shall include the following elements:
    1. General Plan Requirements.
        a. The name of the development and its acreage (or square footage).
        b. Name, address, telephone and fax numbers of the property owner and subdivider or developer.
        c. Name, address, telephone number of the applicant.
        d. Name, address, telephone and fax numbers of the individual or firm responsible for the design. The name, registration number and seal of the professional under whom the plan was prepared shall be stamped on the plan and signed.
        e. Date of survey, north point and graphic scale, source of datum, date of plan drawing and revision dates, as applicable.
        f. For site development projects, the tree protection and replacement plan shall be drawn at a scale of one inch = 20 feet to 50 feet, as needed to clearly illustrate the proposed plantings. Multiple sheets keyed to an index sheet may be used.
        g. The outline of all existing and proposed buildings and structures.
        h. The location and size of all underground or above-ground utilities on the site to include the limits of any public or private utility easements and stormwater detention areas. Off-site easements that may be affected by tree plantings also must be shown.
        i. The location of all existing and proposed parking areas, sidewalks and other paved or impervious surfaces.
        j. The location and dimensions of landscaped areas in parking lots, along with the planting plan for each.
        k. The location of curb stops installed to prevent vehicle overhang, where required to protect planting areas and vegetation.
        l. The limits of all disturbed areas.
        m. The boundaries of all natural buffers, greenways, and other areas required to remain undisturbed.
        n. The boundaries of each landscape area, planting and staking specifications, and the botanical and common name and location of all materials to be planted or maintained on the site.
        o. The extent of the development site or disturbed area, the gross area of the site, the total buildable area of the site, and the undisturbed area and acreage to which the tree conservation requirements apply.
    2. Buffers.
        a. The boundaries of all required transitional buffers, indicating where there are undisturbed buffers, non-vegetative screening, outdoor screening, and required stream buffers.

b. For each natural undisturbed buffer and stream buffer, the buffer plan must provide:
    i. A plan showing the location, size, spacing, common names, and botanical names of existing trees and plant materials to be retained that contribute to meeting the minimum requirements of this article.
c. For all other buffers and outdoor screening areas required pursuant to Article 11 or elsewhere in this UDO, the buffer plan shall include:
    i. The location, size, common names and botanical names of all existing plant materials to be retained.
    ii. Plans and cross-sections indicating the location, height, materials, and construction of non-vegetative screening such as berms, walls, fences or other means of providing an effective visual screen.
    iii. The location, height, spacing, and common and botanical names of supplemental plantings and other landscape materials.

3. Replaced/Planted Trees.
    a. Limits of tree protection and planting areas, showing existing trees to be retained and new trees to be planted, specifying type and size.
    b. In heavily wooded areas that will not be disturbed, the plan may show only the boundaries of each stand of trees and a list of trees in each stand that are submitted for credit by number and size.
    c. Locations of all trees to be planted on the site and calculations showing compliance with the tree unit requirements of Section 12.4, Tree Replacement and Landscaping Standards.
    d. Planting schedule, if applicable, showing the type (common and botanical names), size, quantity of trees to be planted, and required planting comments and detail.
    e. Plans for alternative compliance, if applicable as provided in Section 12.5, Tree and Planting Maintenance.
4. Preserved Trees.
    a. Each specimen tree that will remain on the development site and be protected during construction, including its size in DBH and its common name; and all other trees or tree stands that are submitted for credit as part of the tree conservation requirement.
    b. Grade changes or other work adjacent to a specimen tree that would affect it adversely, with drawings or descriptions as to how the grade, drainage, and aeration will be maintained around the tree.
5. Tree Protection Methods.

a. Methods of tree protection for all tree protection areas; including, but not limited to, tree fencing, erosion control, retaining walls, tunneling for utilities, aeration, transplanting, staking, and signage.

6. Irrigation.
    a. The plan shall include a note indicating the type of irrigation to be used, sufficient to supply at least five (5) gallons per tree per week.
    b. If hand watering is the type to be used, the plan shall show the location of water faucets or quick couplers that will be used for this purpose.
    c. If an irrigation system is provided, a separate irrigation plan is to be submitted showing the location of lines and heads, the spray radius for each head, all valves (control, master shut off, drainage, etc.), timer, at least one WaterSense flow controller, and rain sensor shut-off locations.
7. Additional information. Any additional information that the county arborist/urban forester requires to fully evaluate site conditions, tree preservation measures, landscape design, or construction activities.

12.1.6 Performance bonds.

A. New tree plantings and landscaping used to meet the density requirement of this article for commercial, residential, or mixed-use developments may be postponed for up to six months provided that a performance bond is obtained. The basis for delay must be that either planting stock availability is low or weather conditions are not appropriate for planting new trees. All performance bonds shall be submitted to the department with the following:
    1. The performance bond must be as provided in Section 16.10, Sureties and Guarantees.
    2. Performance bonds shall be submitted to the department with appropriate documentation and justification of low plant stock availability and/or adverse weather conditions.
B. The developer will provide three estimates for material and labor to install required plantings from three different nurseries. The Director of Stormwater Management will choose the appropriate bond amount from the three estimates provided. The bond will be assessed at 125 percent of the cost to ensure compliance.

12.1.7 Suspension, revocation, and modification of permits; stop-work orders; citations.

A. Suspension, revocation, and modification. Any land disturbance permit or building permit may be suspended, revoked or modified by the Director of Stormwater Management upon finding that the holder is in violation of any portion of this article.
B. Stop work orders. If it is determined that a person has engaged in land disturbing activities and has failed to comply with the terms and conditions of this article, a written notice to comply shall be posted on the site. Failure to comply with the terms

and conditions of this article within 24 hours after such notice of non-compliance has been issued shall result in immediate issuance of a stop work order. Where any emergency exists, as determined by the Director of Stormwater Management, no written notice shall be required before a stop work order is issued.

C. Citations. Any person violating any of the provisions of this article shall be deemed guilty of an offense and upon conviction thereof shall be punished as provided for in Article 19. Each day's continuance of a violation may be considered a separate offense. The owner of any building, structure or site, or part thereof, where anything in violation of this article exists, and any architect, builder, contractor, operator or agent of the owner, or any tenant, who commits or assists in the commission of any violation shall be guilty of a separate offense. In addition to or in lieu of any fine or imprisonment, the Department of Stormwater Management may require the replacement of trees by the person violating this article in order to meet the minimum requirements set out herein.

D. Future permits prohibited. In addition to all other penalties for violations of this article, no land disturbance permit or other permits shall be issued for any property or portion thereof until all outstanding violations of this article applicable to such property have been fully corrected and satisfied. Outstanding violations of this article shall continue to apply to such property regardless of a change in ownership. The Director of Planning and Development shall place appropriate holds on the county's land records to enforce this provision. This subsection shall not apply to permits issued by Rockdale County to stabilize or correct prior illegal or improper acts performed on such property.

12.1.8 Appeals of decisions of administrative officials.

A. Appeal to Board of Adjustment. Any aggrieved person not satisfied by the decision of the Director of Stormwater Management may appeal such a determination in accordance with the procedures set forth in Section 18.10, Appeals.

12.1.9 Fees.

A. Fees for processing plan applications and for inspections may be established and modified by the Rockdale County Board of Commissioners.

12.2 Landscaping Materials, Size, Spacing.

12.2.1 Density requirements.

A. Minimum Density. The quantity of total existing and replacement trees and landscaping on a site must be sufficient so as to produce a total site density of not less than that required by Section 12.4, Tree Replacement and Landscaping Standards for all developments.

B. Ineligible Areas for Density. The required density shall not include required tree and landscape plantings such as required buffers, transitional buffers, and/or vegetative

screenings. Such buffers may include but are not limited to state waters buffers, required landscape buffers and/or planted non-access easements. The required density is in addition to all required plantings.

C. Calculation and Tree Arrangement. The tree density factor shall be calculated using the total acreage from disturbed areas. Trees to be used in calculating density should be distributed throughout the development in nodes rather than as individual trees.
D. Required landscape areas shall be defined as a minimum of twelve (12) percent of the total buildable area in any parcel, not including required buffers or landscape strips. Such landscape areas shall be designed in order to enhance any buildings on the site.
E. Landscape Areas. All required landscape areas shall be planted with a combination of trees, shrubs, perennials, groundcover, and grass, as approved by the Director of Planning and Development.
    1. Landscape areas shall be designed with a minimum 40 percent coverage in trees and large shrubs.
    2. Small shrubs, perennials, ornamental grasses, and groundcover may constitute no more than 35 percent coverage of the landscape area, and sod may constitute no more than 25 percent coverage of the landscape area.
    3. The following sizes shall be used when calculating coverage of the landscape materials:
        a. Trees greater than six-inch caliper: 100 ft.
        b. Trees less than six-inch caliper: 50 ft.
        c. Large shrubs (four-foot height by four-foot spread or larger): 16 ft.
        d. Ornamental grasses: 12 ft.
        e. Small shrubs: 9 ft.
        f. Perennials: 6 ft.

12.3 Tree Preservation and Protection.

12.3.1 Preservation and Protection.

This section establishes standards by which plans and field conditions are to be site evaluated in order to determine compliance with the provisions of this article.

A. Protection of existing trees. If trees exist on the site, the required density be met with those trees. If this cannot be done, replacement trees shall be required. A Landscape, Tree Protection and Replacement Plan shall be a part of the approved land disturbance plan. When a choice is available as to which existing trees to save, specimen trees should be given preference over other trees. Non-specimen trees, however, should be prioritized to be saved in stands rather than as individual trees scattered over a site.
B. Tree inventories and surveys. All trees that are to be counted toward meeting density requirements must be inventoried. On sites two (2) acres or less, all trees need to be individually counted. All specimen trees and critical root zones must be shown on the

tree protection and replacement plan with an indication whether they are to be retained or removed. On sites greater than two acres, all trees counted must be inventoried using a sampling method. Specimen trees to be saved as well as the critical root zone must be shown for trees outside of the tree save areas. Specimen tree calculations can be done using sampling. Sampling method must be approved and overseen by Director of Stormwater Management.

C. Plan review standards. All tree save areas and buffers shall be delineated on the Tree Protection and Replacement Plan with tree protection fencing during all phases of construction. The method used to inventory the trees must be indicated on the plans.
D. Construction standards. Tree protection fences are necessary to eliminate activities detrimental to trees including but not limited to:
    1. Soil compaction in the critical root zone from heavy equipment, vehicular or excessive pedestrian traffic, or storage of equipment or materials.
    2. Root disturbance due to cuts, fills or trenching.
    3. Wounds to exposed roots, trunks or limbs.
    4. Other activities such as chemical storage, cement truck cleaning, fire, etc.
E. Location and types of tree protection fencing. Tree protection fences are to be installed as shown on the tree protection and replacement plan and shall be located outside of the critical root zone of all specimen trees to be preserved. Once tree protection areas are established and approved, any changes to such areas are subject to review and approval by the Director of Stormwater Management.
F. Materials. Tree protection fencing shall consist of four-foot-wide orange laminated plastic fencing. Tree protection fencing specifications may be found in the administrative standards promulgated pursuant to this article.

G. Sequence of installation and removal. All tree protection fencing shall be installed prior to the commencement of any land disturbing activity. The Director of Stormwater Management shall inspect the installation of tree protection fencing. It shall be the joint and several responsibility of the property owner, developer, contractor, and builder, as applicable, to ensure that all tree protection fencing remains in place during all phases of development.
H. Other specifications. Where the clearing of trees has been approved as part of a Tree Protection and Replacement Plan, trees shall be removed in a manner that does not adversely impact the trees to be preserved.
    1. No trees shall be felled into tree protection areas and no roots shall be disturbed inside the tree protection areas.
    2. All erosion and sedimentation control measures shall be installed uphill so that sediment will not reach any tree protection fencing.
    3. All tree protection areas for commercial developments shall be designated as such with "Tree Protection Area" signs posted visibly on all sides of the

fenced-in area. These signs are intended to inform subcontractors of the tree protection process.

I. Specimen Trees.
    1. Specimen trees shall be verified by the Director of Stormwater Management and shall be located on the tree protection plan.
    2. The Director of Stormwater Management may identify and require the preservation of a tree stand if it contains one (1) or more specimen trees and the specimen trees are interlocked with other members of the stand in such a way as to imperil the specimen tree if other members of the stand were to be removed.
    3. It shall be prohibited to cut specimen trees existing on a tract of land that is the subject of a land disturbance permit, development permit, or building permit without prior approval.

12.3.2 Specimen Trees.

A. Some trees on a site warrant special consideration and encouragement for protection and are deemed specimen trees.
B. A Specimen Tree Survey Plan is required to be submitted to Director of Stormwater Management for all development that does not qualify for an exemption listed herein. The Specimen Tree Concept Plan and shall be prepared by a licensed arborist, authorized registered professional, or registered forester. In cases where there is phasing of a development, a Specimen Tree Survey Plan and Specimen Tree Concept Plan are required for the entire property boundaries prior to the Final Plat for the first phase. Any tree that meets the criteria for tree size and condition as described in this article shall be shown on the Specimen Tree Concept Plan. In general, the Specimen Tree Survey Plan shows where the existing specimen trees that meet the criteria for size are located, and the Specimen Tree Concept Plan shows where the existing specimen trees that meet the identification criteria for size and condition are located in relation to the preliminary plan design.
C. Specimen Tree Criteria. To be considered specimen, a tree shall meet applicable size criteria and all condition criteria herein:
    1. Tree Size:
        a. Large Hardwood: 30-inch diameter or larger
        b. Large Softwood: 30-inch diameter or larger
        c. Small Native Flowering: 10-inch diameter or larger (e.g. Dogwood, Redbud, Sourwood)
    2. Condition:
        a. A life expectancy of greater than 15 years.
        b. A sound and solid trunk with no extensive decay or hollow and less than 20 percent radial trunk dieback.

c. No more than one major and three minor dead limbs (hardwoods only).
d. No major insect problem.
e. No major pathological problem (fungus, virus, etc.)
f. Exceptional quality.
g. Of historical significance.

D. Specimen Tree Preservation. In order to encourage protection of specimen trees and the incorporation of these trees into the design of projects, additional density credits shall be given for specimen trees that are successfully protected from damage up to and including the date a of occupancy is issued, or a final plat is approved for the property.
    1. Tree Density Credits:
        a. To obtain credit as a specimen tree, the tree must be protected in its natural state, free from damage within the critical root zone.
        b. Credit for any specimen tree saved, with three feet of critical root zone protected per one inch of diameter at breast height, will be three (3) times the assigned unit value.
        c. Any specimen tree saved with one foot of critical root zone protected per one inch of diameter at breast height shall be given no credit towards the required density units and will require no recompense.

E. Removal of Specimen Trees.
    1. Specimen trees that need to be removed require written documentation indicating the reason for removal, to be submitted to the Director of Stormwater Management prior to the removal.
    2. Specimen trees removed without prior approval from the Director of Stormwater Management shall be replaced by one and one-half (1.5) times a unit value of the tree removed, using species with potentials for comparable size and quality at maturity.
    3. If a specimen tree is damaged or removed without prior approval by the Director of Stormwater Management, recompense or penalty shall be required or imposed as follows:
        a. Any specimen tree that is damaged or removed without the appropriate review and approval of the Director of Stormwater must be replaced by trees with a total density equal to three (3) times the unit value of the tree removed. Size alone will determine whether a tree was of specimen tree quality if the tree is removed without approval and there is no evidence of its condition.
        b. In the event the Director of Stormwater Management determines a specimen tree is a hazard to property, power lines or people, the tree may be removed without recompense or penalty.

F. Trees that would otherwise be considered specimen trees which are located in the right-of-way or within any required utility or drainage easements shall not be counted as specimen trees in any calculation pursuant to this article.

12.4 Tree Replacement and Landscaping Standards.

12.4.1 General requirements.

A. This section establishes standards by which landscape and tree protection and replacement plans and field conditions are to be evaluated to determine compliance with the provisions of this article.
    1. Tree protection and replacement plans shall be prepared with appropriate consideration given to the function of trees in the urban landscape. Every effort should be made to maximize the environmental benefit of the plant material.
    2. Trees selected for planting must be from the approved tree list highest quality, free from trunk or root injury, pests, disease, nutritional disorders or root defects, and must be of good vigor in order to assure a reasonable expectation of survivability. Landscaping materials selected for planting must be from the approved shrub and groundcover lists and must also be free from defects. Whenever appropriate, all landscaped areas shall utilize existing natural vegetation in an undisturbed state.
    3. Required comments and standards for transplanting shall be in keeping with those established in the International Society of Arboriculture publications, "Tree and Shrub Transplanting Manual", "The Practical Science of Planting Trees", or similar publication. Reference the American Association of Nurserymen publication American Standard for Nursery Stock (ANSI Z60, -2014) for plant material quality specifications. The location of plant materials shall be such that developers incorporate landscaping design that enhances the aesthetics of the property in keeping with the planned use.
    4. Tree planting standards.
        a. Always pick a tree up by the container or root ball, never by the trunk.
        b. The hole shall be a minimum of two times the width of the root ball with sloped sides.
        c. The depth of the hole should be no deeper than the height between the bottom of the root ball and the trunk flare.
        d. Once the tree is placed in the hole, all strapping plus the upper half of burlap and wire basket must be removed from the top of the root ball.
        e. Backfill soil must be watered and all air pockets removed and filled with clean dirt.
        f. Stake the tree only if necessary.

g. All requirements of the planting comments and planting detail will be followed.

5. Species. Species selected as replacement trees must be native to the Piedmont Region of Georgia and selected from the county's most recent approved tree list and be ecologically compatible with the site where they are to be planted. A mix of trees with no more than 25 percent of one genus is acceptable for meeting density requirements. Landscaping materials must be ecologically compatible with the site where they are to be planted, and a mix of shrubs with no more than 25 percent of one genus is acceptable for meeting density requirements.
6. Minimum root zones. In order to provide sufficient growing area for planted trees within tree islands, the minimum root zone of 170 square feet is required for all trees. No utility lines shall be located within 15 feet of required tree planting location(s) unless approved by the Director of Planning and Development.
7. No disturbed ground shall be left exposed. All exposed ground shall be covered with grasses, shrubs, and/or trees to meet the minimum density requirements of this article.

12.4.2 Requirements of single and two-family residential subdivision developments.

A. Each new single family or two-family residential subdivision development shall prepare a Landscape and Tree Protection and Replacement Plan showing compliance with this section. All other developments shall comply with the provisions of Section 12.4.3.
B. The plan must, at a minimum, protect ten (10) units per acre of existing dominant and co-dominant trees. When possible, those protected trees should be evenly distributed over the site.
    1. If sufficient existing dominant and co-dominant trees are not available for protection, then two two-inch caliper shade trees shall be required per buildable lot.
    2. The Director of Stormwater Management may reduce the ten (10) unit per acre requirement by up to 50 percent if he determines that a hardship exists due to existing topographical or other physical conditions not caused by the property owner.
    3. If sufficient existing dominant and co-dominant trees are available but are removed without appropriate review and approval of the Director of Stormwater Management then ten replacement density factor units per acre shall be required for recompense.
C. Tree Protection and Replacement Plans must, in addition to complying with the requirements of subsection B above, comply with either of the following:

1. Each buildable lot with septic tank and drain field shall have a minimum of two (2) two-inch caliper minimum shade trees, planted or preserved. Each buildable lot serviced by sewer shall have three two-inch caliper shade trees, planted or preserved. All trees shall be at least 15 feet from any utility line, septic tank and drain field. Roots within the critical root zone of preserved trees shall remain undisturbed or the tree will not be counted. All trees shall be planted prior to the issuance of a certificate of occupancy.

D. The developer and builder shall protect at least fifteen (15) units per acre of existing vegetation and trees on the land being developed in addition to already required buffers and landscape strips. The tree density calculations shall not utilize trees within required buffers in determining the overall density factor, existing density factor, or replacement density factor. Such buffers may include, but are not limited to, state waters buffers, required landscape buffers, and planted non-access easements. Clearing within these buffers shall be limited to areas necessary for roads and utility infrastructure. No reduction from the requirements of this subsection shall be authorized except as otherwise permitted in accordance with the provisions of Section 12.5, Tree and Planting Maintenance.

E. All traffic calming devices within such subdivision developments shall include one (1) three-inch caliper approved tree plus one (1) native shrub on each side of the tree. All work shall be completed by the developer prior to issuance of the final plat; and shall conform to the provisions of Subsection 13.1.10, Traffic Calming Devices.

F. Any person developing a lot for which a Landscape and Tree Replacement and Protection Plan has been approved by the county shall be required to comply with the provisions of that approved plan.

G. The Director of Stormwater Management shall inspect all landscaping and tree plantings. The Director of Stormwater Management shall file a written report with the department detailing and certifying the completion of all required landscaping and tree plantings as required in the plans. The report must be received by the Department of Stormwater Management prior to the issuance of a final plat or certificate of occupancy.

H. Where development is intended to occur in phases or increments, landscape and tree protection and replacement plan density calculations shall be based on a site area defined by each development phase or increment. Existing trees to be counted toward meeting the tree density requirements must be located within each phase or increment.

I. Standards for subdivision entrances.

1. For each subdivision entrance sign located on private property, there shall be a minimum of one (1) large tree, one (1) medium or small tree, and five (5) shrubs. The type, size, and location of these plant materials shall conform to the specifications set forth in Section 12.2, Landscaping Materials, Size, and

Spacing. Plant materials shall not be located to interfere with clear visibility requirements set forth by the Manual on Uniform Traffic Control Devices (MUTCD).

12.4.3 Requirements for other development types.

A. Each new development not covered by Section 12.4.2 shall prepare a Landscape and Tree Protection and Replacement Plan showing compliance with this section.
B. Tree Unit Requirements.
    1. The tree protection and replacement plan must, at a minimum, protect or plant fifteen (15) units per acre of trees on the land being developed. The tree density calculations shall not utilize trees within required buffers in determining the overall density factor, existing density factor, or replacement density factor.
    2. All new development with eight (8) or more parking spaces or expanded development that results in eight (8) or more parking spaces, shall provide interior landscaping.
C. Rockdale County has given priority to the retention and placement of trees in frontage planting strips and parking lot planting islands. Trees retained or placed in these areas may be used to meet the tree density factor for a project. However, if the tree density factor is met with trees saved or planted in other areas, the tree location guidelines outlined below must still be performed with additional tree plantings.
D. Required landscape strips and re-vegetated buffers.
    1. Landscape strips shall meet the minimum depth requirements as indicated in Table 12.4.3.D.
    2. Trees may be planted in groups rather than in a single line.
    3. Adjoining residential zoning districts, evergreen trees shall be saved or planted in such density or spacing as to provide an eight-foot-tall visual barrier within two years of planting.
    4. Encroachments.
        a. Required landscaping strips shall not be encroached upon by parking space, driveway surfaces or storm water detention facilities except when complying with specific requirements herein.
        b. Driveway crossings may traverse such strip as near to a perpendicular alignment as practical.
        c. Signs may be located in the required landscape strip.
    5. Portions of a stormwater management facility, classified as either a bioretention area or an enhanced swale, may encroach upon the landscaping strip, provided all of the following conditions are met:
        a. No future right of access will be granted across any part of the facility.

b. No future construction will degrade the ability of the facility to provide water quality treatment or to provide safe conveyance and drainage of stormwater.
c. The side slopes of the facility within the landscaping strip are not steeper than 5:1.
d. The 100-year ponding depth of the facility shall not exceed 24 inches.
e. The extent of the 100-year ponding shall not be within five feet of any property line or right-of-way line.
f. The facility provides at least six inches of freeboard above the 100-year ponding elevation.
g. Portions of the facility within the landscaping strip must be fully planted in accordance with the UDO and the Georgia Stormwater Management Manual.

6. Portions of all other stormwater management facilities may encroach upon the landscaping strip provided all of the following conditions are met:
    a. No future right of access will be granted across any part of the facility.
    b. No future construction will degrade the ability of the facility to provide water quality treatment or to provide safe conveyance and drainage of stormwater.
    c. The side slopes of the facility within the landscaping strip are not steeper than 5:1.
    d. The facility shall not have retaining walls or fencing within the landscaping strip.
    e. The 100-year ponding depth within the landscaping strip shall not exceed 12 inches.
    f. The extent of the 100-year ponding shall not be within ten feet of any property line or right-of-way line.
    g. The facility provides at least 12 inches of freeboard above the 100-year ponding elevation.
    h. Portions of the facility within the landscaping strip must be fully planted in accordance with the UDO.

Table 12.4.3.D: Required Landscape Strips

	Width of Strip or easement (feet):		
Zoning District	Front	Rear	Interior Side
Multi-Family Residential or Mixed-use (MR or MXD)	20	10	10
Commercial/Office (C-1, C-2, or OI)	20	10	10
Industrial	20	10	10

(M1 or M2)			

E. Parking landscape islands. Landscape islands shall be provided within parking areas (but not within vehicle storage, maneuvering, or display areas) as follows:
    1. Landscape islands shall be located at the end of every parking bay, such that no more than eight (8) parking spaces occur in an unbroken row. Parking lot interior landscaping is not required beneath canopies or other structures that block sunlight or rainfall.
        a. Measuring from the trunk, any tree must be a minimum of six feet from the back of the curb.
        b. No portion of an island less than three feet in width may be counted.
        c. All landscape islands shall contain a minimum of 200 square feet.
    2. Landscape islands shall be located in such a manner as to divide and break up the parking area. A planting area located wholly within a generally rectangular area that is (a) devoted to parking and (b) between a building and a lot line or between two buildings will generally serve this purpose.
    3. At least one tree shall be planted in every landscape island, with no less than 200 square feet per tree. There shall be at least one overstory tree for every eight parking spaces.
    4. Adequate irrigation to the landscape island shall be provided. The method of irrigation shall be indicated on the Tree Protection and Replacement Plan.
    5. Light posts and underground utilities shall not be located in landscape islands.
    6. Combination drainage swale/planting strips for parking lots are encouraged provided that:
        a. Adequate drainage is provided for the trees and plants; and
        b. Bottomland hardwood species are used.

F. Any person developing a lot for which a Landscape and Tree Replacement and Protection Plan has been approved by the county shall be required to comply with the provisions of that approved plan.

G. The Director of Stormwater Management shall inspect all tree and landscape plantings. The Director of Stormwater Management shall file a written report with the department detailing and certifying the completion of all required tree plantings as required in the plans. The report must be received by the department prior to the issuance of a final plat or certificate of occupancy.

H. Where development is intended to occur in phases or increments, tree protection and replacement plan density calculations shall be based on a site area defined by each development phase or increment. Existing trees to be counted toward meeting the tree density requirements must be located within each phase or increment.

I. Stormwater management facilities shall be integrated landscape features, rather than single-purpose flood control or water quality treatment measures. Such facilities shall

be planted with appropriate grasses, shrubs, and trees wherever naturally occurring vegetation is unlikely to be attractive, dense, and healthy. In the event that stormwater facilities cannot be integrated landscape features, then all such facilities shall be masked from the street, open space, and abutting lots.

12.5 Tree and Planting Maintenance.

12.5.1 Maintenance period for all developments.

A. New landscape or tree plantings or existing protected trees used to meet the density requirements of this article for all developments shall be maintained for two years after the date of final inspection and shall require the posting of a maintenance bond by the applicant. Maintenance bonds shall be in an amount equal to 125 percent of the estimated cost of replacement of the newly planted or existing protected trees and landscape materials. Such maintenance shall keep landscape materials healthy, neat, and orderly in appearance, and free of litter and debris.
B. During the period of the two-year maintenance bond, the Director of Stormwater Management shall have the right to conduct periodic inspections during normal business hours in order to confirm the health and viability of all required trees and vegetation.
C. If the Director of Stormwater Management finds that vegetation or trees planted or protected to meet the required site density are dead or near death, the Director of Stormwater Management shall so notify the applicant and the applicant shall replace those trees and landscape materials with plants of similar size within 30 days of notification. The failure of the applicant to timely plant any such replacement trees or landscaping shall result in forfeiture of the maintenance bond unless a performance bond is sought and granted pursuant to Section 16.10, Sureties and Guarantees.
D. Not sooner than 75 days nor later than 60 days prior to the expiration of the maintenance bond, the applicant shall petition the Director of Stormwater Management to release the maintenance bond. Failure to petition the Director of Stormwater Management shall result in forfeiture of the maintenance bond. Upon receipt of the petition, the Director of Stormwater Management shall inspect the project to determine the health and viability of all required trees and landscaping. If the Director of Stormwater Management finds that trees or landscaping need to be replaced, the Director of Stormwater Management shall so notify the applicant and the applicant shall timely perform such additional work necessary to comply with the tree density requirements of this article. The failure of the applicant to timely replace the trees or landscaping specified by the Director of Stormwater Management may result in forfeiture of the maintenance bond. Upon the final determination of the Director of Stormwater Management that all required trees and landscaping are healthy, the Director of Stormwater Management shall so notify the applicant, and the maintenance bond shall be released.

12.5.2 Tree Replacement Fund for Alternative Compliance.

A. Where the minimum density requirements cannot be fully met because the site cannot support the required density of trees, the applicant shall make a contribution to the tree replacement fund. Contributions to the tree replacement fund shall be paid in full prior to the issuance of any required permit.
B. The amount of the contribution shall be based upon the number, size, and type of trees that cannot be planted at the site. The Director of Stormwater Management shall estimate the cost to the county for the materials and labor associated with the trees. The amount of the contribution shall be 100 percent of the estimated costs for the materials and labor of planting such trees. The developer shall provide the Director of Stormwater Management with three estimates from three different arborists or nurseries for the trees, materials, and labor associated with planting.
C. The Director of Stormwater Management may waive the provisions of this section if he determines that:
    1. The unmet density is less than ten percent of the density requirement for the site; and
    2. The developer otherwise substantially complies with the provisions of this article.
D. Monies contributed to the Tree Replacement Fund may be used for the following purposes:
    1. Urban forestry management initiatives, including tree canopy mapping, forest assessments, tree management plans, and urban heat island mitigation;
    2. Public street tree planting programs;
    3. Community-based tree planting projects;
    4. Food forest installations;
    5. Removal of invasive plant species;
    6. Tree-related education and outreach programs;
    7. Development or revision of tree and landscape regulations; and
    8. Matching funds for grants supporting any of the above activities.
E. Tree Replacement funds shall be administered by the Department of Stormwater Management, which may authorize Rockdale County Department of Parks and Recreation, Rockdale Department of Planning and Development, community improvement districts, and neighborhood associations to use such funds. Expenditures may be applied to projects on public or private property, subject to approval by the Department of Stormwater Management.

12.5.3 Remedial care of trees and tree save areas.

A. Trees in tree save areas that have been adversely impacted, as determined by the Director of Stormwater Management, by the construction process may be subject to

remedial care. Remedial care may include, but is not limited to, pruning, soil aeration, fertilization, or supplemental watering.

12.5.4 Tree topping.

A. No tree topping or round-overing shall be allowed on new developments, county rights-of-way, county lands, or commercial property.

12.6 Timber Harvesting.

12.6.1 Eligibility.

If timber harvesting took place on the site within 36 months prior to submitting a preliminary plat or applying for a land disturbance permit or a zoning amendment, no such plat, permit or zoning amendment shall be approved.

12.6.2 Erosion control.

As per O.C.G.A. § 12-7-17(6), as amended, Forestry Land Management Practices (including harvesting) are exempt from the Georgia Erosion and Sedimentation Act (GESA). However, "when such exempt forestry practices cause or result in land-disturbing or other activities otherwise prohibited in a buffer, as established in [O.C.G.A.] paragraphs (15) and (16) of subsection (b) of code section 12-7-6, no other land-disturbing activities, except for normal forest management practices, shall be allowed on the entire property upon which the forestry practices were conducted for a period of three years after completion of such forestry practices."

i 12.6.3 Reforestation plan.

A. Reforestation plan required. Clear-cutting or seed tree harvesting a stand of trees for capital gain will only be permitted with a plan for how the area will be reforested. A reforestation plan shall comply with the following:
    1. The selected type of harvest shall be listed on the Timber Harvesting Information Form.
    2. The plan shall be developed by a professional forester and shall be attached with the timber harvesting packet before a permit can be issued.
    3. The plan shall show how the site will be prepared before re-establishing a fully stocked stand.
    4. The plan shall show types of practices and dates for site preparation and replanting.
        a. A fully stocked stand may vary depending on species. For pine species there must be at least 400 trees per acre (TPA) growing freely throughout the harvested areas one year after planting or reseeding is complete. For general hardwood species replanting, a minimum of 150 TPA is required to be considered a fully stocked stand.
    5. The landowner must show documentation of reforesting the land within two years after harvesting is complete. If no progress has been completed,

property owner will be subject to a three-year moratorium in which no further actions shall be approved on the property including application for a land disturbance permit, a zoning amendment, or the submittal of a preliminary plat.

12.6.4 Reforestation.

As defined in the "National Management Measures to Control Nonpoint Source Pollution Forestry EPA 841-B-05-001, May 2005," silvicultural practices occur when "...forests are tended, harvested and replaced, usually defined by, but not limited to, the method of regeneration." Reforestation can be accomplished artificially or naturally. Natural regeneration is defined as allowing crop trees to regenerate an area. The most common methods are coppice, seed-in-place, seed trees, and shelterwood. Artificial regeneration is defined as establishing a new forest by planting seedlings or by direct seeding.

12.6.5 Timber harvesting operations.

A. Timber harvesting encompasses several operations for the purpose of this section. In addition to cutting trees, timber harvesting typically includes the layout of access roads, log decks and skid trails. It is in the best interest of everyone involved in forestry operations to properly plan and manage their operations by consistently following Georgia Best Management Practices to prevent any potential water quality problems. Below is an overview of the most common harvesting types used in this region:
    1. Clear-cutting a stand of trees is the removal of all (zero to eight trees per acre) merchantable trees on a tract and will only be allowed if a reforestation plan has been developed and included with the timber harvesting packet. The reforestation plan shall demonstrate how the property will be reforested once harvesting is complete.
    2. Seed-tree harvest can remove all trees, except eight to 15 uniformly spaced high quality seed producing dominant or co-dominant trees per acre to naturally re-seed the site after harvest. Seed-tree harvest can only be permitted if a reforestation plan has been developed and included with the timber harvesting packet. The management plan shall demonstrate how the property will be reforested once harvesting is complete. It is crucial to plan the timing of the harvest and to assure adequate seed fall. Prescribed burn and/or light harrow disking the ground after harvest will scarify the soil to ensure a germination of the seed. Seed trees should be selected to provide sufficient seed to achieve a fully stocked stand in the new cohort and ensure the seed trees continued survival and viability at the removal cut. Seed trees shall be selected based on the following key traits:
        a. Trees with a large crown will maximize seed production due to their greater vigor and large leaf area.

b. Trees should be at reproductive maturity with past evidence of good seed production. Past evidence of good seed production is the best way to ensure future seed production.
c. Trees need to be wind firm. Increased taper is correlated to wind firmness but may be a less desirable phenotype when managing for poles.
d. Trees should have desirable phenotypes, since they are providing seed for the next rotation.
e. Their form should be free of defects such as forking, sinuosity, or rami-corns (an excessively large and steeply angled branch that forms a large knot).
f. No evidence of serious insect or disease susceptibility should be present.

3. Shelterwood harvest method must leave 21 to 60 dominant or co-dominant seed trees per acre. This harvest is a preferred even-aged natural regeneration system for non-prolific seed producing species and as a visually appealing regeneration system for certain hardwood and conifer species. A shelterwood harvest provides an abundance of seed and shelter for seedlings, as well as residual shade to control weeds. This type of harvest will not require a reforestation plan due to the sufficient stocking density left on site, however, the selected seed trees should be high quality (exceptional) specimens so as to provide high quality seeds.
4. Thinning operation means to leave a minimum residual stocking density that has the potential to restore to a closed canopy forest within ten years or have no more than 60 percent of the stand removed. Thinning harvest is intended to improve the overall health and quality of the remaining trees. If specimen trees exist on-site, they should be given priority to be retained over other dominant or co-dominant trees. If the required density is met using non-specimen trees and specimen trees are found by the Director of Stormwater Management to have been removed, then harvesting operation will not be considered as being for silvicultural purposes. This type of harvest will not require a reforestation plan upon permitting due to the sufficient stocking density left on site.

12.6.6 Access roads.

Road construction shall be solely for silvicultural purposes. Access roads shall not exceed the typical maximum allowable width of 16 feet or should not be wider than necessary for the transport of silvicultural products or access for forest management activities. Roads wider than 16 feet will only be allowed upon Director of Stormwater Management approval. In general, tree stumps are only removed to construct access roads and log decks. The presence of intensive

mechanical site preparations such as sheering, root raking, windrowing debris or "stumping" of the site may be deemed as non-silvicultural activities.

12.6.7 Consulting.

The Georgia Forestry Commission (GFC) may be contacted by the Director of Stormwater Management if technical assistance is required to determine if a land disturbing activity is a legitimate silvicultural activity exempt from Georgia Erosion and Sediment Control Act O.C.G.A. § 12-7-17, local erosion and sedimentation control ordinances, and permit requirements. The decision rendered by GFC shall be considered final.

12.6.8 Bonding.

All timber harvesting operations of areas larger than five acres shall be required to obtain a valid surety bond, executed by a surety corporation authorized to transact business in this state, protecting the county against any damage caused by such operations in an amount specified by the department not exceeding $5,000.00. Alternatively at the option of the person or firm harvesting timber, a valid irrevocable letter of credit issued by a bank or savings and loan association, as defined in O.C.G.A. § 7-1-4, in the same amount of and in lieu of such bond may be submitted. For purposes of this paragraph, any such surety bond or letter of credit shall be valid only for the calendar year in which delivered.

12.6.9 Additional Requirements.

A. Additional requirements. The following practices shall be required of all timber cutting incidental to development:
    1. All access onto public roads shall have culverts and stone pads as prescribed in the Manual of Standards and Specifications for Georgia Erosion and Sediment Control Act.
    2. Stream sides and access roads shall be seeded upon completion of harvesting operations as prescribed in the Manual of Standards and Specifications for Georgia Erosion and Sediment Control Act.
B. Additional requirements. The following practices shall be required of all timber harvesting for silviculture:
    1. All such operations shall follow the latest version of Georgia's Best Management Practices for Forestry, available from the Georgia Forestry Commission.
    2. All persons or firms harvesting standing timber for delivery as pulpwood, logs, poles, posts, or wood chips to any wood yard or processing plant shall provide notice of such harvesting operations by completing and submitting the harvesting package provided by the county prior to cutting any such timber.
    3. Prior written notice shall be required of any person or firm harvesting such timber for each separate tract to be harvested thereby.

a. Such notice shall be submitted on a form provided by the Georgia Forestry Commission and shall consist of:
    i. A map of the area which identifies the location of the tract to be harvested, the route trucks will be traveling to and from such tract for purposes of picking up and hauling loads of cut forest products, and the main and secondary (if any), points of ingress/egress to such tract from a public road(s). The map shall also include all areas harvested, all stream crossings and all loading decks;
    ii. A statement as to whether the timber will be removed pursuant to a lump sum sale, per unit sale, or owner harvest for purposes of ad valorem taxation under state law;
    iii. The name, address, and daytime telephone number of the timber seller if the harvest is pursuant to a lump sum or per unit sale or of the timber owner if the harvest is an owner harvest; and
    iv. The name, business address, business telephone number, and nighttime or emergency telephone number of the person or firm harvesting such timber.
b. Such notice may be submitted to the department in person, by facsimile, or by mail.
c. Such notice shall be effective for stated harvesting operation on such tract upon receipt by the Planning and Development Department and compliance with all of the requirements stated above. Notice will be active until such notice has completed the harvesting operation for such tract or one year has expired. Any subsequent change in the facts required to be provided for purposes of such notice shall be reported to the Planning and Development Department within three business days after such change.
d. Violation of the notice requirements in this subsection shall be punishable by a fine not to exceed $500.00.

Article 13: Streets and Improvements

13.1 Streets and Sidewalks.

A. General Requirements. All newly created roads, streets, or rights-of-way or improvements to existing roads, streets, or rights-of-way constructed in conjunction with subdivision plats, construction drawings, site plans, construction plans, and/or capital improvement plans within Rockdale County shall be designed to comply with the Georgia Department of Transportation manuals, policies, standards, details, and design guidelines.

B. For all developments, the Rockdale County Department of Transportation (DOT) may require a deceleration lane. Requirements for constructing the lane(s) that will be evaluated by Rockdale County DOT include (but are not limited to): sight distance, posted speed limit, classification of the existing street, traffic volumes on the existing street, traffic volumes to be generated by the development, vertical curvature, horizontal curvature, etc. During the evaluation of the development's entrance, additional improvements, such as tapers, left turn lanes, bypass lanes, median modification, or other facilities, may be required to enhance safety and operations. The developer should contact Rockdale County DOT at the earliest possible time to request an evaluation so that the appropriate construction plans are prepared and submitted through the plan review process.

13.1.1 Street classification and right-of-way requirements.

A. Street classification.

1. Streets are classified into a street hierarchy system based on road function and traffic volumes. Streets are classified into the following categories:
    a. Interstate principal arterials.
    b. Principal arterials.
    c. Minor arterials.
    d. Collector streets
    e. Local streets in urban area boundaries.
2. The application for approval of a preliminary plat, land development plan, or building permit that will require the applicant to construct new public streets or make improvements to existing public streets shall determine the design of the street based on projected traffic volumes and use the right-of-way and lane widths as noted in the "table of minimum right-of-way and lane widths." The final determination regarding the classification of any existing or proposed street shall be made by the director.

B. Right-of-way and lane widths.

1. Minimum widths for new streets or roads shall be as shown in "table of minimum right-of-way and lane widths." See Rockdale County Standard Design and Construction Details for detailed dimensions. Total width of streets includes lane width plus curb and gutter (back to back of curb) or from

edge of pavement if no curbs exist. Local streets will use a 24-inch curb and gutter. Other road/street classifications will use a 30-inch curb and gutter. If an existing street is used for access, the developer shall conform to the existing street width if it is greater than is required for a new street in this UDO.

2. Minimum widths of right-of-way and lanes shall be as shown in the table of right-of-way and lane widths.

Table 13.1.1.B : Minimum Right-of-Way and Lane Widths

Street Category	Minimum R-O-W	Lane Width*
Principal Arterial: Ditch section/ 20 ft. median C&G/20 ft. median C&G, undivided	 120 ft. 120 ft. 120 ft.	 12 ft. 12 ft. 12 ft.
Minor Arterial: Ditch section C&G section	 100 ft. 100 ft.	 12 ft. 12 ft.
Collector Street: Ditch section C&G section	 80 ft. 80 ft.	 12 ft. Standard; 11 ft. Minimum 12 ft. Standard; 11 ft. Minimum
Local Street: Residential/Subdivision (C&G) Commercial/Industrial/Other	 50 ft. 60 ft.	 11 ft.* 12 ft. Standard ; 11 ft. Minimum
Cul-de-sac: Commercial/Industrial Residential	 75 ft. radius 50 ft. radius	 65 ft. radius 40 ft. radius

Notes:

1. *Lane widths include only pavement width. Example: Two lanes at 11 feet with two feet C&G would be 26 feet back to back of curb.
2. Ten-foot lanes are allowed in conservation residential subdivisions.
3. Lane widths on collector streets and other local (non-subdivision) streets will be based on design speed and traffic volumes.
4. Number of lanes will be determined based on traffic volumes, except for subdivision streets which will be typically two lanes only.
5. Street categories based on the current Federal Functional Classification System for Rockdale County.
6. Typical section details are shown in the Rockdale County Standard Design and Construction Details.

C. Right-of-way dedication.

1. The minimum width of right-of-way shall be dedicated based upon the street classification, as provided in this section and approved by the Director of Transportation.

2. On any existing street abutting a proposed development, one-half of the required width of right-of-way shall be dedicated, at no cost to Rockdale County, as measured from the centerline of the roadway along the entire property frontage. Right-of-way widths for existing streets shall be based on the current classification as determined by the Director of Transportation.
3. Additional right-of-way may be required at intersections or other locations fronting the property where turning lanes, storage lanes, medians, re-alignments or other traffic safety improvements are required.
4. If a new street or thoroughfare is proposed by Rockdale County or the State of Georgia to adjoin or traverse the property, the proposed road shall be accommodated into the development plans of the property in accordance with this UDO. These right-of-way requirements shall govern except where there exist clearly defined plans of the Georgia Department of Transportation (GDOT) or Rockdale County that require additional right-of-way. In that case, the greater right-of-way requirements shall govern.
5. Clear zone requirements. All new roads/streets should utilize the concepts, designs, and philosophies in the Federal Highway Administration (FHWA) Roadside Design Guide, where practical and feasible to use the latest state-of-the-practice in roadside safety. New roads/streets should also use context-sensitive design concepts in the applications of clear zone. Context-sensitive design concepts are also on the GDOT web site (www.dot.state.ga.us). The application of clear zone concepts on existing roads/streets needs to be used where the greatest safety benefit can be realized. Crash reports, site investigations, and maintenance records offer starting points for identifying these locations.

13.1.2 Access management.

A. These standards shall apply unless a more restrictive standard is required by the Georgia Department of Transportation.
B. All off-street parking lots shall have access to a paved public or private street and be served by a paved access drive.
C. Interparcel access is required between all abutting parking lots and sites based on site conditions and as determined by the Planning and Development Director, to provide a cross-access drive and pedestrian access to allow circulation between sites.
    1. Interparcel access is not required between nonresidential uses and single-family residential uses.
    2. This shall be accomplished by stubbing a connection to each adjacent the property line. The property owner shall grant an access easement granting public access through the lot. This easement shall be submitted to the Planning and Development Director and recorded by the applicant or property owner with the Rockdale County Superior Court.

3. Joint driveways between properties shall be established wherever feasible along a major thoroughfare, or arterial or collector street.

D. All developments shall have access to a public right-of-way. The number of access points shall be in accordance with Table 13.1.2.D.

Table 13.1.2.D: Minimum Number of Access Points	
Type of Development	Minimum Number of Access Points
Residential, 40 or fewer units	1
Residential, 41—150 units	2
Residential, 151—300 units	3
Residential over 300 units	4
Nonresidential, less than 200 required parking spaces	1
Nonresidential, 200—999 required parking spaces	2
Nonresidential, 1,000 or more required parking spaces	2 or more, as determined by the Planning and Development Director

E. The separation of access points on a thoroughfare, arterial, or collector street shall be determined by the speed limit of the road with the following minimum spacing requirements in accordance with Table 13.1.2.E.

1. The distance between access points shall be measured from the centerline of the proposed driveway or street to the centerline of the nearest existing adjacent driveway or street.
2. Driveway spacing at intersections and corners shall provide adequate sight distance, response time, and permit adequate queuing space.
3. No driveway, except driveways providing residential access, shall be allowed within 100 feet of the centerline of an intersecting thoroughfare or arterial or collector street.
4. No nonresidential access except right in/right out channelized access shall be allowed within 100 feet of the centerline of any other thoroughfare or arterial.
5. The requirements of this Section are not intended to eliminate all access to a parcel of land that was legally subdivided prior to the enactment of this Section.

Table 13.1.2.E: Driveway Separation	
Posted Speed Limit of Road	Minimum Driveway Spacing

Less than 35 mph	125 feet
36 to 45 mph	245 feet
Greater than 45 mph	440 feet

F. All street design and other development activities, including landscaping, shall be arranged on site so as to provide safe and convenient access for emergency vehicles.

G. Along thoroughfares, arterials, or collector streets, a deceleration lane, a turn lane, larger or reduced turning radius, traffic islands or other devices or designs, including traffic calming devices and designs, may be required to avoid specific traffic hazards which would otherwise be created by the proposed driveway location. The Planning and Development Director may require the submission of a traffic analysis based on the scale and scope of the project to determine required improvements.

H. Rockdale County may require a deceleration lane for all developments. Requirements for constructing the lane(s), that will be evaluated by Rockdale County DOT, include (but are not limited to) sight distance, posted speed limit, classification of the existing street, traffic volumes on the existing street, traffic volumes to be generated by the development, vertical curvature, horizontal curvature, etc. During the evaluation of the development's entrance, additional improvements, such as tapers, left turn lanes, bypass lances, median modification or other facilities, may be required to enhance safety and operations. The developer should contact Rockdale County DOT at the earliest possible time to request the evaluation so that the appropriate construction plans are prepared and submitted through the plan review process.

I. Deceleration lanes are required for access to residential uses containing 20 or more units that provide less sight distance (in feet) than ten times the posted speed limit (in miles per hour) in accordance with Table 13.1.2.H.

1. The minimum deceleration lengths shall be as specified below. The Planning and Development Director may vary length requirements based upon a consideration of available sight distances and other contextual features as determined by an engineering study to verify traffic safety.
2. Deceleration lanes located within 75 feet of an intersection radius may be extended to the intersection.

Table 13.1.2.H: Deceleration Lanes	
Operating Speed	Deceleration Lane Dimensions
Subdivision streets	Not required

35 mph	150’+50’ taper
40 mph	150’+50’ taper
45 mph	150’+50’ taper
55 mph	200’+150’ taper

J. Emergency access. All public streets, private, and residential drives shall be designed and maintained so as to provide safe and convenient access for emergency vehicles, as required by the Rockdale County Fire Marshal.

13.1.3 Driveway design standards.

A. Permits required. No driveway shall be constructed abutting a county-maintained road or street until all applicable driveway permits have been approved and issued by the department. For driveways that abut a state or federal highway, all applicable permits shall be obtained from the GDOT prior to construction.

B. General requirements.

1. Joint access driveways are permitted in order to achieve minimum driveway spacing requirements.
2. No property may have a curb cut in excess of 50 feet in width without approval of the Director of Transportation.
3. If a non-residential driveway design is one-way in or one-way out, then the driveway shall be a minimum width of 16 feet and shall have appropriate signage designating the driveway as a one-way connection.
4. For two-way, non-residential access, each travel lane shall have a minimum width of 11 feet. When more than two lanes are proposed, a specific driveway design must be approved by the department.
5. Driveways that enter an arterial or collector street at traffic signals must have at least two outbound lanes of at least 11 feet in width and one inbound lane with a maximum width of 12 feet.
6. Except for single-family and two-family residences, driveway grades shall conform to the requirements of the Georgia Department of Transportation Design Standards.
7. Driveways shall intersect roads or streets with no more than a 10-degree skew from a 90-degree angle.
8. Driveway aprons shall slope from the right-of-way to the edge of pavement or gutter flow line. For all non-single-family driveways and entrances, a storm sewer inlet or grade break shall be provided at the right-of-way line to prevent discharge of stormwater onto the public right-of-way.

9. Driveways shall comply with the minimum requirements of the Rockdale County Standard Design and Construction Details, based on projected use and classification.
10. Driveways serving single-family detached or duplex residences may be no less than ten feet wide at the right-of-way line and shall provide a radius to the back of the curb or edge of the pavement of the roadway of no less than five feet. All other driveway curb cuts on public streets shall conform to the standards shown on the driveway details contained in the Rockdale County Standard Design and Construction Details. All driveways and driveway curb cuts on state highways shall conform to GDOT Standards.
11. All driveways and driveway curb cuts on state highways shall conform to GDOT Standards.

C. Driveway construction standards.
1. Sidewalks and curbs adjacent to driveways shall meet requirements of the Americans with Disabilities Act.
2. Portions of driveways within the public rights-of-way shall be of concrete pavement six inches thick and a minimum of 3,000 psi for residential driveways, and eight inches thick, 3,500 psi concrete over compacted subgrade for commercial and industrial driveways.
3. Driveways shall be no closer than three feet, at the closest point, to an at-grade utility structure, including, but not limited to, curb inlets, drainage structures, streetlights, telephone and electrical poles, boxes and transformers, manholes, handholes and fire hydrants.
4. Driveways shall be no closer than ten feet from a street tree or fire hydrant.
5. Water and sewer lines shall be located outside of driveways, except for generally perpendicular crossings.
6. Commercial driveways shall provide a 35-foot minimum radius at any intersection with a public street. If designed for freight vehicles, the minimum radius shall be 75 feet.

D. Sight distance. All roads, streets, and driveways shall provide adequate sight distance as shown in the Table 13.1.3.D.

Table 13.1.3.D: Intersection Sight Distance Requirements

Design Speed	Sight Distance (in feet)				
	2 lanes	3 and 4 lanes		5 and 6 lanes	
	SDL=SDR	SDL	SDR	SDL	SDR
25 mph	280	290	315	335	350
30 mph	335	350	375	400	420
35 mph	390	410	440	465	490

40 mph	445	470	500	530	560
45 mph	500	530	560	595	630
50 mph	555	590	625	660	700
55 mph	610	650	685	730	770
60 mph	665	705	750	795	840
65 mph	720	765	810	860	910
SDR means sight distance required for vehicle approaching from right side of driveway. SDL means sight distance required for vehicle approaching from left side of driveway.					

13.1.4 Requirements for new streets and roadways.

A. All new streets proposed to be constructed in a subdivision or other development shall be designed and constructed to the minimum standards contained in this chapter, in accordance with the classification of streets.

B. If a new street or thoroughfare is proposed by Rockdale County or the State of Georgia to traverse the property, the proposed road shall be designed and constructed in accordance with the street classification as shown in the latest Federal Functional Classification System for Rockdale County and contained in this chapter or as shown on plans proposed by the county or State of Georgia. The specific vertical and horizontal alignment of the proposed roadway shall be as established or approved by Rockdale County and/or the State of Georgia, as applicable.

C. Substandard streets.

1. If a substandard street (dirt or gravel road or inadequate width of pavement or right-of-way) provides a means of access to a major subdivision or non-residential development, the street shall be upgraded to the street classification standard required by the Rockdale County Functional Classification System and in accordance with this article. These improvements shall extend from the entrance of the development to the nearest standard paved road of an equivalent or higher classification, along the route of primary access.
2. All right-of-way required for these off-site improvements shall be acquired at the expense of the developer. Additional requirements may be mandated by the county as outlined in subsection B.

D. Improvements along state highways. For any development that abuts a state or federal highway, improvements to the roadway and the location and design of any street or driveway providing access from the state highway shall comply with the standards and requirements of the GDOT and this chapter. A permit for the proposed access or improvements shall be required to have been approved by the GDOT and incorporated into the construction drawings for the project prior to issuance of a development permit by the department.

E. Permanent dead-end streets.

1. New streets shall connect at both ends to existing streets unless the Director of Transportation determines that unique parcel configuration or terrain make a fully connected street pattern infeasible or unsafe.
2. When necessary, streets designed to have one end permanently closed shall provide a cul-de-sac turnaround and may be no more than 800 feet in length, unless otherwise approved by the Director of Transportation.
3. The length of a cul-de-sac street shall be measured from the center of the cul-de-sac to the center of the intersection with another street.
4. Cul-de-sacs shall conform to design requirements of the Rockdale County Standard Design and Construction Details.

F. Temporary dead-end streets.
1. A temporary dead-end street shall be provided to the boundary of a subdivision to provide access to abutting property for planned continuity of future circulation, improved access for public safety vehicles or for the extension of public water or other utilities to neighboring properties. Such dead-end streets shall be designed to meet the requirements of this article, and to allow their reasonable extension and shall be located so as to be reasonably incorporated into a street design for the neighboring property. A temporary vehicular turnaround shall be provided as shown in the standard details.
2. Existing dead-end streets on abutting property shall be extended into a proposed subdivision and incorporated into the street design of the development.
3. Subsections 1 and 2 of this subsection may be modified by the Director of Transportation in cases of serious topographical hardship or unacceptable land use conflicts between the two developments. This modification may be conditioned on the provision of easements necessary for the extension of public utilities, the provision of a cul-de-sac or other permanent turnaround on the dead-end street or the removal of the dead-end street back to its nearest intersection.
4. Where a dead-end street (other than a cul-de-sac) serves four or more lots in a multi-phase subdivision and such street is to be extended later, the developer shall be required to provide a temporary vehicular turnaround complying with this ordinance. This requirement may be waived if extension of the dead-end street is approved and under construction prior to its inclusion in a final plat.

G. Access roads. Where a development borders on or contains a railroad right-of-way, major utility easement, limited access highway right-of-way or a major thoroughfare; a public street may be required to be constructed and dedicated within the development approximately parallel to and on each side of such right-of-way. Locations of such service roads shall be aligned with similar service roads on adjacent properties.

H. Construction access drives are required for vehicles with gross weight of 10,000 pounds or more.
    1. On multi-phase developments, the developer shall be required to dedicate, install, maintain and remove temporary construction access drives for the ingress and egress of construction vehicles, personnel and equipment.
    2. Temporary construction access drives shall be shown on the concept plan and preliminary plat and shall access an existing county road where possible. Construction access drives shall be permitted through the Department of Transportation, and shall comply with sight distance requirements herein.
    3. Temporary construction access drives shall be utilized as the sole means of ingress and egress during the construction of subsequent phases of the development, to prevent the flow of construction and heavy vehicular traffic on newly constructed streets completed under earlier phases.
    4. If a temporary construction access drive cannot be provided at the discretion of the Director of Transportation, due to site-specific restrictions, then the developer shall provide a maintenance bond for those portions of the newly constructed roadway utilized for construction access. The maintenance bond shall provide surety for roadway repairs and resurfacing. The required bond amount per linear foot shall be the current amount established by the Board of Commissioners. The maintenance bond shall be provided to the county prior to the start of construction, and shall not expire for a period of 24 months following the completion of all construction activities.

I. Half streets. Both the construction of new half streets and the extension of access to existing half streets shall be prohibited. Whenever a street is planned adjacent to the proposed subdivision tract boundary, the entire street right-of-way shall be platted within the proposed subdivision.

J. Reserve strips. Land in private ownership adjacent to public rights-of-way, which could control or is intended to control access to streets, alleys or public lands, shall not be permitted unless control is given to the county under ownership, dedication or easement conditions approved by the county attorney or acceptable to the Director of Transportation. No development shall be designed so as to deny access to abutting properties.

K. Alleys. Alleys may be permitted by the Director of Transportation where lots are less than 75 feet in width or otherwise when the developer produces satisfactory grounds for the request. In the event the Director of Transportation approves the request, the alleys must be laid out in a grid fashion at rear lot lines, and double-fronting lots are permitted. The alley shall be designated as a public street pursuant to the standards contained in this ordinance. Alleys shall not be permitted as dead end-streets.

L. Street jogs.

1. Local streets shall either directly align or have offsets of a minimum of 125 feet for residential subdivision streets and a minimum of 200 feet for non-residential subdivision streets, as measured between the centerlines.
2. Where it is not feasible to align new streets or entrances with an existing street intersecting nearby on the opposite side of a collector or arterial street, then the new street intersection shall be no less than 600 feet from the intersection of the existing street, as measured between centerlines of the two opposing streets.

M. Traffic-calming measures. Traffic-calming measures shall be incorporated in accordance with the Rockdale County Traffic-calming Guidelines. Specific measures may include eastabout, speed tables or other methods approved by the Director Transportation. Street layout and configuration should include a series of relatively short interconnected roadways in lieu of longer straight roads, to discourage excessive speeds. See Section 13.1.10, Traffic calming devices.

13.1.5 Street intersections.

A. Angle of intersections. Intersections of two public streets shall form an angle that is between 85 and 95 degrees, unless otherwise approved by the Director of Transportation. If the intersection is signalized, the angle of the intersection may be reduced subject to the review and approval of the Director of Transportation.

B. Intersection approaches.
   1. The approaching street at any intersection shall be designed and constructed to provide both the minimum horizontal and vertical approach distances, as defined in this section and indicated in the table below.
   2. Minimum horizontal approach distance is defined as the minimum distance required along the centerline of an approaching street, perpendicular or no less than 85 degrees to the intersected street, as measured from the edge of pavement of the intersected street to the point of horizontal curvature on the approaching street.
   3. Minimum vertical approach distance is defined as the minimum distance required along the centerline of the approaching street, at a grade less than or equal to the recommended grade indicated in Table 13.1.5.B as measured from the edge of pavement of the intersected street to a point on the profile of the approaching street where grades exceed recommended values.

Table 13.1.5.B: Intersection approach distances

Approaching Street Classification	Minimum Horizontal Approach Distance 1	Minimum Vertical Approach Distance 1	Recommended Approach Grade 2
Principal Arterial	300 Ft.	200 Ft.	2.0%
Minor Arterial	200 Ft.	150 Ft.	2.0%
Collector Street	150 Ft.	100 Ft.	2.5%

Local Street	75 Ft.	50 Ft.	4.0%
1. Distance of the approach is measured from edge of pavement of the intersected street to the point of curvature in the approaching street. 2. Recommended approach grades shall be considered as the maximum allowable grades, unless otherwise approved by the Director of Transportation. No grade shall be less than 1.5%.			

C. Crown taper. The typical crowned street cross section shall be tapered over a distance of not less than 50 feet on the approaching street at all intersections, in order to connect flush with the line and grade of the edge of pavement on the intersected street. The cross-section taper shall be designed and constructed so as to provide for the adequate drainage of surface water from all portions of the travel surface and gutter.

D. Intersection radii. Intersection radii for roadways measured at back of curb and for the right-of-way lines shall be as shown in Table 13.1.5.D. For intersecting streets of different classification, the larger radii shall be provided. Larger radii may be required for streets intersecting at angles less than 90 degrees. In all cases, adequate right-of-way shall be provided to maintain a minimum of 12 feet from back of curb to right-of-way line. Miters are acceptable.

Table 13.1.5.D: Intersection Radii

Street Classification	Radius at Intersection
Principal Arterial	30 ft.
Minor Arterial	30 ft.
Collector Street	25 ft.
Local Street-Rural or Urban	25 ft.
Commercial/Industrial	35 ft.

E. Islands. Islands in street intersections shall conform to the design requirements of the Rockdale County Standard Design and Construction Details. In no case shall anything in an island extend more than three feet above the street grade within the right-of-way; except traffic regulatory devices, street trees and other infrastructure erected or approved by Rockdale County. No island shall be approved that contains less than 100 square feet. Irrigation or other private systems shall not be installed within public right-of-way.

F. Intersection corner sight distance.
   1. Intersections shall be designed with adequate corner sight distance for each approaching street. Where necessary, back slopes shall be flattened and horizontal or vertical curves lengthened to provide the minimum required sight distance.
   2. The minimum corner sight distance from the approaching street shall be calculated using latest edition of AASHTO "Policy on Geometric Design of Highways and Streets", chapter 9 (at-grade intersections).

G. Obstructing visibility at intersections. On all corner lots located at a street intersection, a clear sight zone shall be maintained at all times. The design and location of new intersections shall meet the standards of Section 13.1.2, Access Management and Section 13.1.3, Driveway design Standards.

H. Turning lanes at intersections. Both center left-turn and right-turn lanes shall be provided on all new internal project streets, and on all existing county roads, where traffic volumes and turning movements warrant the installation. At the request of the Director of Transportation, the developer or applicant shall prepare and submit a detailed traffic study (as defined herein), outlining projected traffic volumes, turning movements and auxiliary lanes required. The methodology and conclusions presented in the traffic study are subject to the review and approval of the Department of Transportation.

1. Center turn lane storage. A minimum storage length of 150 feet shall be provided for center left turn lanes on any arterial streets. A minimum storage length of 100 feet shall be provided on all collector streets. Additional storage capacity shall be provided as required, based on projected peak traffic volumes and turning movements.
2. Taper length. The taper length shall be in accordance with AASHTO design standards, based on the lane widths and design speed of the subject street.
3. The design, right-of-way acquisition, drainage system improvements, roadway widening, asphalt construction, traffic control, traffic striping, signage and all other improvements required or incidental to the installation of auxiliary turn lanes required to support any proposed development shall be completed by the developer or applicant, at no cost to Rockdale County.
4. Under the following conditions, left storage lanes shall be added to two-lane collectors or arterials with speed limits of 30 mph or more, at unsignalized locations where left turning vehicles will leave the arterial or collector street and enter major driveways or development entrances. See Table 13.1.5.H.

Table 13.1.5.H: Left Lane Storage Lane Requirements

If average peak hour left turn volume is:	And collector/arterial traffic is (vehicles per lane in peak hour):	Left turn storage lane:
Over 25	All volumes	Required
16—25	51-100	Required
13—15	101-200	Required
1—12	Over 200	May be required
Any volume	Any volume	May be required by Director of Transportation if sight distance (in feet) in either direction is less than 10 times the posted speed limit.

Source: Institute for Traffic Engineers, Traffic Engineering Handbook. Note: Traffic volume shall include all additional vehicles from proposed development.

5. The length of left turn storage lanes and tapers shall be as prescribed in the Table 4-9, "Minimum Design Elements of Left Turn Lanes", GDOT "Regulations for Driveway and Encroachment Control", and the latest edition.

13.1.6 Geometric street design standards.

A. All streets and roadways shall be designed in accordance with the AASHTO Standards, as provided in "A Policy on Geometric Design of Highways and Streets," latest edition and any amendments thereto. All applicable signage, markings or other traffic control measures shall be designed in accordance with the Manual of Uniform Traffic Devices (MUTCD), latest edition and any amendments thereto.

B. Horizontal curvature and super-elevation. All new streets shall adhere to the standards governing horizontal curvature and super-elevation in Table 13.1.6.B unless otherwise specified by AASHTO Standards:

Table 13.1.6.B: Horizontal Curvature and Super-elevation			
Street Category	Design Speed	Minimum Radius	Maximum Super-elevation
Principal Arterial	55 mph	1190 ft.	0.04
Minor Arterial	45 mph	711 ft.	0.04
Collector Street	30 mph	348 ft.	0.04
Note: Super-elevation not required for local streets.			

C. Tangents. Between reverse horizontal curves there shall not be less than the minimum centerline radii and tangents shown in the "Table of Horizontal Alignment and Reverse Curves," unless otherwise specified by AASHTO Standards. Compound radii are prohibited.

Table 13.1.6.C: Horizontal Alignment and Reverse Curves		
Street Category	Desirable Tangent Length	Minimum Tangents Between Reverse Curves
Principal Arterial	400 ft.	250 ft.
Minor Arterial	280 ft.	200 ft.
Collector Street	150 ft.	100 ft.
Local Street	120 ft.	50 ft.

D. Vertical alignment.

1. All changes in street profile grades having an algebraic difference greater than that shown in Table 4.3.5 of the latest edition of the GDOT Design Manual shall be connected to a parabolic curve having a minimum length in feet (L),

which is equal to the algebraic difference between the grades in percent (A) multiplied by the design constant (K) assigned to the street according to its classification and design speed (i.e. L = KA).

2. (K) values shown in Table 13.1.6.D of Constant (K) Values for Vertical Alignments shall be utilized in all cases, and in no case shall the constant K value be less than the minimum permitted.

Table 13.1.6.D: Constant (K) Values for Vertical Alignments

Street Category	Design Speed	Crest Vertical Curves (K Value)	Sag Vertical Curves (K Value)
Principal Arterial	55 mph	114	115
Minor Arterial	45 mph	61	79
Collector Street	30 mph	19	37
Local Street	25 mph	12	26

E. Street centerline grades.
   1. Street or road grades exceeding ten percent for a minor collector and 12 percent for local streets are prohibited, unless otherwise approved by the Director of Transportation. The Director of Transportation may grant limited exceptions on maximum grades, based on conclusive evidence that shows a lesser grade is impractical due to topographic or site-specific limitations.
   2. The minimum centerline grade for any street or roadway shall not be less than 1.5 percent, without exception, due to drainage concerns. A desirable minimum centerline grade of two percent shall be provided where possible.
   3. The maximum centerline grade across any cul-de-sac turnaround shall be five percent.

F. Crown slope. Unless super-elevated, all streets and roadways, except alleys, shall be designed and constructed with a crown slope of one-quarter inch per foot, to provide for the adequate drainage of surface water from the street centerline to the gutter or edge of pavement.

G. Super-elevation. The design of arterial and major collector roadways may require the super-elevation of the travel surface on horizontal curves in accordance with AASHTO Standards. The design and horizontal alignment of minor collectors and local streets serving residential areas should avoid the use of super-elevation where possible. In all instances, the maximum super-elevation rates shall be in accordance with subsection B above. Under no circumstance is a curved street of any classification to be reverse super-elevated.

H. Pavement design.
   1. Pavement sections shall be constructed in accordance with the standards in the “Table of standard pavement sections.”

2. The developer may submit for review and approval an alternative pavement design, prepared at the developer's cost. This submittal shall meet the following requirements:
    a. Design prepared by a professional engineer licensed in Georgia.
    b. Soils testing results prepared by a professional engineer licensed in Georgia.
    c. Design shall be completed using the GDOT's "Asphalt Pavement Design Procedures", latest edition.
    d. Design shall be based on 15-year pavement life.
    e. Traffic shall be calculated using the Trip Generation Manual, by the Institute of Transportation Engineers, latest edition.
    f. Traffic projections shall be made for any streets that serve areas outside of the proposed development.
    g. Traffic counts, including truck traffic, shall be made as required on existing roads.
    h. Rockdale County will require written certification that material used in sub-base conforms to the soils test results used in the design.
    i. Cores of pavement and base will be made as necessary to verify actual thickness of each pavement layer (surface, base, and sub-base). Copies of the test reports will be made available to the inspector. The minimum number of cores of surface, binder, base, and sub-base is one core per 500 feet of each street (or one core with streets less than 500 feet in length).

Table 13.1.6.H: Standard Pavement Sections

Street Type 1, 2	9.5 mm Superpave		Superpave			GAB 3
	Type I	Type II	12.5 mm	19mm	25mm	
Residential Streets						
<250 VPD	1¼”			2”		6”
250—1,000 VPD	1¼”			2¼”		6”
1,001—5,000 VPD		1½”		2½”		8”
Commercial/Industrial Streets						
>250 VPD		1½”	2½”	3”		10”
251—1,000 VPD		1½”		2½”	3”	10”
1,001—5,000 VPD			2½”	3”	4”	12”

Notes:
1. Only roads that serve strictly residential uses (<1 percent trucks) shall use the sections listed above as residential. All other developments shall use the commercial/industrial sections.

2. All streets designated as “arterial” shall have a pavement design submitted that meet the requirements for commercial/industrial streets.

13.1.7 Street construction standards and specifications.

Unless otherwise specifically set forth in these regulations, all of the materials, methods of construction, and workmanship used in street construction shall conform to GDOT's "Standard Specifications for the Construction of Transportation Systems," latest edition and any amendments thereto.

A. Pre-construction meeting. A mandatory pre-construction meeting is required for all development, construction and land disturbing activities, unless this requirement is specifically waived by the department. The applicant or developer shall contact the department to schedule the pre-construction meeting. The department will ensure the attendance of all necessary county staff. The applicant or developer must, at a minimum, have the following project personnel attend the pre-construction meeting:
    1. On-site project representative on behalf of the applicant or developer.
    2. General and/or grading contractor.
    3. Sub-contractors performing drainage system installation, base course construction and asphalt paving.
    4. Other specialty contractors performing a significant portion of the work.
    5. Design professional responsible for project design.
B. Clearing and grubbing. Before grading is started, the entire right-of-way area shall be first cleared and grubbed of all trees, stumps, roots, brush, debris and other objectionable materials. Specific trees that are intended for preservation shall be indicated on the design plans and subject to the review and approval of the department. All clearing limits shall be marked and tree protection fence installed prior to the pre-construction meeting. All erosion control measures shall be installed as required by the approved plans and in accordance with this chapter.
C. Rough grading.
    1. Grading activities shall be performed in accordance with the lines and grades shown on the approved construction plans. Grading plans shall include a plan view of the proposed roadway, showing existing and proposed contour lines at an interval of no more than two feet, as well as a profile of the street centerline and all applicable curve and design data. Grading plans shall outline those areas required to remain undisturbed (i.e., tree protection areas, buffers, etc.) and shall indicate protective fencing or staking to be placed surrounding such areas.
    2. Cut or fill slopes shall not exceed three horizontal units to one vertical unit, unless otherwise approved by the Director of Transportation based on site-specific topographic and geotechnical conditions. Flatter slopes shall be

provided, where possible, to better accommodate utility installation and maintenance activities.

3. Erosion and sediment control best management practices (BMPs) shall be installed in accordance with the approved construction plans, prior to or concurrent with all land disturbing activities. Alternate or additional BMPs may be required by the county inspector, if it is deemed that current measures do not provide adequate protection.
4. All suitable material from roadway cuts may be used in the construction of fills, approaches or at other places as needed. Excess or unsuitable materials, including organics, soft clay, etc., shall be removed from within the right-of-way and for a distance not less than one foot on each side of the road surface for each vertical foot of unsuitable material at the right-of-way line.
5. Fill material shall be placed in uniform horizontal layers or "lifts," not to exceed a compacted thickness of more than six inches. Moisture content shall be adjusted as necessary to compact material to 95 percent of maximum dry density. The top 12 inches of sub-grade material under any roadway, drive or parking area shall be compacted to 98 percent of standard proctor density.

D. Final grading and sub-grade preparation.

1. After rough grading, storm sewer and utility installation is complete and the back-fill in all such ditches is thoroughly compacted, the sub-grade shall be brought to the lines, grades, and typical roadway section shown on the plans.
2. All utility crossings shall be installed prior to sub-grade approval. If utility installation cannot be completed at this time, the developer shall coordinate the installation of casings or conduits to accommodate subsequent utility installation without disturbance to the sub-grade. Utility trenches cut in the sub-grade shall be backfilled and compacted as specified herein. The county inspector may require additional compaction tests at utility crossings to verify compaction.
3. Prior to sub-grade inspection and approval, the design professional shall certify in writing to the department that the lines and grades of the proposed street or streets are within six inches of design grades. This letter shall be submitted prior to sub grade inspection by county personnel.
4. Sub-grade testing and inspection: Sub-grade compaction shall be tested by the county inspector, prior to construction of the graded aggregate base course. Compaction testing shall be accomplished by visual inspections of actual live axle loads, commonly referred to as a "roll test." The developer or contractor shall schedule all compaction tests with the county inspector no less than 24 hours in advance. The developer or contractor also shall provide an adequate testing vehicle, minimum 18-ton hauling capacity, fully loaded. All areas or sections of the sub-grade that do not pass visual live load compaction testing,

at the discretion of the county inspector, shall be corrected. Once the developer or contractor makes all necessary corrections, it shall be his/her responsibility to re-schedule any and all subsequent roll tests.

5. Provisions shall be made to provide adequate drainage of the road surface during the course of construction, including temporary four-inch drain lines in all concrete gutters.

E. Graded aggregate base course construction.

1. The base course shall consist of graded aggregate, of a minimum thickness as required based on the street classification. Minimum base course thickness is provided in subsection 13.1.6.H. The base course shall be constructed in accordance with the lines, grades and typical cross sections shown on the approved construction plans. All aggregate materials shall be secured from GDOT- approved sources and shall comply with section 815 of the "Standard Specifications for the Construction of Transportation Systems," latest edition.
2. All base course material shall be spread uniformly with a mixture spreader, or other approved means, to the proper depth to obtain the required thickness. The maximum thickness of base course material to be placed in one course shall be six inches compacted. If the design thickness of the base course is more than six inches, it shall be constructed in two or more courses of approximate equal thickness. With sufficient and suitable equipment, the county inspector may allow base material to be placed in lifts up to eight inches.
3. The moisture content of the aggregate material shall be uniformly distributed and shall be adequate to allow compaction to a minimum of 100 percent of the maximum dry density based on the modified proctor method. Immediately following the spreading of the graded aggregate, all material shall be compacted to the full width by rolling with a smooth-wheel, vibratory roller weighing seven to ten tons, or an equivalent sheepsfoot packer. Rolling shall progress gradually from the edge to the center, parallel with the centerline of the street and lapping uniformly each preceding track by one-half the width of such track. Rolling shall continue until the entire surface is smooth, closely knit, free from cracks, conforming to the prescribed line, grade and cross section, within the limits specified.
4. Any irregularities, areas of segregation or depressions that develop under such rolling shall be corrected by loosening the material at these locations and adding or removing material until the surface is smooth and uniform. The application of water, applied uniformly over the base course, may be required to achieve adequate compaction. Shaping and rolling shall be performed alternately, as required to prepare a uniform compacted base.

5. Along curbs, headers, walls and at all locations not accessible to the roller, the base course material shall be compacted thoroughly with mechanical tampers or approved hand tampers.
6. No base material shall be deposited or shaped when the sub-grade is frozen, thawing, or during other unfavorable weather conditions.

F. Graded aggregate base course testing and inspection.
1. Cross section. The cross section and crown slope shall be verified at intervals or locations determined by the county inspector. The developer or contractor shall provide a string line and dedicated personnel to pull the line and allow verification measurements to be made by the county inspector. Those areas or portions of the roadway, which do not comply with the design cross section or crown slope, shall be corrected and verified by county personnel prior to base course approval.
2. Roll test. Base course compaction shall be tested by the department prior to the application of bituminous asphalt paving. Compaction testing shall be accomplished by visual inspections of actual live axle loads (roll test). The developer or contractor shall schedule all compaction tests with the county inspector no less than 24 hours in advance. The developer or contractor also shall provide an adequate testing vehicle, minimum 18-ton hauling capacity, fully loaded. All areas or sections of the base course that do not pass visual live load compaction testing, at the discretion of the county inspector, shall be corrected. Once the developer or contractor makes all necessary corrections, it shall be his/her responsibility to re-schedule any and all subsequent roll tests.
3. Prime coat. At the completion of base course construction, testing and approval by the county inspector; the base course shall be primed and sealed with 0.25 gallon of R.C. 70 per square yard. This requirement may be waived by the county inspector, if the placement of asphalt paving is anticipated within the following three to five days and prior to any significant rainfall event.
4. Additional inspections due to weather conditions. If a significant weather or rainfall event occurs following the approval of base construction but prior to asphalt paving, the county inspector may require additional roll testing to re-verify the structural integrity of the road base. The developer or contractor shall be subject to comply with such additional inspections, at the discretion of the county inspector.

G. Bituminous asphalt paving.
1. Bituminous asphalt production, handling, transportation and placement shall meet or exceed the requirements of the GDOT's "Standard specifications construction of transportation systems," latest edition and any amendments thereto. Asphalt pavements shall be of the superpave mix design, as specified

herein; and the use of conventional mix designs will not be permitted, unless otherwise approved by the Director of Transportation.

2. Equipment.
    a. Mechanical pavers. Mechanical pavers used for the placement of hot-mix asphalt shall be capable of spreading and finishing all courses to the indicated widths and depths, true to line, grade and cross section, and shall be capable of striking a smooth finish, uniform in density and texture. Mechanical pavers shall be equipped with extendable screeds, capable of spreading at the width of each travel lane in one pass.
    b. Compaction equipment. The compaction equipment must be in good mechanical condition and capable of compacting the mixture to the required density. The number, type, size, operation, and condition of the compaction equipment shall be subject to the approval of the county inspector. At a minimum, a smooth drum vibratory roller (minimum eight tons) and a separate pneumatic-tired roller shall be provided. An additional finish roller or larger equipment may be required by the county inspector, based on visual observations of surface texture or density tests.

H. Paving operations.
1. The county inspector will require that a copy of the detailed asphalt mix design be submitted prior to asphalt paving. Only asphalt produced by a GDOT-approved plant may be utilized. Plant production, transportation and paving operations shall be so coordinated that a uniform continuity of operation is maintained. If the spreading operations are interrupted for one hour or more, a transverse joint shall be constructed. Asphalt shall be delivered to the job site at a temperature that is within 20° F (11° C) of the temperature of the job mix formula. The county inspector may reject any asphalt load that does not meet temperature requirements, contains segregated material or does not comply with mix design requirements.
2. Weather limitations. The mixing and placement of bituminous asphalt pavement shall not be performed when the existing surface is wet or frozen. For all courses, the air temperature for placement of the mix shall be in accordance with the "Table of Air Temperature for Placing Asphalt Pavement."

Table 13.1.7.H: Air Temperature for Placing Asphalt Pavement

Lift Thickness (Inches)	Minimum Temperature (°F)
1” or Less	55
1.1 to 2.0”	45

2.1 to 3.0”	40
3.1 to 4.0”	35
4.1 to 8.0”	32
Note: Temperature must be rising and base material may not be frozen.	

3. Bituminous tack coat. Tack shall be applied prior to the placement and compaction of all subsequent courses of asphalt pavement, in accordance with GDOT Standards, Section 413. On curbed streets, the edge of the gutter shall be tacked to provide a water-resistant seal at the joint. Special care shall be taken to avoid the application of bituminous tack to portions of the curb and gutter that are to be visible following construction.
4. Wearing course must be placed at the earliest of the following times:
    a. Upon completion (final inspection) of principal structures on 80 percent of the buildable lots in the subdivision.
    b. Two years after recording of the final plat for the subdivision.
    c. At an earlier time by the mutual consent of the developer and the department.
5. Prior to installation of the surface pavement course and bituminous tack coat, the county inspector shall inspect existing asphalt pavement for damage from traffic and construction activities. Any areas found shall be repaired to the inspector's satisfaction prior to final paving.

I. Concrete streets. Concrete streets are not allowed.

J. Rural cross section. Certain local residential roads may be constructed without curb and gutter as provided in this chapter. On all such rural streets, the road base shall be extended one foot beyond the edge of the pavement.

K. Typical sections. All streets and roadways shall be constructed to the typical sections specified in the Rockdale County Standard Design and Construction Details, based on street classification category.
    1. Copies of test results are to be made available to the county inspector as needed for verification of standards and specifications.

13.1.8 Curbs and gutters.

A. All new streets or street widening sections shall be provided with curb and gutter, except as noted below. All gutters shall drain positively with no areas of ponding.

B. Only in rare circumstances shall streets without curb and gutter be allowed with the approval of the Director of Transportation. Such cases may involve future street widening projects or unique circumstances that prevent the installation of new curb and gutter. Otherwise, all new streets shall have curb and gutter.

C. All concrete curb and gutter shall be GDOT Standard 9032B, Type 2 (except in subdivisions, where the curb and gutter shall be 24 inches wide, while all other dimensions remain). Roll-back or Hollywood curbing shall be prohibited.
D. Curbing shall conform to the following standards:
    1. Concrete shall be class "A," as defined by the GDOT, and have a minimum strength of 3,000 PSI at 28 days.
    2. One-half inch expansion joints or pre-molded bituminous expansion joint material shall be provided at all structures and radius points and at an interval not to exceed 250 feet in the remainder of the curb and gutter. Contraction joints also shall be provided at ten-foot intervals along the curb line.
    3. When the development ties into existing curbing, the curb and gutter shall transition to and match the existing width and profile at the connection point.
    4. Terminations or curb tapers shall be provided at the end of any gutter. The curb height shall be tapered from six inches to zero inches over a distance of six feet.
E. Curb and gutter shall be set true to the line and grade of the street, horizontally and vertically field staked and finished to the section shown on the plans. Line and grade shall be established by the developer's engineer or surveyor. Offset staking shall be provided at 50-foot intervals.
F. Curbing not installed in accordance with the requirements of this section or the standard details shall be removed and replaced at the developer's expense. The county inspector may require, and the developer shall provide core samples to verify concrete thickness.
G. Disturbed areas along all curbing shall be backfilled, compacted, stabilized, and grassed.

13.1.9 Sidewalk and bikeway requirements.

A. Sidewalks shall be located:
    1. Along the street frontage of all commercially zoned property.
    2. Along the existing street frontage of any new development.
    3. Within a one-half (½) mile radius of any public school.
    4. On both sides of all streets in any residential subdivision, except in the A-R and W-P zoning districts.
B. Sidewalks in subdivisions shall be continued to the nearest arterial street.
C. Sidewalks shall be located as shown on the Rockdale County Standard Design and Construction Details. All new sidewalks shall match and provide a smooth transition to any existing sidewalk.
D. Sidewalks shall be installed on an individual lot basis at the time of building construction. The county shall inspect the location and construction of the sidewalk and shall not issue a certificate of occupancy until the required sidewalk is properly installed.

E. A strip of grass or other approved landscape material at least four feet in width shall separate all sidewalks from adjacent curbs on public streets. See Rockdale County Standard Design and Construction Details.
F. Sidewalks shall be concrete and a minimum of five feet wide and four inches thick. Concrete shall be class "A," as defined by the GDOT, and have a strength of 3,000 PSI at 28 days. Disturbed areas along sidewalks shall be backfilled, compacted, stabilized and grassed. The county inspector may require and the developer shall provide core samples to verify core thickness.
G. Additional sidewalks and/or pedestrian easements may be required in subdivisions or developments where deemed essential to provide circulation or access to schools, playgrounds, shopping centers, transportation and other community facilities.
H. Bicycle lanes, where provided, shall be a minimum of four feet in width and placed between the outside lane of a roadway and the curb or shoulder. When on-street parking is permitted, the bicycle lane shall be between the parking lane and the outer lane of moving vehicles. Lanes shall be delineated with appropriate markings, as required by MUTCD Standards. Bikeways and bicycle lanes must be pre-approved by the department and meet the requirements of AASHTO "Guide for the Development of Bicycle Facilities," latest edition.

13.1.10 Traffic calming devices.

A. Easeabouts and associated signage shall be included in the design and construction of all streets and roads in the county where either the design speed or the posted speed limit is 35 miles per hour or less.
B. The Director of Transportation shall establish specific standards for the design, construction, placement and planting plan for easeabouts, as well as for the design and construction of other types of island splitters, including entrance islands, boulevards, roundabouts, cul-de-sac islands and other such vegetated or natural islands within the right-of-way. These standards shall be known as "Island, Easeabout and Roundabout Design and Placement Standards for Rockdale County," further referred to and known as the design and placement standards and are hereby made a part of this section by reference. The design and placement standards are available to the public and shall be maintained in the offices of the department and the office of the Board of Commissioners. The Director of Transportation may, from time to time, modify these technical standards.
C. Easeabouts for all local streets shall be designed and installed in accordance with the design and placement standards. Easeabouts shall be placed at intervals and locations as specified in the design and placement standards.
D. All other types of islands or island splitters, including entrance islands, roundabouts, cul-de-sac islands and other such vegetated or natural islands within the right-of-way shall conform to the design standards contained in the design and placement standards.

E. Other designs or types of traffic calming devices may be approved at the discretion of the Director of Transportation, provided that such devices meet the following minimum criteria:
    1. The proposed traffic calming device must be recognized as such by the transportation industry, i.e., it must be recognized by the Institute of Transportation Engineers, American Association State Highway Transportation Officials, the Federal Highway Administration, the American Traffic Safety Services Association or other nationally recognized transportation industry organization or guiding authority.
    2. The proposed traffic-calming device must be designed, located, and constructed in accordance with the minimum standards of the approving organization or guiding authority. The Director of Transportation may impose additional design, location, or construction criteria prior to approving such a device.
    3. The proposed traffic-calming device must include plantings, water quality, or other environmental enhancements or beautification elements.
    4. Traffic calming may be accomplished via proper geometric design of the streets. Such designs may be accepted by the Director of Transportation in lieu of ease-abouts or other structural traffic calming devices.
    5. The Director of Transportation may disallow the use of devices that meet the criteria set forth in subsections A through D of this section if, in his judgment, the installation of such a device would create unusual or costly maintenance, create a safety hazard, restrict movement of emergency vehicles, be incompatible with existing or anticipated freight traffic due to continuous or heavy truck use, or would otherwise not be in the best interest of the county.
F. Islands that are not specifically for traffic calming, such as entrance islands, cul-de-sac islands, tree-save islands or other decorative islands, may be approved for construction by the Director of Transportation, if they conform to the design principles contained in design and placement standards.
G. All plant materials included in easeabouts or other islands shall be installed at the expense of the developer and shall be maintained by the subdivision's homeowner's association. A notification to this effect shall be included on the final plat recorded for the subdivision.
H. The Director of Transportation may, at his or her discretion, approve unusually shaped islands or innovative designs.
I. Any aggrieved person not satisfied by the decision of the Director of Transportation may appeal such a determination in accordance with the procedures set forth in Section 18.10, Appeals.

13.1.11 MUTCD Compliance.

A. MUTCD compliance. All traffic signals, signage, striping and pavement markings shall conform to the MUTCD, latest edition and any amendments thereto. Traffic control signs shall comply in shape, color, size, reflectivity, height, materials and placement.

B. Traffic signage.
    1. After final plat approval, the developer shall procure and install all necessary traffic signs, traffic signals, and pavement markings as called for in the final plat. Rockdale County will inspect the installation to insure that work is done in accordance with the final plat and the Manual on Uniform Traffic Control Devices (MUTCD).
    2. Any signs that are damaged following initial installation, due to additional work at the site, shall be replaced at the developer's expense.
    3. Decorative signs or traffic control devices shall be prohibited. The use of decorative signposts may be approved at the discretion of the Director of Transportation, if covenants are provided that require decorative sign post replacement to be funded by an established property owner's association. If decorative signposts in any development are damaged or worn, the county will provide only a standard U-channel sign post as replacement.

C. Pavement markings.
    1. Local streets with curb and gutter are exempt from traffic striping requirements, except for stop bars at stop signs and markings at ease-abouts and traffic circles. All other street classifications shall require both centerline and edge line striping in accordance with this chapter.
    2. All centerline or edge line striping shall be performed in compliance with GDOT Standard 652, Paint Striping. On any street classified as a major collector or arterial, all traffic striping shall be thermoplastic in accordance with GDOT Standard 653.
    3. All pavement markings shall be reviewed and approved by the department. All pavement markings shall be thermoplastic and shall be installed in accordance with GDOT Standard 653 and MUTCD requirements.
    4. On any newly paved or resurfaced streets on public rights-of-way, thermoplastic stop bars are required on all approach lanes in accordance with MUTCD Standards.
    5. Raised pavement markers or similar devices shall be required on all major collector and arterial streets, and on any other street installed by developers where safety conditions warrant such devices.

D. Traffic signals.
    1. Prior to the installation of a traffic signal, the installation of a single-lane roundabout shall be considered.

2. Traffic signal installation must be approved by Rockdale County and the GDOT, if on a state route. The developer shall submit a traffic study prepared by a professional engineer, registered in the State of Georgia, detailing existing and projected traffic volumes, movements, capacity and required improvements. The Director of Transportation may require that a traffic study be provided for any development where increased traffic volumes may significantly impact the existing capacity, traffic flow or safety on any existing county road.

E. Traffic safety improvements. It shall be the developer's sole responsibility to fund, design, construct and/or install any all traffic safety improvements and traffic control devices required to provide safe ingress and egress to any development.

13.1.12 Unpaved county roads.

A. Paving of the county's unpaved roads will be accomplished under the following procedures subject to availability of funds:
    1. Roads requiring additional right-of-way. These type of roads are generally connecting roads to other more heavily traveled roads in the county. The road design would be in accordance with the subdivision standards.
        a. Property owners will submit a request to the department to pave the road.
        b. The request would include a signed petition by at least 60 percent of the owners that agree to donate the necessary right-of-way.
        c. Upon completion of concept design, Rockdale County will provide notice to the public of a public information meeting (PIM) on the specific project. The purpose of the meeting will be to reveal the concept design and address any questions that the citizens may have on the project. Following the PIM, Rockdale County will evaluate the comments from this meeting; and, if 80 percent support is achieved, Rockdale County will proceed with the final design plans.
        d. Upon completion of the final design plans, a second PIM will be held to answer any questions that may arise. Immediately following the second meeting, personal contact will be made with each property owner to secure donations of right-of-way. This contact will be made by an independent land acquisition person and/or a county employee to secure the right-of-way. At this stage of design, if a minimum of 80 percent of the property owners on the project have signed deeds donating right-of-way to the county, the county will proceed with right-of-way negotiations with the final 20 percent of the property owners. The percentage referred to in this paragraph may be changed for public necessity by the Board of Commissioners.

e. If Rockdale County is unsuccessful in securing the right-of-way from the final 20 percent of the property owners, the county shall proceed with condemnation of the right-of-way.

2. Roads not requiring additional right-of-way.
    a. The criteria for these roads would be in accordance with the following:
        i. Traffic volumes less than 100 vehicles per day.
        ii. Dead-end road.
        iii. Existing right-of-way of at least 50 feet.
        iv. Less than ten homes/residences adjacent to the road.
        v. No major drainage problems.
        vi. No major environmental issues.
        vii. Little or no crash history.
        viii. Approximately ½ mile in length or less.
    b. The design of the road would be in accordance with the Guidelines for Geometric Design of Very Low-Volume Local Roads, latest edition.
    c. The pavement structure would consist of a graded aggregate base (at least four inches) and a two-inch asphalt paved riding surface of at least 18 feet wide and a total roadway width of at least 20 feet.
    d. Trees, vegetation side slopes, and open drainage abutting the roadway would be undisturbed to the maximum extent possible without compromising public safety.

B. Paving of the unpaved county roads has to be included in the Rockdale County Comprehensive Transportation Plan.

C. Street names. The names of streets shall be reviewed and approved by the department in coordination with Rockdale County Department of Communications. Proposed street names shall not duplicate nor closely approximate the name of an existing street.

13.1.13 Connectivity.

A. Connectivity.
    1. Where feasible, a proposed subdivision shall provide a street system that is interconnected with the existing or planned street system, subject to the following requirements:
        a. Proposed streets shall be extended to the boundary lines of the tract to be subdivided unless prevented by topography or other physical conditions.
        b. Whenever a tract of land that is to be subdivided abuts a street stub or dead-end street, the design of the streets within the subdivision shall be arranged so that the abutting streets or rights-of-way are continued through the new subdivision and connected with other adjoining streets.

c. Whenever a dedicated or platted half-width street or alley adjoins the tract to be subdivided, the other half-width shall be platted and improved as required by this chapter.
d. Culs-de-sac are discouraged, except where streams, lakes, geological or topographical features make through-connections infeasible.
e. Culs-de-sac longer than 800 feet are prohibited.
f. When culs-de-sac are necessary, the Director of Transportation may require that access easements be provided through one or more lots from the cul-de-sac to another nearby public street in order to ensure interconnected access for pedestrians, bicycles, and emergency vehicles to through-streets and multi-use trails.

B. In order to ensure emergency access, every subdivision meeting the standards of Section 16.2, not exempt from preliminary plat procedures, shall have the minimum number of access points required by the table set forth in Section 13.1.2, Access Management. If two or more public street entrances to a subdivision occur along the same existing street, the entrances shall have adequate sight distance and be no less than 400 feet apart if on a local street, or 600 feet apart if on a street classified as collector or arterial street on the Rockdale County Functional Classification System.

13.1.14 Controlled Access.

A. Access to any development that is controlled through any means, such as private gates and guardhouses, shall comply with the following standards. Emergency and "exit only" access points are exempt for these requirements.
    1. Gate Width. The clear opening through gates shall be at least two (2) feet wider than the roadway it controls.
    2. Queuing Distance.
        a. Gates placed across the entrance to a private development or a private driveway at the intersection with a public street shall be setback a minimum of 100 feet from the right-of-way of the public street in order to provide queuing space and not impede traffic on public streets.
        b. For any controlled access device that opens on a horizontal plane, such as a gate, a minimum of 20 feet of clear width shall be provided unless additional width is required by the Director of Transportation. Such a device shall open away from the street right-of-way.
        c. For residential developments, adequate maneuvering room between the gate and the street shall be provided for a turnaround area for vehicles to exit in a forward motion. The turnaround area shall have a minimum radius of 60 feet to the outside of the turn. The turnaround area is subject to approval as determined by the Director of Transportation.

13.1.15 Street abandonment.

A. Any abandonment of an actual existing paved public street by the County pursuant to this section shall comply with the applicable requirements set forth in state law and this Code, including, but not limited to, the requirements set forth in O.C.G.A. §32-7-2(b) and 32-7-4 and as may hereinafter be amended.
B. A property owner may petition the Board of Commissioners to abandon an existing public street that abuts the owner's property. The petition shall include documents that comply with all of the requirements set forth in this section. The petition shall contain evidence that each abutting landowner to the public street seeks to have the street abandoned.
C. The petition shall contain evidence that once abandoned pursuant to the requirements of state law, all property owners that abut the street agree that ownership of the street shall be placed in a property owners' association or conveyed to such adjacent owners. The petition shall include evidence that 100 percent of all property owners in the property owners' association or all adjacent property owners have agreed that the street at issue may become private and have agreed to maintain and exercise control over the private street as required by this ordinance.
D. The petition shall contain evidence that the property owners' association or adjacent property owners has the financial ability to maintain the street and associated improvements in perpetuity.
E. The petition shall include evidence that the declaration of covenants and articles of association or other legal instruments creating the property owners' association provide or have been amended to provide that membership in the property owners' association is mandatory for each original and successive purchaser of a lot, building, or unit on the street.
F. The petition shall include evidence that the property owners' association shall be organized so that it has absolute legal authority to maintain and exercise control over the private streets and required improvements associated with private streets, including, but not limited to, sidewalks, bikeways, curbs and gutters, traffic signs and markings, associated landscaping and lighting, entry signs, monuments, perimeter walls and fences, private entry gates, and gatehouses.
G. The petition shall include evidence that the declaration of covenants creating the property owners' association shall be recorded with Rockdale County Superior Court, and the recorded declaration of covenants and articles of incorporation creating the property owners' association shall provide that all private streets and associated improvements are owned by the property owners' association or are held in common by the property owners within the development in compliance with all requirements for private streets as provided in Section 13.2, Private Streets.
H. The paving and/or the resurfacing of a private street shall be inspected by a licensed engineer. The applicant developing or paving the private street shall provide a sealed

inspection report by said engineer to the Director of Transportation certifying compliance with County public street standards.

I. The Board of Commissioners shall not consider a petition for abandonment unless it:
    1. Contains all of the evidence and documents required by this section;
    2. Is supported by an analysis by the County that shows that the street is no longer used by the public to the extent that it serves no substantial public purpose and that the public at large will benefit from its closure since the public will no longer be responsible for any costs to maintain and repair the street; and
    3. Is supported by an analysis by the Director of Transportation that shows that the abandonment of the street does not negatively impact adjacent neighboring communities and the public at large.

13.2 Private Streets.

13.2.1 General provisions.

A. Private streets are allowed only if the development seeking to have private streets is fifteen (15) acres or larger in area.
B. Application of District and Supplemental Regulations.
    1. Where this ordinance measures minimum building setback lines and frontages, or imposes development standards in connection with, or with reference to public streets, such measurements or standards set forth in the district regulations and supplemental regulations of the UDO, in this ordinance, or elsewhere in this Code, apply similarly for property abutting a private street where such private street has been approved by the Board of Commissioners.
    2. Nothing in this section is intended to authorize any kind of development on a private street that would not be authorized where there was public right-of-way.
C. Parking and Addressing.
    1. Private streets within any zoning district may not be used to satisfy the off-street parking requirements of this UDO.
    2. Private streets within any district shall be assigned names and locations. The names of these streets shall be shown on plans required for the issuance of building and development permits as provided by the building code.
    3. The County shall approve all private street names and addresses to avoid conflicting names and addresses.
D. Utilities and Easements.
    1. Where sanitary or storm sewer lines are constructed underneath a private street, the developer is required to grant an easement to the applicable utility authority for their installation, maintenance and repair.

2. In the case of private streets, the County is authorized to assign responsibility for maintenance of storm sewers to a property owners association.

E. Emergency and Public Safety Access. Developers and property owners' associations shall ensure access to all private streets by emergency and law enforcement vehicles and shall ensure that private streets are constructed to allow access by all emergency vehicles and law enforcement vehicles.

F. Density Limitation. The use of private streets may not result in an increase in permitted density above that which would otherwise be permitted by the applicable district regulations.

G. Design, Construction, and Inspection Standards.
   1. Private streets shall comply with requirements for public streets found in the UDO and all other applicable sections of the County Code.
   2. Private streets shall be surfaced with the same type of materials that are used by the County for the surfacing and resurfacing of public streets or with materials that are as protective as those used by the County to surface and resurface streets so long as such alternative materials are approved by the Director of Transportation.
   3. All paving and/or the resurfacing of a private street shall be inspected by a licensed engineer. The applicant developing or paving the private street shall provide a sealed inspection report by said engineer to the Director Transportation certifying compliance with County public street standards.

H. Authorization for Smaller Developments. The Board of Commissioners may authorize a private street for a development under fifteen (15) acres in size where the Director of Transportation has certified that the applicant has submitted all required documentation as set forth herein and where the Board of Commissioners finds that:
   1. The location of the proposed private street will not adversely impact use of any existing surrounding public street;
   2. The location of the proposed private street will not adversely impact adjacent existing communities or neighborhoods;
   3. The applicant has shown that there is the requisite legal mechanism for the maintenance of the proposed private street; and
   4. The applicant has provided written evidence that the proposed private street system is acceptable to the County departments or divisions responsible for law enforcement, sanitation, transportation, and fire and rescue.

I. Ownership. Private street rights-of-way shall be owned by a mandatory homeowners' or property owners' association created by recorded covenants and incorporated under state law for any development served by such private streets, or in the case of the condominium form of ownership, owned jointly by the unit owners and maintained by the mandatory homeowner's association required by statute. Required standards for homeowners' and property owners' associations:

1. A public access easement, utility easement, and or declaration of covenants shall entirely overlay the rights-of-way and be recorded with the Rockdale County Superior Court.
2. All applicable setbacks, lot widths, and lot areas shall be measured from the association right-of- way. This provision is intended to prohibit the incorporation of any portion of the private street into any buildable lot.
3. Membership in the association shall be mandatory for each original and successive purchaser of a lot, building, or unit within the development.
4. The association shall be organized so that it has clear legal authority to maintain and exercise control over the private streets and required improvements associated with private streets, including, but not limited to, sidewalks, bikeways, curbs and gutters, traffic signs and markings, associated landscaping and lighting, entry signs, monuments, perimeter walls and fences, entry gates, and gatehouses.
5. The recorded declaration of covenants and articles of incorporation creating the association shall provide that all private streets and associated improvements are owned by the association or are held in common by the property owners within the development.
6. The streets shall be properly maintained and insured with no liability or maintenance responsibilities accruing to the County. The recorded declaration of covenants and articles of association shall specifically require the association repair and maintain each private street in the same manner as similar public streets are maintained by the County, and such maintenance and repair shall be performed in compliance with all County standards and all applicable provisions of law.
7. The declaration of covenants and articles of association shall provide for a street maintenance fund, the proceeds of which may be used solely for the purpose of regular maintenance of the streets, whether for resurfacing or a similar purpose. For the purposes of providing further assurance that County funds may not be used for maintenance of private streets, the developer shall submit proof of deposit of 50 percent of the current estimate of resurfacing costs, as determined by the Director of Transportation, in an interest-bearing account on behalf of the association.
8. The association shall be empowered to levy assessments against owners within the development for the payment of expenditures made by the association for maintenance of the private streets and other items set forth in this subsection. At least 15 percent of all fees or assessments paid shall be set aside in the maintenance fund. Any unpaid assessments will constitute a lien in favor of the association on the lot, building, or unit of the owner.

J. Prior to any final plat approval, the developer shall submit recorded articles of incorporation, declarations of covenants, bylaws for the association, and proof of the maintenance deposit.
K. Maintenance Bond. A maintenance bond shall be provided in accordance with Section 16.10, Sureties and Guarantees.
L. Inspection and Deficiencies.
    1. Within nine (9) months following approval of the final plat, the Director of Transportation shall inspect the private streets to ensure compliance with all County standards and all applicable provisions of this Code including, but not limited to, the requirements set forth in law for public streets, curbs, sidewalks, signage, and street lighting.
    2. The developer shall be notified of any deficiencies in writing, and such deficiencies shall be corrected within 60 days of the written notice of deficiencies unless the County agrees to extension of that period in writing.
M. Failure to correct the complete list of deficiencies constitutes a violation of this Section and will subject the developer to prosecution for a code violation in the magistrate court. Any person found to have violated this Section is subject to a fine of not less than $500.00 for each violation. Each day that the violation exists is a separate and distinct offense.
N. The Director of Transportation shall deny the issuance of certificates of occupancy until all deficiencies have been corrected.

13.2.2 Private Street Dedication Process

A. Authority. The dedication and acceptance of a private street as a public street in Rockdale County shall comply with all applicable provisions of state law and this Code, including but not limited to O.C.G.A. §§ 32-3-1, 32-6-1, and 44-5-230, as amended.
B. Petition for Acceptance of Private Street. The owner or owners of property abutting a private street may petition the Rockdale County Board of Commissioners to accept the private street as a public street. The petition shall be submitted to the Department of Transportation and shall include all documentation required by this section.
C. Required Petition Contents. A petition for acceptance of a private street as a public street shall include evidence demonstrating all of the following:
    a. Abutting Owner Consent
    b. Written consent to dedication from all owners of property abutting the private street, unless a lesser percentage is expressly authorized by the Board of Commissioners.
    c. Dedication Instrument
    d. A proposed deed of dedication or other legal instrument conveying the street right-of-way to Rockdale County in a form acceptable to the County Attorney.
    e. Clear Title

f. Evidence that the street right-of-way is free and clear of liens, encumbrances, or private ownership interests inconsistent with public ownership, or that such interests will be released upon dedication.
g. Right-of-Way Width
h. Evidence that the street meets or can be brought into compliance with Rockdale County right-of-way width requirements.
i. Construction Standards
j. Certification by the Department of Transportation that the street has been constructed or upgraded to meet all applicable County standards for public streets, or that required improvements have been completed or secured.
k. Drainage and Utilities
l. Evidence that drainage facilities, stormwater infrastructure, and utilities within the street right-of-way comply with County standards and do not impose unacceptable maintenance burdens.
m. Plat or Survey
n. A draft plat or survey showing the street, right-of-way boundaries, and adjoining properties.
o. Termination or Modification of Private Controls
p. Evidence that any private covenants, easements, or association documents governing the street have been terminated or amended to be consistent with public ownership and use.

D. Staff Review. The Board of Commissioners shall not consider a petition unless it is supported by:
    a. Department of Transportation analysis demonstrating that the street meets County construction standards and is suitable for inclusion in the public street system.
    b. Department of Planning and Development analysis demonstrating that acceptance of the street serves a public purpose and is consistent with County plans and policies.
    c. County Attorney review confirming that all dedication instruments and title documentation are legally sufficient.
E. Acceptance. Acceptance of a private street as a public street shall occur only upon formal action of the Rockdale County Board of Commissioners. Acceptance shall constitute the County's assumption of maintenance and responsibility for the street.
F. Discretionary Nature. Nothing in this section shall be construed to require Rockdale County to accept any private street. Acceptance of a private street shall be solely within the discretion of the Board of Commissioners.

Article 14: Environmental Standards

14.1 Administration.

14.1.1 Responsibility.

A. The Director of Stormwater Management shall be responsible for the administration and enforcement of the provisions of this article, and for making professional judgments regarding any environmental protection practices related to the implementation of this article.

14.2 Wetlands.

14.2.1 Wetland Regulations.

A. National Wetland Inventory Maps. The National Wetland Inventory Maps, prepared by the United States Fish and Wildlife Service, show the general locations of wetlands and should be consulted by persons contemplating activities in or near wetland areas. These maps should be used as a guide only. Field verification is required to determine the existence or absence of any jurisdictional waters.

B. Plans. Design professionals, after consulting the National Wetland Inventory maps and conducting appropriate field studies, must indicate wetlands or jurisdictional waters on plans required for land disturbance permit applications.

C. Design Professional Statement. Prior to the issuance of a land development permit, the design professional who prepared the required plans accompanying the permit application, must add a statement to the plan sheet indicating land disturbance and the statement must read as follows:

> *Wetland certification:*
> The design professional, whose seal appears hereon, certifies the following: (1) the National Wetland Inventory maps have been consulted and appropriate field studies have been conducted; and, (2) the appropriate plan sheet [__] DOES/[__] DOES NOT (mark appropriate box) indicate wetlands as shown on the maps; and, (3) if wetlands are indicated, the land owner or developer has been advised that land disturbance of protected wetlands or jurisdictional waters must not occur unless the appropriate federal wetlands alteration ("Section 404") permit has been obtained.

D. ACOE Coordination. The issuance of Land Disturbance Permits by the County may be coordinated with the U.S. Army Corps of Engineers Section 404 permitting process. If the "wetland certification" above indicates the presence of wetlands or jurisdictional water as shown on the NWI generalized wetlands maps or by field study, a land disturbance permit that identifies alterations of designated wetlands or jurisdictional waters may not be issued by the County until a Section 404 Permit or Letter of Permission is obtained from the U.S. Army Corps of Engineers.

14.3 State Waters Buffers Protection.

14.3.1 Findings and Purposes.

A. Findings. Rockdale County finds that buffers adjacent to streams provide numerous benefits, including:
    1. Protecting, restoring and maintaining the chemical, physical, and biological integrity of streams and their water resources.
    2. Removing pollutants delivered by urban stormwater runoff.
    3. Reducing erosion and controlling sedimentation.
    4. Protecting and stabilizing stream banks.
    5. Providing for infiltration of stormwater runoff.
    6. Providing tree canopy to shade streams and promote desirable aquatic habitat.
    7. Providing riparian wildlife habitat.
    8. Furnishing scenic value and recreational opportunity.
    9. Providing riparian wildlife habitat.
    10. Furnishing scenic value and recreational opportunity.
    11. Providing opportunities for the protection and restoration of green space.
B. Purposes. The purpose of this article is to protect the public health, safety, environment and general welfare; to minimize public and private losses due to erosion, siltation and water pollution; and to maintain stream water quality by provisions designed to:
C. Create buffer and setback zones along streams within the County for the protection of water resources; and
D. Minimize land development within such buffers and setbacks by establishing buffer and setback requirements and by requiring authorization for any such activities.

14.3.2 Applicability.

This Ordinance shall apply to all land development activity on property containing a stream buffer protection area. These requirements are in addition to, and do not replace or supersede, any other applicable buffer requirements established under state law and approval or exemption from these requirements do not constitute approval or exemption from buffer requirements established under state law or from other applicable local, state or federal regulations.

14.3.3 Grandfathered Provisions.

This Ordinance shall not apply to the following activities:

A. Work consisting of the repair or maintenance of any lawful use of land that is zoned and approved for such use on or before the effective date of this UDO.

B. Existing development and on-going Land Disturbing Activity including but not limited to existing agriculture, silviculture, landscaping, gardening and lawn maintenance, except that new development or Land-Disturbing Activity not otherwise approved by the County on such properties will be subject to all applicable buffer requirements.

C. Any land development activity that is under construction, fully approved for development, scheduled for permit approval or has been submitted for approval as of the effective date of this UDO.

D. Land development activity that has not been submitted for approval, but that is part of a larger master development plan, such as for an office park or other phased development that has been previously approved within two (2) years of the effective date of this UDO.

14.3.4 Exemptions.

The following specific activities are exempt from the provisions of this Ordinance. Exemption of these activities does not constitute an exemption for any other activity proposed on a property.

A. Activities for the purpose of building one (1) of the following:

1. A stream crossing by a driveway, transportation route or utility line;
2. Public water supply intake or public wastewater outfall structures;
3. Intrusions necessary to provide Access to a property;
4. Public Access facilities that must be on the water including boat ramps, docks, foot trails leading directly to the river, fishing platforms and overlooks;
5. Unpaved foot trails and paths; or
6. Activities to restore and enhance Stream Bank Stabilization, vegetation, water quality and/or aquatic habitat, so long as native vegetation and bioengineering techniques are used.

B. Public sewer line easements paralleling a creek, except that all easements (permanent and construction) and land disturbance should be at least twenty-five (25) feet from the top of the Stream Bank. This includes such impervious cover as is necessary for the operation and maintenance of utilities, including but not limited to manholes, vents, and valve structures. This exemption shall not be construed as allowing the construction of roads, bike paths or other transportation routes in such easements, regardless of paving material, except for access for the uses specifically cited in subsection A above.

C. Land development activity within a right-of-way existing at the time this UDO takes effect or approved under the terms of this UDO.

D. Within an easement of any utility existing at the time this UDO takes effect or approved under the terms of this UDO, land disturbing activity and such impervious cover as is necessary for the operation and maintenance of such utility, including but not limited to manholes, vents, and valve structures.

E. Emergency work necessary to preserve life or property. However, when emergency work is performed under this section, the person performing it shall report such work to the Directory of Stormwater Management on the next business day after commencement of the work. Within 10 days thereafter, the person shall apply for a permit and perform such work within such time period as may be determined by the Director of Stormwater Management to be reasonably necessary to correct any impairment such emergency work may have caused to the water conveyance capacity, stability, or water quality of the Stream Buffer Protection Area.

F. Forestry and silviculture activities on land that is zoned for forestry, silvicultural, or agricultural uses and are not incidental to other land development activity. If such activity results in land disturbance in the Stream Buffer that would otherwise be

prohibited, then no other land disturbing activity other than normal forest management practices will be allowed on the entire property for three (3) years after the end of the activities that intruded on the Stream Buffer.

G. Any land development activity within a Stream Buffer established hereunder or any impervious cover within a setback established hereunder is prohibited unless a variance is granted pursuant to Section 18.8, Variances, of this UDO.

14.3.5 Stream Buffer and Setback Requirements.

All Land Development Activity subject to this Ordinance shall meet the following requirements:

A. An undisturbed natural vegetative Stream Buffer shall be maintained for fifty (50) feet, measured horizontally, on both banks (as applicable) of a stream as measured from the top of the stream bank.

B. An additional Stream Setback shall be maintained for twenty-five (25) feet, measured horizontally, beyond the undisturbed natural vegetative Stream Buffer, in which all impervious cover shall be prohibited. Grading, filling, and earthmoving shall be minimized within the Stream Setback.

C. No septic tanks or septic tank drain fields shall be permitted within the Stream Buffer or Stream Setback.

14.3.6 Inspections.

A. Rockdale County may cause inspections of the work in the Stream Buffer or Stream Setback to be made periodically during the course thereof and shall make a final inspection following completion of the work. The permittee shall assist the Zoning Director in making such inspections. The County shall have the authority to conduct such investigations as it may reasonably deem necessary to carry out its duties as prescribed in this Ordinance, and for this purpose to enter at reasonable time upon any property, public or private, for the purpose of investigating and inspecting the sites of any land development activity within the Stream Buffer Protection Area.

B. No person shall refuse entry or access to any authorized representative or agent who requests entry for purposes of inspection, and who presents appropriate credentials, nor shall any person obstruct, hamper or interfere with any such representative while in the process of carrying out official duties.

14.3.7 Minor Land Disturbing Activities.

The following land-disturbing activities are examples of projects not specifically listed in O.C.G.A. § 12-7-17(3) that would be considered minor land-disturbing activities and are, therefore, exempt from the Georgia Erosion and Sedimentation Act and the applicable buffer requirements for state waters:

A. Elevated structures such as decks, gazebos, patios, walkways, viewing platforms or open picnic shelters, provided that:

1. The floor or decking is built in a pervious manner to allow for the infiltration of stormwater;
2. No more than 100 square feet of footprint of the elevated structure extends into or over the buffer, with an exception for structures compliant with the Americans with Disabilities Act (ADA);
3. No grading, cutting, filling or similar land-disturbing activities occurring as a part of the site preparation, construction or subsequent development;
4. The structure is built on posts, concrete blocks, or similar supports;
5. Permanent protective vegetative cover remains, or protective measures (for example, mulch or gravel) are installed within the footprint of the elevated structure to prevent post-construction soil erosion;
6. A natural canopy is left in sufficient quantity to keep shade on the streambed; and
7. No concrete or asphalt slabs, pads or foundations are constructed or placed as a part of the site preparation, construction or subsequent development.

B. A pervious ground-level walkway approach to a dock or similar structure, provided that:

1. No more than 100 square feet of the constructed walkway extends into the buffer, with an exception for structures compliant with the Americans with Disabilities Act (ADA);
2. No grading, cutting, filling or similar land-disturbing activities occur as a part of the site preparation, construction or subsequent development;
3. No concrete or asphalt slabs, pads, supports or foundations are constructed or placed as a part of the site preparation, construction or subsequent development; and
4. All ground preparation and walkway material placement is completed with the use of hand-held equipment.

C. Restoration of buffer area after the removal of an existing structure, provided that the buffer area must be replanted with native vegetation.

D. Maintenance or repair of existing structures, the failure of which would result in a threat to human health or County waters, such as sewer lines, water lines, dams or gas lines. Total disturbance must be less than 100 square feet.

E. Placement of rock riprap within the buffer not to exceed 100 square feet on any one property, provided that:

1. The placement of the riprap does not result in soil disturbance outside the placement area; and

2. No grading, cutting, filling or similar land-disturbing activities occur as part of the site preparation, construction or subsequent development.

14.3.8 Land Disturbing Activities not Considered Minor.

A. The following land-disturbing activities are examples of projects that are not considered minor land-disturbing activities and are, therefore, not exempt from the Georgia Erosion and Sedimentation Act and the applicable buffer requirements for state waters:

1. Any land-disturbing activity utilizing wheeled or tracked machinery and equipment resulting in soil erosion within the buffer;
2. Paving with poured or prefab concrete or asphalt;
3. Any project or combination of projects occurring within the same calendar year on the same property resulting in more than 100 square feet of any elevated structures or pervious ground level walkways within or extending into the buffer;
4. Construction of a barbeque pit on a concrete or asphalt slab or pad within the buffer;
5. Construction of a ground-level patio within the buffer;
6. Construction of a swimming pool within the buffer;
7. Construction of a decorative or structural retaining wall within the buffer;
8. Construction of a new seawall with land-disturbing activities occurring within the buffer; and
9. Backfilling any new seawall construction within the buffer.

B. Prohibited Activity. Any land development activity within a buffer established under this Ordinance or any impervious cover within a setback established under this Ordinance is prohibited unless a variance is granted.

14.4 Floodplain Management.

14.4.1 In General.

A. Purpose. The purpose of this section is to protect, maintain, and enhance the public health, safety, environment, and general welfare and to minimize public and private losses due to flood conditions in flood hazard areas, as well as to protect the beneficial uses of floodplain areas for water quality protection, streambank and stream corridor protection, wetland preservation, and ecological and environmental protection by provisions designed to:

1. Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;

2. Restrict or prohibit uses which are dangerous to health, safety and property due to flooding or erosion hazards, or which increase flood heights, velocities, or erosion;
3. Control filling, grading, dredging, and other development which may increase flood damage or erosion;
4. Prevent or regulate the construction of flood barriers which will unnaturally divert floodwaters, or which may increase flood hazards to other lands;
5. Limit the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of floodwaters; and
6. Protect the stormwater management, water quality, streambank protection, stream corridor protection, wetland preservation, and ecological functions of natural floodplain areas.

B. Applicability. This section shall be applicable to all areas of special flood hazard within the County. For the purposes of defining and determining areas of special flood hazard, areas of future-conditions flood hazard, areas of shallow flooding, base flood elevations, floodplains, floodways, future-conditions floodplains, potential flood hazard or risk categories as shown on FIRM maps, and other such terms used in this section, the following documents and sources may be used for such purposes and are adopted by reference thereto:

C. The flood insurance study (FIS) for the county with accompanying maps and other supporting data and any revision thereto.

D. Other studies which may be relied upon for the establishment of the base flood elevation or delineation of the base or one-percent (100-year) floodplain and flood prone areas, including:
   1. Any flood or flood-related study conducted by the United States Corps of Engineers, the United States Geological Survey, or any other local, state or federal agency applicable to the County; and
   2. Any base flood study conducted by a licensed professional which has been prepared utilizing FEMA-approved methodology and approved by the Director of Stormwater Management.

E. Other studies which may be relied upon for the establishment of the future-conditions flood elevation or delineation of the future-conditions floodplain and flood prone areas including:
   1. Any flood or flood-related study conducted by the United States Army Corps of Engineers, the United States Geological Survey, or any other local, state, or federal agency applicable to the County; and
   2. Any future-conditions flood study conducted by a licensed professional engineer which has been prepared by utilizing FEMA-approved methodology approved by the Director of Stormwater Management.

F. The repository for public inspection of the FIS, accompanying maps and other supporting data is located at the Department of Stormwater Management.

G. Compatibility with Other Regulations. This section is not intended to modify or repeal any other chapter, rule, regulation, statute, easement, covenant, deed restriction or other provision of law. The requirements of this section are in addition to the requirements of any other chapter, rule, regulation or other provision of law, and where any provision of this section imposes restrictions different from those imposed by any other chapter, rule, regulation or other provision of law, whichever provision is more restrictive or imposes higher protective standards for human health or the environment shall control.

H. Severability. If the provisions of any section, subsection, paragraph, subdivision, or clause of this ordinance shall be adjudged invalid by a court of competent jurisdiction, such judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this ordinance.

I. Warning and Disclaimer of Liability. The degree of flood protection required by this Division is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur; flood heights may be increased by manmade or natural causes. This Division does not imply that land outside the areas of special flood hazard or uses permitted within such areas will be free from flooding or flood damages. This section shall not create liability on the part of the County or by any officer or employee thereof for any flood damages that result from reliance on this section, or any administrative decision lawfully made thereunder.

14.4.2 Administration and Enforcement.

A. Designation of Administrator. The Director of Stormwater Management is hereby appointed to administer and implement the provisions of this section.

B. Duties and Responsibilities. Duties of the Director of Stormwater Management shall include, but not be limited to:

1. Review all land development applications and permits to assure that the requirements of this ordinance have been satisfied and to determine whether proposed building sites will be reasonably safe from flooding;
2. Review proposed development to assure that all necessary permits have been received from those governmental agencies from which approval is required by federal or state law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 USC 1344;
3. Require the applicant to obtain, review, and reasonably utilize any base flood elevation and floodway data available from a federal, state, or other source, when base flood elevation data or floodway data have not been provided;

4. Review and record the actual elevation in relation to mean sea level (or highest adjacent grade) of the lowest floor, including basement, of all new or substantially improved structures;
5. Review and record the actual elevation, in relation to mean sea level to which any substantially improved structures have been flood proofed;
6. Obtain certification of design criteria from a registered professional engineer or architect when flood proofing is utilized for a structure;
7. Notify affected adjacent communities and the state Department of Natural Resources (DNR) prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the federal Emergency Management Agency (FEMA);
8. Make the necessary interpretation where interpretation is needed as to the exact location of boundaries of the areas of special flood hazard (e.g., where there appears to be a conflict between a mapped boundary and actual field conditions). Any person contesting the location of the boundary is given a reasonable opportunity to appeal the interpretation, as provided in this ordinance. Where floodplain elevations have been defined, the floodplain is determined based on flood elevations rather than the area graphically delineated on the floodplain maps.
9. Coordinate all Flood Insurance Rate Map (FIRM) revisions with the Georgia DNR and FEMA.
10. Review variance applications and make recommendations to the appointed board.

C. Records.
    1. All records pertaining to the provisions of this section is maintained in the office of the County Clerk and is open for public inspection.
    2. Lowest floor means the lowest floor of the lowest enclosed area, including basement. An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access, or storage in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of other provisions of adopted County building code.

D. Permit Requirements.
    1. No owner or developer shall perform any land development activities on a site where an area of special flood hazard or area of future-conditions flood hazard is located, without first meeting the requirements of this division prior to commencing the proposed activity.
    2. No land development permit will be approved for any land development activities that do not meet the requirements, restrictions and criteria of this ordinance.

E. Additional Requirements. An application for a development project with any area of special flood hazard located on the site shall include a floodplain management/flood damage prevention plan. This plan shall include the following items:
    1. Site plan drawn to scale, which includes but is not limited to:
        a. Existing and proposed elevations of the area in question and the nature, location and dimensions of existing and/or proposed structures, earthen fill placement, amount and location of excavation material, and storage of materials or equipment;
        b. For all proposed structures, spot ground elevations at building corners and 20-foot or smaller intervals along the foundation footprint, or one-foot contour elevations throughout the building site;
        c. Proposed locations of water supply, sanitary sewer, and utilities;
        d. Proposed locations of drainage and stormwater management facilities;
        e. Proposed grading plan;
        f. Base flood elevations and future-conditions flood elevations;
        g. Boundaries of the base flood floodplain and future-conditions floodplain;
        h. If applicable, the location of the floodway; and
        i. Certification of the information required in this subsection by a licensed professional engineer or surveyor.
    2. Building and foundation design detail, including but not limited to:
        a. Elevation in relation to mean sea level (or highest adjacent grade) of the lowest floor, including basement, of all proposed structures;
        b. Elevation in relation to mean sea level to which any nonresidential structure will be floodproofed;
        c. Certification that any proposed nonresidential floodproofed structure meets the criteria in Section 14.4.4.B.2, Nonresidential Buildings;
        d. For enclosures below the base flood elevation, location and total net area of flood openings as required in Section 14.4.4.A.5, Elevated Buildings; and
        e. Design plans certified by a licensed professional engineer or architect for all proposed structure(s).
    3. Description of the extent to which any watercourse will be altered or relocated as a result of the proposed development;
    4. Hard copies and digital files of computer models, if any, copies of work maps, comparison of pre-development and post-development conditions base flood elevations, future-conditions flood elevations, flood protection elevations, special flood hazard areas and regulatory floodway, flood profiles and all other computations and other information similar to that presented in the FIS;

a. Copies of all applicable state and federal permits necessary for proposed development, including but not limited to permits required by Section 404 of the Federal Water Pollution Control Act, Amendments of 1972, 33 U.S.C. 1334; and
b. All appropriate certifications required under this section.

5. The approved floodplain management/flood damage prevention plan shall contain certification by the applicant that all development activities will be done according to the plan or previously approved revisions. Any and all development permits and/or use and occupancy certificates or permits may be revoked at any time if the construction and development activities are not in strict accordance with approved plans.

F. Construction Stage Submittal Requirements.

1. New Construction and Substantial Improvements. For all new construction and substantial improvements on sites with a floodplain management/flood damage prevention plan, the permit holder shall provide to the Director of Stormwater Management a certified as-built elevation certificate or floodproofing certificate for nonresidential construction, including the lowest floor elevation or floodproofing level immediately after the lowest floor or floodproofing is completed. A final elevation certificate is provided after completion of construction including final grading of the site. Any lowest floor certification made relative to mean sea level is prepared by or under the direct supervision of a licensed land surveyor or professional engineer and certified by same. When floodproofing is utilized for nonresidential structures, said certification is prepared by or under the direct supervision of a professional engineer or architect and certified by same, using the FEMA floodproofing certificate. This certification shall also include the design and operation/maintenance plan to assure continued viability of the floodproofing measures.

14.4.3 Development Standards.

A. Definition of Floodplain Boundaries.

1. "A" zones, as identified in the FIS, are used to establish base flood elevations.
2. For all streams with a drainage area of 100 acres or greater, the future-conditions flood elevations are provided by the County. If future-conditions elevation data is not available from the County, then it is determined by a licensed professional engineer using a method approved by FEMA and the County.

B. Definition of Floodway Boundaries. The width of a floodway is determined from the FIS or FEMA-approved flood study. For all streams with a drainage area of 100 acres or greater, the regulatory floodway is provided by the County. If floodway data is not

available from the County, then it is determined by a licensed professional engineer using a method approved by FEMA and the County.

C. General Standards.
    1. No development shall be allowed within any area of special flood hazard or area of future-conditions flood hazard that could result in any of the following:
        a. Raising the base flood elevation or future-conditions flood elevation equal to or more than 0.01 foot;
        b. Reducing the base flood or future-conditions regulatory flood storage capacity;
        c. Changing the flow characteristics as to the depth and velocity of the waters of the base flood or future-conditions flood as they pass both the upstream and the downstream boundaries of the property; or
        d. Creating hazardous or erosion-producing velocities or resulting in excessive sedimentation.
    2. Any development within any area of special flood hazard or area of future-conditions flood hazard allowed under this ordinance shall also meet the following conditions:
        a. Compensation for storage capacity shall occur between the average groundwater table elevation and the base flood elevation for the base flood, and between the average groundwater table elevation and the future-conditions flood elevation for the future-conditions flood and lie within the boundaries of ownership of the property being developed and is within the immediate vicinity of the location of the encroachment. Acceptable means of providing required compensation:
            i. Include lowering of natural ground elevations within the floodplain, or lowering of adjoining land areas to create additional floodplain;
            ii. Storage. In no case shall any required compensation be provided via bottom storage or by excavating below the elevation of the natural (pre-development) stream channel unless such excavation results from the widening or relocation of the stream channel;
        b. Cut areas are stabilized and graded to a slope of no less than two percent;
        c. Effective transitions are provided such that flow velocities occurring on both upstream and downstream properties are not increased or decreased;
        d. Verification of no-rise conditions (0.01 foot or less), flood storage volumes, and flow characteristics are provided via a step-backwater

analysis meeting the requirements of Section 14.4.3.D, Engineering Study Requirements for Floodplain Encroachments;

e. Public utilities and facilities, such as water, sanitary sewer, gas, and electrical systems, are located and constructed to minimize or eliminate infiltration or contamination from floodwaters; and

f. Any significant physical changes to the base flood floodplain is submitted as a conditional letter of map revision (CLOMR) or conditional letter of map amendment (CLOMA), whichever is applicable. The CLOMR submittal is subject to approval by the Department using the FEMA community concurrence forms before forwarding the submittal package to FEMA for final approval. The responsibility for forwarding the CLOMR to FEMA and for obtaining the CLOMR approval is the responsibility of the applicant. Within six months of the completion of development, the applicant shall submit as-built surveys and plans for a final letter of map revision (LOMR).

D. Engineering Study Requirements for Floodplain Encroachments. An engineering study is required, as appropriate to the proposed development activities on the site, whenever a development proposes to disturb any land within the future-conditions floodplain, except for a residential single-lot development on streams without established base flood elevations and floodways. This study is prepared by a licensed professional engineer and made a part of the application for a permit. This information is submitted to and approved by the Department prior to the approval of any permit which would authorize the disturbance of land located within the future-conditions floodplain. Such study shall include all requirements specified in the Rockdale Technical Manual:

1. Description of the extent to which any watercourse or floodplain will be altered or relocated as a result of the proposed development;
2. Step-backwater analysis, using a FEMA-approved methodology approved by the Department. Cross sections (which may be supplemented by the applicant) and flow information will be obtained whenever available. Computations will be shown duplicating FIS results and will then be rerun with the proposed modifications to determine the new base flood profiles and future-conditions flood profiles;
3. Floodplain storage calculations based on cross sections (at least one every 100 feet) showing existing and proposed floodplain conditions to show that base flood floodplain and future-conditions floodplain storage capacity would not be diminished by the development;
4. The study shall include a preliminary plat, grading plan, or site plan, as appropriate, which shall clearly define all future-conditions floodplain encroachments.

E. Floodway Encroachments. Located within areas of special flood hazard are areas designated as floodways. A floodway may be an extremely hazardous area due to capacity floodwaters, debris or erosion potential. In addition, floodways must remain free of encroachment in order to allow for the discharge of the base flood without increased flood heights. Therefore, the following provisions shall apply:
    1. Encroachments are prohibited, including earthen fill, new construction, substantial improvements or other development within the regulatory floodway, except for activities specifically allowed in [subsection] (2) below.
    2. Exemptions. Encroachments for bridges, culverts, roadways and utilities within the regulatory floodway may be permitted provided it is demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the encroachment will not result in any increase to the pre-project base flood elevations, floodway elevations, or floodway widths during the base flood discharge.
        a. A licensed professional engineer must provide supporting technical data and certification thereof; and
        b. If the applicant proposes to revise the floodway boundaries, no permit authorizing the encroachment into or an alteration of the floodway is issued by the County until an affirmative conditional letter of map revision (CLOMR) is issued by FEMA or a no-rise certification is approved by the Department.

F. Maintenance Requirements. The property owner is responsible for continuing maintenance as may be needed within an altered or relocated portion of a floodplain on the property so that the flood-carrying or flood storage capacity is maintained. The County may direct the property owner, at no cost to the County, to restore the flood-carrying or flood storage capacity of the floodplain if the owner has not performed maintenance as required by the approved floodplain management plan on file with the Department of Stormwater Management.

14.4.4 Flood Damage Reduction.

A. General Standards. In all areas of special flood hazard and areas of future-conditions flood hazard the following provisions apply:
    1. New construction and substantial improvements of structures (residential or nonresidential), including manufactured homes, shall not be allowed within the limits of the future-conditions floodplain, unless all requirements of Section 12.4.3, Development Standards have been met.
    2. New construction and substantial improvements shall be anchored to prevent flotation, collapse, and lateral movement of the structure.
    3. New construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.

4. New construction and substantial improvements shall be constructed by methods and practices that minimize flood damage.
5. Elevated buildings. All new construction and substantial improvements that include any fully enclosed area located below the lowest floor formed by foundation and other exterior walls are designed so as to be an unfinished or flood-resistant enclosure. The enclosure is designed to equalize hydrostatic flood forces on exterior walls by allowing for the automatic entry and exit of floodwater.
    a. Designs for complying with this requirement must either be certified by a licensed professional engineer or architect to meet or exceed the following minimum criteria:
        i. Provide a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;
        ii. The bottom of all openings are no higher than one foot above grade; and
        iii. Openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic flow of floodwater in both directions.
    b. So as not to violate the lowest floor criteria of this Division, the unfinished or flood-resistant enclosure shall only be used for parking of vehicles, limited storage of maintenance equipment used in connection with the premises, or entry to the elevated area; and
    c. The interior portion of such enclosed area shall not be finished or partitioned into separate rooms.
6. All heating and air conditioning equipment and components (including ductwork), all electrical, ventilation, plumbing, and other service facilities are designed and/or located three feet above the base flood elevation or one foot above the future-conditions flood elevation, whichever is higher, so as to prevent water from entering or accumulating within the components during conditions of flooding;
7. Manufactured homes are anchored to prevent flotation, collapse, and lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This standard is in addition to and consistent with applicable state requirements for resisting wind forces;
8. All proposed development shall include adequate drainage and stormwater management facilities per the requirements of the County to reduce exposure to flood hazards;
9. New and replacement water supply systems are designed to minimize or eliminate infiltration of floodwaters into the system;

10. New and replacement sanitary sewage systems are designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into floodwaters;
11. On-site waste disposal systems are located and constructed to avoid impairment to, or contamination from such systems during flooding;
12. Other public utilities such as gas and electric systems shall be located and constructed to avoid impairment to them, or public safety hazards from them during flooding;
13. Any alteration, repair, reconstruction or improvement to a structure which is not compliant with the provisions of this Division is undertaken only if the nonconformity is not furthered, extended or replaced;
14. If the proposed development is located in multiple flood zones or multiple base flood elevations cross the proposed site, the higher or more restrictive base flood elevation or future-condition elevation and development standards shall take precedence;
15. When only a portion of a proposed structure is located within a flood zone or the future conditions floodplain, the entire structure shall meet the requirements of this ordinance; and
16. Subdivision proposals and other proposed new development, including manufactured home parks or subdivisions, shall be reasonably safe from flooding:
    a. All such proposals shall be consistent with the need to minimize flood damage within the flood-prone area;
    b. All public utilities and facilities, such as sewer, gas, electrical, and water systems shall be located and constructed to minimize or eliminate flood damage; and
    c. Adequate drainage shall be provided to reduce exposure to flood hazards.

B. Building Standards for Structures and Buildings within the Future-Conditions Floodplain.
    1. Residential Buildings:
        a. New Construction New construction of principal residential structures shall not be allowed within the limits of the future-conditions floodplain.
        b. Substantial Improvements Substantial improvements of any principal residential structure shall have the lowest floor, including basement, elevated no lower than three feet above the base flood elevation or one foot above the future-conditions flood elevation, whichever is highest. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to automatically equalize the hydrostatic flood

forces on exterior walls shall be provided in accordance with the standards of Section 14.4.4.A, General Standards.

2. Nonresidential Buildings:
    a. New Construction New construction of principal nonresidential structures shall not be allowed within the limits of the future-conditions floodplain unless all of the requirements of Section 14.4.3, Development Standards are met.
        i. If all of the requirements of Section 14.4.3, Development Standards have been met, all new construction shall have the lowest floor, including basement, elevated no lower than one foot above the base flood elevation or at least as high as the future-conditions flood elevation, whichever is higher.
        ii. Should solid foundation perimeter walls be used to elevate the structure, openings sufficient to automatically equalize the hydrostatic flood forces on exterior walls shall be provided in accordance with the standards of Section 14.4.4.A, General Standards.
        iii. New construction that has met all of the requirements of Section 14.4.3, Development Standards may be floodproofed in lieu of elevation. The structure, together with attendant utility and sanitary facilities, must be designed to be watertight to one foot above the base flood elevation, or at least as high as the future-conditions flood elevation, whichever is higher, with walls substantially impermeable to the passage of water and structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A licensed professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions above and shall provide such certification to the Director of Stormwater Management using the FEMA floodproofing certificate along with the design and operation/maintenance plan.
    b. Substantial Improvements Substantial improvements of any principal nonresidential structure located in A1-30, AE, or AH zones may be authorized by the Director of Stormwater Management to be elevated or floodproofed.
        i. Substantial improvements shall have the lowest floor, including basement, elevated no lower than one foot above the base flood

elevation or at least as high as the future-conditions flood elevation, whichever is higher.

ii. Should solid foundation perimeter walls be used to elevate the structure, openings sufficient to automatically equalize the hydrostatic flood forces on exterior walls shall be provided in accordance with the standards of Section 14.4.4.A, General Standards.

iii. Substantial improvements may be floodproofed in lieu of elevation. The structure, together with attendant utility and sanitary facilities, must be designed to be watertight to one foot above the base flood elevation, or at least as high as the future-conditions flood elevation, whichever is highest, with walls substantially impermeable to the passage of water, and structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A licensed professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions above and shall provide such certification to the Director of Stormwater Management using the FEMA floodproofing certificate along with the design and operation/maintenance plan.

C. Accessory Structures and Facilities. Accessory structures and facilities (i.e., barns, sheds, gazebos, detached garages, recreational facilities and other similar non-habitable structures and facilities) which meet the requirements of Section 9.8, Accessory Uses and Structures and are permitted to be located within the limits of the future-conditions floodplain shall be constructed of flood-resistant materials and designed to provide adequate flood openings in accordance with Section 14.4.4.A, General Standards, and be anchored to prevent flotation, collapse, and lateral movement of the structure.

D. Recreational Vehicles. All recreational vehicles placed on sites must either:

1. Be on the site for fewer than 180 consecutive days and be fully licensed and ready for highway use (a recreational vehicle is ready for highway use if it is licensed, on its wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached structures or additions); or
2. Meet all the requirements for residential buildings—substantial improvements set forth in Section 14.4.4.B.1.b, including the anchoring and elevation requirements.

E. Manufactured Homes.

1. New manufactured homes shall not be allowed to be placed within the limits of the future-conditions floodplain unless all of the requirements of Section 14.4.3, Development Standards have been met, all new construction and substantial improvements shall have the lowest floor, including basement, elevated no lower than three feet above the base flood elevation or one foot above the future-conditions flood elevation, whichever is higher. Should solid foundation perimeter walls be used to elevate the structure, openings sufficient to automatically equalize the hydrostatic flood forces on exterior walls shall be provided in accordance with the standards of Section 14.4.4.A, General Standards.
2. Manufactured homes placed and/or substantially improved in an existing manufactured home park or subdivision are elevated so that either: (a) The lowest floor of the manufactured home is elevated no lower than three feet above the level of the base flood elevation, or one foot above the future-conditions flood elevation, whichever is higher; or (b) The manufactured home chassis is elevated and supported by reinforced piers (or other foundation elements of at least an equivalent strength) of no less than 36 inches in height above grade.
3. All manufactured homes must be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement in accordance with the standards of Section 14.4.4.A.7.

F. Building Standards for Structures and Buildings Authorized Adjacent to the Future-Conditions Floodplain.
    1. Residential Buildings. For new construction of and substantial improvement to any principal residential building or manufactured home, the elevation of the lowest floor, including basement and access to the building, is at least three feet above the level of the highest base flood (100-year) elevation adjacent to the building or at least one foot above the future-conditions flood elevation, whichever is higher. Should solid foundation perimeter walls be used to elevate the structure, openings sufficient to automatically equalize the hydrostatic flood forces on exterior walls shall be provided in accordance with the standards of Section 14.4.4.A, General Standards.
    2. Nonresidential Buildings. For new construction of and substantial improvement to any principal nonresidential building, the elevation of the lowest floor, including basement and access to the building, is at least three feet above the level of the highest base flood elevation adjacent to the building or at least one foot above the future-conditions flood elevation, whichever is higher. Should solid foundation perimeter walls be used to elevate the structure, openings sufficient to automatically equalize the hydrostatic flood forces on exterior walls shall be provided in accordance with the standards

of Section 14.4.4.B.2, Nonresidential Buildings may be floodproofed in lieu of elevation.

G. Building Standards for Residential Single-Lot Development on Streams without Established Base Flood Elevations and/or Floodway (A zones).
    1. For a residential single-lot development not part of a subdivision that has areas of special flood hazard, where streams exist but no base flood data have been provided (A zones), the Director of Stormwater Management shall review and reasonably utilize any available scientific or historic flood elevation, data, base flood elevation floodway data or future-conditions flood elevation data available from a federal, state, or other source in order to administer the provisions and standards of this Division. If data are not available from any of these sources, the following provisions shall apply:
        a. No encroachments, including structures or fill material, shall be located within an area equal to twice the width of the stream or fifty feet from the top of the bank of the stream, whichever is greater.
        b. In special flood hazard areas without base flood or future-conditions flood elevation data, new construction and substantial improvements shall have the lowest floor of the lowest enclosed area (including basement) elevated no less than three feet above the highest adjacent grade at the building site. Flood openings sufficient to facilitate automatic equalization of hydrostatic flood forces shall be provided for flood-prone enclosures in accordance with Section 14.4.4, Flood Damage Reduction.

H. Building Standards for Areas of Shallow Flooding (AO zones). Areas of special flood hazard may include designated AO shallow flooding areas. These areas have base flood depths of one foot to three feet above ground, with no clearly defined channel. In these areas the following provisions apply:
    1. All new construction and substantial improvements of residential and nonresidential structures shall have the lowest floor, including basement, elevated to no lower than one foot above the flood depth number specified on the flood insurance rate map (FIRM), above the highest adjacent grade. If no flood depth number is specified, the lowest floor, including basement, is elevated at least three feet above the highest adjacent grade. Flood openings sufficient to facilitate automatic equalization of hydrostatic flood forces shall be provided in accordance with the standards of Section 14.4.4.A.5, Elevated Building;
    2. New construction and substantial improvement of a nonresidential structure may be floodproofed in lieu of elevation. The structure, together with attendant utility and sanitary facilities, must be designed to be watertight to the specified FIRM flood level plus one foot above the highest adjacent grade,

with walls substantially impermeable to the passage of water, and structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A licensed professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice, and shall provide such certification to the County using the FEMA floodproofing certificate along with the design and operation/maintenance plan; and

3. Drainage paths shall be provided to guide floodwater around and away from any proposed structure.

I. Standards for Subdivisions of Land and Other Development.
   1. All subdivision proposals shall identify the areas of special flood hazard and areas of future-conditions flood hazard therein and provide base flood elevation data and future-conditions flood elevation data;
   2. All residential lots in a subdivision proposal shall have sufficient buildable area outside of the future-conditions floodplain such that encroachments into the future-conditions floodplain for residential structures will not be required;
   3. All subdivision plans will provide the elevations of proposed structures in accordance with Section 14.4.2.C, Additional Requirements.

J. Standards for Utilities.
   1. All new and replacement water supply and sanitary sewerage systems are designed to minimize or eliminate:
      a. Infiltration of floodwaters into the systems; and
      b. Discharges from the systems into floodwaters.
   2. On-site waste disposal systems are located outside the floodplain to avoid impairment to them, or contamination from them during flooding.

14.5 Stormwater Management.

14.5.1 Purpose.

The purpose of this Section is to protect, maintain and enhance the public health, safety, environment and general welfare by establishing minimum requirements and procedures to control the adverse effects of increased post-development stormwater runoff and non-point source pollution associated with new development and redevelopment by focusing on the types of frequently occurring storm events that generate the most water quality impacts. Proper management of post-development stormwater runoff will minimize damage to public and private property and infrastructure, safeguard the public health, safety, environment and general welfare of the public, and protect water and aquatic resources. This Section seeks to meet that purpose through the following objectives:

A. Establish decision-making processes surrounding land development activities that protect the integrity of the watershed and preserve the health of water resources;

B. Require that new development and redevelopment maintain the pre-development hydrologic response in their post-development state as nearly as practicable in order to reduce flooding, stream bank erosion, non-point source pollution and increases in stream temperature, and maintain the integrity of stream channels and aquatic habitats;
C. Establish minimum post-development stormwater management standards and design criteria for the regulation and control of stormwater runoff quantity and quality and to preserve and/or restore natural hydrologic conditions on development sites;
D. Establish design and application criteria for the construction and use of structural stormwater control facilities that meet the minimum post-development stormwater management standards;
E. Encourage the use of nonstructural stormwater management and stormwater better site design practices, peak rate and/or runoff reduction, and the preservation of greenspace and other conservation areas, by establishing minimum post-development stormwater management standards and design criteria for the regulation and control of stormwater runoff quantity and quality. Coordinate site design plans, which include greenspace, with the County's greenspace protection plan;
F. Establish provisions for the long-term responsibility of operation, inspection, maintenance and repair of private structural stormwater control facilities and private commitments for nonstructural stormwater management practices to ensure that they continue to function as designed, are maintained, and pose no threat to public safety or the environment;
G. Establish administrative procedures for the submission, review, approval and disapproval of stormwater management plans, and for the inspection of approved active projects, and long-term compliance; and
H. Protect public health and safety by reducing the risk of localized flooding and reducing the amount of runoff entering streets.

14.5.2 Standards.

A. Applicability. This section is applicable to all land development, including, but not limited to, site plan applications, single family residential applications, subdivision applications, and grading applications, unless exempt pursuant to subsection (2) of this section. These standards apply to any new development or redevelopment site that meets one or more of the following criteria, or as otherwise required by the Director of Stormwater Management:
    1. Any new development, redevelopment, addition or replacement that involves the creation of 1,000 square feet or more of impervious cover, or that involves other land development activities of 5,000 square feet or more;
    2. Any new development or redevelopment, regardless of size, if such activities are part of a larger common plan of development, even though multiple, separate and distinct land development activities may take place at different

times on different schedules or that is defined by the Director to be a hotspot land use.

B. Exemptions. The following activities are exempt from this section:
    1. Agricultural or silvicultural land management activities within areas zoned for these activities; and
    2. Repairs to any stormwater management facility or practice deemed necessary by the Director of Stormwater Management.
    3. Minor improvements to public parks involving less than 5,000 square feet of land disturbance and less than 1,000 square feet of impervious surface.
    4. Utility installations, repairs or modifications outside of stream buffers.
    5. Installations or modifications to existing structures to accommodate Americans with Disability Act (ADA) requirements.
    6. Installation of pervious pavement less than 5,000 square feet.
    7. Maintenance, repair and resurfacing of existing paved surfaces.
    8. Addition of sidewalks along streets.
    9. Stream bank stabilization or restoration.
    10. Land disturbance required for environmental cleanup or remediation.
    11. Residential driveway replacement.
C. Minimum Requirements. Except for repairs to existing stormwater facilities or stormwater facilities in the right-of-way, all developments and redevelopment activity, including single-family residential and those which are otherwise exempt from this section, the following minimum requirements shall apply:
    1. Lots and buildings shall be developed in a manner to ensure that stormwater exiting individual parcels or lots under post-development conditions does not adversely impact the adjacent parcels or lots as a result of concentrated flows, flooding, erosion or deposits of silt or sediment;
    2. The stormwater discharge from a downspout, cistern, or any water collection device shall be located no closer to a property line than ten feet and oriented so direction of flow is away from any downstream improvements. Discharge from any outlet must be dissipated, infiltrated or diverted such that flows will not be concentrated; and
    3. No person shall erect, construct, or otherwise permit any obstruction that prevents the natural or contained flow of water to or from any component of the stormwater system of the County unless such obstruction is allowed as a part of a permit approved pursuant to this section.
    4. Lots and buildings shall be developed to provide Green Infrastructure/Low Impact Development best management practices. Single Family - Single Lot Development that is not part of a larger common development shall be exempt from this requirement.

D. Designation of Administrator. The Director of Stormwater Management is hereby appointed to administer and implement the provisions of this section.
E. Compatibility With Other Regulations. This section is not intended to modify or repeal any other chapter, rule, regulation or other provision of law. The requirements of this section are in addition to the requirements of any other chapter, rule, regulation or other provision of law, and where any provision of this section imposes restrictions different from those imposed by any other chapter, rule, regulation or other provision of law, whichever provision is more restrictive or imposes higher protective standards for human health or the environment shall control.

14.5.3 Stormwater Design Manual.

The County will utilize the policy, criteria and information including technical specifications and standards in the latest edition of the 2016 Georgia Stormwater Management Manual and any relevant County addenda (or equivalent County stormwater management design manual) for the proper implementation of the requirements of this section. The manual may be updated and expanded periodically, based on improvements in science, engineering, monitoring and local maintenance experience.

14.5.4 Permit Application Requirements.

A. No owner or developer shall perform any land development activities without first meeting the requirements of this Section prior to commencing the proposed activity.
B. Unless specifically exempted by this Section, any owner or developer proposing a land development activity shall submit to the Department a permit application on a form provided by the County for that purpose.
C. Unless otherwise exempted by this Section, a permit application is accompanied by the following items in order to be considered:
    1. Stormwater concept plan and consultation meeting certification in accordance with Section 14.5.6;
    2. Stormwater management plan in accordance with Section 14.5.7;
    3. Green Infrastructure Feasibility Form in accordance with Section 14.5.6, if applicable;
    4. Inspection and maintenance agreement in accordance with Section 14.5.7, if applicable;
    5. Performance bond, if applicable; and
    6. Permit application and plan review fees in accordance with Section 14.5.8.
D. The approved stormwater management plan shall obligate the responsible party to accomplish all land clearing, construction, development and drainage in accordance with the stormwater management plan. Any and all permits for development activities may be revoked at any time if the construction of stormwater management facilities is not conducted in substantial conformity with approved plans.

E. Applicant or responsible party shall obtain all state and federal permits required for the proposed development activity in addition to the plans and permits required by the County.
F. Upon completion of the project the applicant or responsible party shall submit the engineer-of-record's certification and as-built plan that includes the global positioning system coordinates of the stormwater management facilities. If the as-built plan differs substantially from the approved plan but is still acceptable to the County, then the applicant or responsible party shall update the recorded inspection and maintenance agreement upon approval by the County.

14.5.5 Application Procedure.

A. Applications for land development permits are filed with the Department of Stormwater Management.
B. Permit applications shall include the items set forth in Section 14.5.4, Permit Application Requirements. The stormwater management plan and the inspection maintenance agreement, if applicable, shall be included.
C. The Department shall inform the applicant whether the application, stormwater management plan and inspection and maintenance agreement are approved or disapproved.
D. If the permit application, stormwater management plan, or inspection and maintenance agreement is disapproved, the Department shall notify the applicant of such fact in writing. The applicant may then revise any item not meeting the requirements hereof and resubmit the same, in which event this section and Section 14.5.4 shall apply to such resubmittal.
E. Upon a finding by the Department that the permit application, stormwater management plan and inspection and maintenance agreement, if applicable, meet the requirements of this section, the Department may issue a permit for the land development project, provided all other legal requirements for the issuance of such permit have been met.
F. Notwithstanding the issuance of the permit, in conducting the land development project, the applicant or other responsible person is subject to the following requirements:
    1. The applicant shall comply with all applicable requirements of the approved plan and this section and shall certify that all land clearing, construction, land development and drainage will be done according to the approved plan;
    2. The land development project is conducted only within the area specified in the approved plan;
    3. The Department is allowed to conduct periodic inspections of the project;
    4. No changes may be made to an approved plan without review and written approval by the Department; and

5. Upon completion of the project, the applicant or other responsible person shall submit the engineer's report and certificate and as-built plans required by Section 14.5.10, Performance Criteria.

14.5.6 Stormwater Concept Plan.

A. Discussion of post-development stormwater management. Before any stormwater management permit application is submitted, it is recommended that the landowner or developer shall meet with the Department for a consultation meeting on a concept plan for the post-development stormwater management system to be utilized in the proposed land development project. This consultation meeting shall take place at the time of the preliminary plan of subdivision or other early step in the development process. The purpose of this meeting is to discuss the post-development stormwater management measures necessary for the proposed project, as well as to discuss and assess constraints, opportunities and potential ideas for stormwater management designs before the formal site design engineering is commenced.

B. Information to be submitted. To accomplish this goal, the following information is included in the concept plan that is submitted in advance of the meeting:

1. Existing Conditions Proposed site plans. Existing conditions and proposed site layout sketch plans which illustrate, at a minimum, existing and proposed topography; perennial and intermittent streams; mapping of predominant soils from soil surveys (when available); boundaries of existing predominant vegetation and proposed limits of clearing and grading; and location of existing and proposed roads, buildings, parking areas and other impervious surfaces.
2. Natural Resources Inventory. A written or graphic inventory of the natural resources at the site and surrounding area as it exists prior to the commencement of the project. This description should include a discussion of soil conditions, forest cover, topography, wetlands, and other native vegetative areas on the site, as well as the location and boundaries of other natural feature protection and conservation areas such as wetlands, lakes, ponds, floodplains, stream buffers and other setbacks (e.g., drinking water well setbacks, septic setbacks, etc.). Particular attention should be paid to environmentally sensitive features that provide particular opportunities or constraints for development.
3. Stormwater Management System Concept Plan. A written or graphic concept plan of the proposed post-development stormwater management system including: preliminary selection and location of proposed structural stormwater controls; location of existing and proposed conveyance systems such as grass channels, swales, and storm drains; flow paths; location of floodplain/floodway limits; relationship of site to upstream and downstream properties and drainages; and preliminary location of proposed stream channel

modifications, such as bridge or culvert crossings. Local watershed plans, the County greenspace protection plan (if applicable), and any relevant resource protection plans will be consulted in the discussion of the concept plan.

4. Green Infrastructure Feasibility Form. The standard County form will be provided with required documentation for Linear or Non-linear projects determining whether the installation of Green Infrastructure best management practices are feasible or infeasible for the proposed project based on soil infiltration rates, water table or bedrock conditions, setbacks, landmark trees, endangered species, brownfield site conditions, on-site contaminants, historic resources, steep slopes, utility conflicts or practicability hardships.

14.5.7 Stormwater Management Plan.

A. The stormwater management plan shall detail how post-development stormwater runoff will be controlled or managed and how the proposed project will meet the requirements of this ordinance, including the performance criteria set forth in Section 14.5.10, Performance Criteria.

B. This plan is in accordance with the criteria established in this section and must be submitted with the stamp and signature of a design professional licensed in the state, who must verify that the design of all stormwater management facilities and practices meet the submittal requirements outlined in the current Georgia Stormwater Management Manual 2016 Edition (here and henceforth all references to this manual assume the 2016 edition, including all amendments as may be forthcoming from time to time) and the County's submittal requirements for commercial and single-family residential development.

C. Submittal Requirements. The stormwater management plan must ensure that the requirements and criteria in this ordinance are being complied with and that opportunities are being taken to minimize adverse post-development stormwater runoff impacts from the development. The plan shall consist of maps, narrative, and supporting design calculations (hydrologic and hydraulic) for the proposed stormwater management system. The plan shall include all of the applicable design requirements and forms found in the Georgia Stormwater Management Manual and the County's submittal requirement for commercial and single-family residential development. This includes but is not limited to:

1. The common address and legal description of the site.
2. Vicinity map.
3. Existing conditions and proposed site plans. Existing conditions and proposed site layout plans which illustrate at a minimum: existing and proposed topography; perennial and intermittent streams; mapping of predominant soils from soil surveys; boundaries of existing predominant vegetation and proposed limits of clearing and grading; and location of existing and proposed roads, building parking area and other impervious surfaces.

4. Infiltration rates. Infiltration rates shall be determined by soil surveys, on-site soil analysis or a percolation test. If the site has been previously developed or graded or contains urban soil types, a percolation test is required.
5. Natural resources inventory. A written or graphic inventory of the natural resources in existence prior to the commencement of the project. This inventory shall address resources both on the site and in the surrounding area that are or may be impacted by the project. This inventory shall also include a description of the soil conditions, forest cover, topography, wetlands, and other native vegetative areas on the site, as well as the location and boundaries of other natural features protection and conservation areas such as wetlands, lakes, ponds, floodplains, stream buffers and other setbacks, including but not limited to drinking water well setbacks and septic setbacks. Particular attention should be paid to environmentally sensitive features that present constraints for development.
6. Existing conditions hydrologic analysis. The existing condition hydrologic analysis for stormwater runoff rates, volumes, and velocities in accordance with the current Georgia Stormwater Management Manual, which shall include: a topographic map of existing site conditions with the drainage basin boundaries indicated; acreage, soil types and land cover of areas for each subbasin affected by the project; all perennial and intermittent streams and other surface water features; all existing stormwater conveyances and structural control facilities; direction of flow and exits from the site; analysis of runoff provided by off-site areas upstream of the project site; and methodologies, assumptions, site parameters and supporting design calculations used in analyzing the existing conditions site hydrology. For redevelopment sites, pre-development conditions are modeled using guidelines established by the Director for the portion of the site undergoing land development activities.
7. Post development hydrologic analysis. The post-development hydrologic analysis for stormwater runoff rates, volumes, and velocities shall be calculated in accordance with the Georgia Stormwater Management Manual and include: a topographic map of developed site conditions with the post-development drainage basin boundaries indicated; total area of post development impervious surfaces and other land cover areas for each subbasin affected by the project; calculations for determining the runoff volumes that need to be addressed for each subbasin for the development project to meet the post-development stormwater management performance criteria in Section 6.4.12; location and boundaries of proposed natural feature protection and conservation areas; documentation and calculations for any applicable site design credits that are being utilized; methodologies, assumptions, site

parameters and supporting design calculations used in analyzing the existing conditions site hydrology. If the land development activity on a redevelopment site constitutes more than 50 percent of the site area for the entire site, then the performance criteria in Section 6.4.12 must be met for the stormwater runoff from the entire site. For a subdivision of land or planned development, post-development runoff volumes, rates, and velocities shall be calculated based on the built-out conditions of the entire parcel to be subdivided, regardless of future ownership of individual lots. Estimates of impervious surfaces shall be made based on maximum allowable lot coverage in accordance with the County's Development Code when meeting the performance criteria. The developer of said subdivided parcel may provide runoff reduction and water quality measures for individual lots, which must be reflected accordingly on the final plat.

8. Stormwater management system. The description, scaled drawings and design calculations for the proposed post-development stormwater management system, which shall include: A map and/or drawing or sketch of the stormwater management facilities, including the location of nonstructural site design features and the placement of existing and proposed structural stormwater controls, including design water surface elevations, storage volumes available from zero to maximum head, location of inlet and outlets, location of bypass and discharge systems, and all orifice/restrictor sizes; a narrative describing how the selected structural stormwater controls will be appropriate and effective; cross section and profile drawings and design details for each of the structural stormwater controls in the system, including supporting calculations to show that the facility is designed according to the applicable design criteria; a hydrologic and hydraulic analysis of the stormwater management system for all applicable design storms (including stage-storage or outlet rating curves, and inflow and outflow hydrographs); documentation and supporting calculations to show that the stormwater management system adequately meets the post-development stormwater management performance criteria in section 109-195; drawings, design calculations, elevations and hydraulic grade lines for all existing and proposed stormwater conveyance elements including stormwater drains, pipes, culverts, catch basins, channels, swales and areas of overland flow; and where applicable, a narrative describing how the stormwater management system corresponds with any watershed protection plans and/or local greenspace protection plan.
9. Post development downstream analysis. A downstream peak flow analysis that includes the assumptions, results and supporting calculations to show safe passage of post-development design flows downstream. The analysis of

downstream conditions in the report shall address each and every point or area along the project site's boundaries at which runoff will exit the property. The analysis shall focus on the portion of the drainage channel or watercourse immediately downstream from the project. This area shall extend downstream from the project to a point in the drainage basin where the project area is ten percent of the total basin area. In calculating runoff volumes and discharge rates, consideration may need to be given to any planned future upstream land use changes. The analysis is in accordance with the stormwater design manual.

10. Construction-phase erosion and sedimentation control plan. An erosion and sedimentation control plan in accordance with the Georgia Erosion and Sedimentation Control Act of 1975 (O.C.G.A. § 12-7-1 et seq.) or NPDES permit for construction activities. The plan shall also include information on the sequence/phasing of construction and temporary stabilization measures and temporary structures that will be converted into permanent stormwater controls. Prior to the approval of the stormwater management plan, the applicant or responsible party shall submit a proposed staged construction and inspection control schedule for approval; otherwise, the construction and inspection control schedule will be for the entire drainage system. No stage work related to the construction of stormwater management facilities or BMPs shall proceed until the next proceeding stage of work, according to the sequence specified in the approved stage construction and inspection control schedule, as inspected and approved. Runoff reduction and water quality measures shall be installed in the final phase of construction to prevent clogging.
11. Landscaping and open space plan. A detailed landscaping and vegetation plan describing the woody and herbaceous vegetation that will be used within and adjacent to stormwater management facilities and practices. The landscaping plan must also include: the arrangement of planted areas, natural and greenspace areas and other landscaped features on the site plan; information necessary to construct the landscaping elements shown on the plan drawings; descriptions and standards for the methods, materials and vegetation that are to be used in the construction; density of plantings; descriptions of the stabilization and management techniques used to establish vegetation; and a description of who will be responsible for ongoing maintenance of vegetation for the stormwater management facility and what practices will be employed to ensure that adequate vegetative cover is preserved.
12. Operations and maintenance plan. Detailed description of ongoing operations and maintenance procedures for stormwater management facilities and practices to ensure their continued function as designed and constructed or

preserved. These plans will identify the parts or components of a stormwater management facility or practice that need to be regularly or periodically inspected and maintained, and the equipment and skills or training necessary. The plan shall include a narrative describing how the stormwater management system is designed to function, including capture, runoff control, water quality treatment, channel and flood protection, and ongoing operations and maintenance procedures for all stormwater management facilities and practices shown on the stormwater management site plan. The plan shall include an inspection and maintenance schedule, maintenance tasks, responsible parties for maintenance, funding, access and safety issues. Provisions for the periodic review and evaluation of the effectiveness of the maintenance program and the need for revisions or additional maintenance procedures are included in the plan.

13. Maintenance access easements. The applicant must ensure access from right-of-way to stormwater management facilities and practices requiring regular maintenance at the site for the purpose of inspection and repair by securing all the maintenance access easements needed on a permanent basis. Such access is sufficient for all necessary equipment for maintenance activities. Upon final inspection and approval, a plat or document indicating that such easements exist is recorded and shall remain in effect even with the transfer of title of the property.
14. Inspection and maintenance agreements. Unless an on-site stormwater management facility or practice is dedicated to and accepted by the Department as provided in Section 6.4.9, the applicant must execute an easement and an inspection and maintenance agreement binding on all subsequent owners of land served by an on-site stormwater management facility or practice in accordance with Section 6.4.9.
15. Evidence of acquisition of applicable local and nonlocal permits. The applicant shall certify and provide documentation to the Department that all other applicable environmental permits have been acquired for the site prior to approval of the stormwater management plan.

D. Responsibility for the operation and maintenance of the stormwater management facility or practice, unless assumed by a governmental agency, shall remain with the property owner and shall pass to any successor owner. If portions of the land are sold or otherwise transferred, legally binding arrangements are made to pass the inspection and maintenance responsibility to the appropriate successors in title. These arrangements shall designate for each portion of the site the person to be permanently responsible for its inspection and maintenance.

14.5.8 Application Review Fees.

The fee for review of any stormwater management application is based on the fee structure established by the Department of Stormwater Management and is made prior to the issuance of any building permit for the development.

14.5.9 Modifications for Off-Site Facilities.

A. The stormwater management plan for each land development project shall provide for stormwater management measures located on the site of the project, unless provisions are made to manage stormwater by an off-site or regional facility. The off-site or regional facility must be located on property legally dedicated for the purpose, must be designed and adequately sized to provide a level of stormwater quantity and quality control that is equal to or greater than that which would be afforded by on-site practices and there must be a legally obligated entity responsible for long-term operation and maintenance of the off-site or regional stormwater facility. In addition, on-site measures are implemented, where necessary, to protect upstream and downstream properties and drainage channels from the site to the off-site facility.
B. A stormwater management plan must be submitted to the Department that shows the adequacy of the off-site or regional facility.
C. To be eligible for a modification, the applicant must demonstrate to the satisfaction of the Director that the use of an off-site or regional facility will not result in the following impacts to upstream or downstream areas:
    1. Increased threat of flood damage to public health, life, and property;
    2. Deterioration of existing culverts, bridges, dams, and other structures;
    3. Accelerated stream bank or streambed erosion or siltation;
    4. Degradation of in-stream biological functions or habitat; or
    5. Water quality impairment in violation of the state water quality standards, and/or violation of any state or federal regulations.

14.5.10 Performance Criteria.

A. For new developments, the following performance criteria shall be applied to the area of the site impacted by the proposed work. For redevelopment, the following performance criteria shall be applied to the area of the site impacted by the proposed work, provided that the impacted area does not exceed 35 percent of the previously developed area. If the impacted area exceeds 35 percent of the previously developed area, the following performance criteria shall be applied to the entire development, including previously developed area:
    1. Water Quality/Runoff Reduction. All stormwater runoff generated from a site shall provide runoff reduction of the first 1.2 inches of rainfall or shall be adequately treated for water quality before discharge. With the exception of single lot residential developments that are not part of a common development, this shall be accomplished by the use of Green Infrastructure

Best Management Practices unless determined to be infeasible in accordance with Section 14.5.6.B.4, Green Infrastructure Feasibility.

a. It will be presumed that a stormwater management system complies with this requirement if it satisfies the stormwater reduction criteria in this section. However if any of the stormwater runoff volume generated by the first 1.2 inches of rainfall cannot be reduced or retained on site due to constraints such as a high water table, rock, low infiltration rates or the presence of a hotspot, the remaining volume shall be increased by a multiplier of 1.2 and shall be intercepted and treated in one or more stormwater management practices that provide at least an 80 percent reduction in total suspended solids loads in accordance with the following criteria:
    i. It is sized to treat the prescribed water quality treatment volume from the site, as defined in the Georgia Stormwater Management Manual;
    ii. Appropriate structural stormwater controls or nonstructural practices are selected, designed, constructed or preserved, and maintained according to the specific criteria in the Georgia Stormwater Management Manual or constitutes an alternative practice responsibly designed and documented by the design professional to reproduce the intent of the Georgia Stormwater Management Manual; and
    iii. Runoff from hotspot land uses and activities identified by the Department are adequately treated and addressed through the use of appropriate structural stormwater controls, nonstructural practices and pollution prevention practices.

2. Stream Channel Protection. Protection of stream channels from bank and bed erosion and degradation is provided by using all of the following three approaches:
    a. Preservation, restoration and/or reforestation (with native vegetation) of the applicable stream buffer;
    b. Twenty-four-hour extended detention storage of the one-year, 24-hour return frequency storm event;
    c. Erosion prevention measures such as energy dissipation and capacity control.
    d. For redevelopment projects that create, add, or demolish and replace less than 5,000 square feet of impervious surface and meet the performance criteria of this section, stream channel protection is not required.
3. Overbank Flooding Protection.

a. Downstream overbank flood and property protection is provided by controlling (attenuating) the post-development peak discharge rate to the pre-development rate for the 25-year, 24-hour return frequency storm event. If control of the one-year, 24-hour storm under subsection (a) of this section is exempted, then peak discharge rate attenuation of the two-year through the 25-year return frequency storm event must be provided. For redevelopment projects overbank flood and property protection shall be provided by reducing the peak discharge rate up to the 25-year, 24-hour storm event in accordance with the following formula:

%PIC/2 = %PDRR

PIC = Predevelopment Impervious Cover

PDRR = Peak Discharge Rate Reduction

b. For sites where previous demolition has removed impervious surfaces, pre-development peak discharge rate calculations and percentage of impervious coverage shall be calculated based on pre-demolition conditions. For sites that have been demolished and have remained fallow and stabilized with vegetation for a minimum of five years, they shall be considered as having pre-development conditions of 20 percent impervious cover for purposes of calculating peak discharge rate reduction.

c. For land development permitted after 2005 and served by appropriate stormwater management facilities, subsequent redevelopment of the same area is not required to further reduce the peak discharge rate, provided that the site continues to meet the reduction previously achieved.

d. For redevelopment projects that create, add, or demolish and replace less than 5,000 square feet of impervious surface and meet the performance criteria of this section, overbank flooding protection is not required.

4. Extreme Flooding Protection.

a. Extreme flood and public safety protection is provided by controlling and safely conveying the 100-year, 24-hour return frequency storm event such that flooding is not exacerbated.

b. For redevelopment projects that create, add, or demolish and replace less than 5,000 square feet of impervious surface and meet the performance criteria of this section, extreme flooding protection is not required.

5. Structural Stormwater Controls. All structural stormwater management facilities are selected and designed using the appropriate criteria from the

Georgia Stormwater Management Manual. All structural stormwater controls must be designed appropriately to meet their intended function. For other structural stormwater controls not included in the Georgia Stormwater Management Manual, or for which pollutant removal rates have not been provided, the effectiveness and pollutant removal of the structural control must be documented through prior studies, literature reviews, or other means and receive approval from the Department before being included in the design of a stormwater management system. In addition, if hydrologic or topographic conditions, or land use activities warrant greater control than that provided by the minimum control requirements, the County may impose additional requirements deemed necessary to protect upstream and downstream properties and aquatic resources from damage due to increased volume, frequency, and rate of stormwater runoff or increased non-point source pollution loads created on the site in question. Applicants shall consult the Georgia Stormwater Management Manual for guidance on the factors that determine site design feasibility when selecting and locating a structural stormwater control.

6. Stormwater Credits for Nonstructural Measures. The use of one or more site design measures by the applicant may allow for a reduction in the water quality treatment volume required under Section 14.5.10.A.1, Water Quality/Runoff Reduction. The applicant may, if approved by the Department, take credit for the use of stormwater better site design practices and reduce the water quality volume requirement. For each potential credit, there is a minimum set of criteria and requirements that identifies the conditions or circumstances under which the credit may be applied. The site design practices that qualify for this credit and the criteria and procedures for applying and calculating the credits are included in the Georgia Stormwater Management Manual.
7. Drainage System Guidelines. Stormwater conveyance facilities, which may include but are not limited to culverts, stormwater drainage pipes, catchbasins, drop inlets, junction boxes, headwalls, gutters, swales, channels, ditches, and energy dissipaters, are provided when necessary for the protection of right-of-way and private properties adjoining project sites and/or rights-of-way. Stormwater conveyance facilities that are designed to carry runoff from more than one parcel, existing or proposed, shall meet the following requirements:
    a. Methods to calculate stormwater flows are in accordance with the stormwater design manual;
    b. All culverts, pipe systems and open channel flow systems are sized in accordance with the stormwater management plan using the methods included in the Georgia Stormwater Management Manual; and

c. Design and construction of stormwater conveyance facilities are in accordance with the criteria and specifications found in the Georgia Stormwater Management Manual.

8. Dam Design Guidelines. Any land disturbing activity that involves a site that proposes a dam shall comply with the Georgia Safe Dams Act of 1978 (O.C.G.A. § 12-5-370 et seq.) and rules for dam safety as applicable.

B. All applicants are required to submit actual "as-built" plans for any stormwater management facilities or practices after final construction is completed. The plan must show the final design specifications for all stormwater management facilities and practices and must be certified by a professional engineer. A final inspection by the Department is required before the release of any performance securities can occur.

C. Long-Term Maintenance Inspection of Stormwater Facilities and Practices.

1. The absence of an inspection and maintenance agreement shall not relieve the owner or responsible party from performing proper maintenance and inspection of the stormwater management facility. If the owner or responsible party fails or refuses to meet the requirements of this Division, the County may correct the violation at the owner's expense.
2. For facilities constructed prior to the effective date of this Division the owner or responsible party shall perform proper maintenance of the stormwater maintenance facility as required by the indemnification agreement. If the owner or responsible party fails or refuses to meet the requirements of this Division, the County may correct the violation at the owner's expense.
3. Stormwater management facilities and practices included in a stormwater management plan which are subject to an inspection and maintenance agreement must undergo ongoing inspections to document maintenance and repair needs and ensure compliance with the requirements of the agreement, the plan and this Division.
4. A stormwater management facility or practice is inspected on a periodic basis by the responsible person in accordance with the approved inspection and maintenance agreement or in the absence of an inspection and maintenance agreement, in accordance with the requirements of this Division. In the event that the stormwater management facility has not been maintained and/or becomes a danger to public safety or public health, the Department shall notify the person responsible for carrying out the maintenance plan who is specified in the inspection and maintenance agreement by registered or certified mail. The notice shall specify the measures needed to comply with the agreement and the plan and shall specify the time within which such measures are completed. Failure of the County to provide such notice shall not relieve the owner or responsible party from performing proper maintenance and inspection of the stormwater maintenance facility. If the responsible

person fails or refuses to meet the requirements of the inspection and maintenance agreement, the Department may correct the violation as provided in Section 6.6.14 hereof.

5. An annual inspection shall be performed and attested to by a professional engineer with results reported to the County. Any deficiencies noted in either operation or maintenance of the facility must be included in the report along with the proposed remedies required and a time table for their implementation. If substantial deficiencies are found, a follow-up inspection to confirm correction of said deficiencies shall be performed and reported to the County.

D. Records of Maintenance Activities. Parties responsible for the operation and maintenance of a stormwater management facility shall provide records of all maintenance and repairs to the Department.

14.6 Soil Erosion and Sedimentation Control.

14.6.1 Title and Findings.

A. Title. This section will be known as "The Rockdale County Soil Erosion, Sedimentation and Pollution Control Ordinance."

B. Findings. Rockdale County finds that soil erosion and sediment deposition onto land and into water within the watersheds of the County are a result of failure to apply proper soil erosion and sedimentation control practices in land clearing, soil movement, and construction activities and that such erosion and sediment deposition result in pollution of state waters and damage to domestic, agricultural, recreational, fish and wildlife, and other resource uses. It is therefore declared to be the policy of Rockdale County and the intent of this section to strengthen and extend the present erosion and sediment control activities and programs of Rockdale County and to provide for the establishment and implementation of a County-wide comprehensive soil erosion and sediment control program to conserve and protect the land, water, air, and other resources of Rockdale County.

14.6.2 Exemptions.

This section shall apply to any land-disturbing activity undertaken by any person or any land except for the following:

A. Surface mining, as the same is defined in O.C.G.A. § 12-4-72, "The Georgia Surface Mining Act of 1968";

B. Granite Quarrying and land for such quarrying;

C. Such minor land-disturbance activities as home gardens and individual home landscaping, repairs, maintenance work, fences, and other related activities. If such activities cause excessive erosion an official notice shall be provided to implement a best management practice (BMP) to stop continued erosion;

D. The construction of single-family residences, when such construction disturbs less than one acre and is not a part of a larger common plan or development or sale with a

planned disturbance of equal to or greater than one acre and not otherwise exempted under this paragraph; provided, however:

1. Construction of any such residence (single-family) shall conform to the minimum requirements as set forth in Section 6.7.3.C of this Division.
2. For single-family residential construction covered by the provisions of this paragraph, there shall be a buffer zone between the residence and any state waters classified as trout streams pursuant to Article 1 of Chapter 5 of the Georgia Water Quality Control Act. In any such buffer zone, no land-disturbing activity shall be constructed between the residence and the point where vegetation has been wrested by normal stream flow or wave action from the banks of the trout waters. For primary trout waters, the buffer zone shall be at least 50 horizontal feet, and no variance to a smaller buffer shall be granted. For secondary trout waters, the buffer zone shall be at least 50 horizontal feet, but the Director of Stormwater Management may grant variances to no less than 25 feet. Regardless of whether a trout stream is primary or secondary, for first order trout waters, which are streams into which no other streams flow except for springs, the buffer shall be at least 25 horizontal feet, and no variance to a smaller buffer shall be granted.
3. The minimum requirements of Section 6.7.3.C of this Division and the buffer zones provided by this section shall be enforced by the County;

E. Agricultural operations as defined in O.C.G.A. §1-3-3, "definitions," to include raising, harvesting or storing of products of the field or orchard; feeding, breeding or managing livestock or poultry; producing or storing feed for use in the production of livestock, including, but not limited to, cattle, calves, swine, hogs, goats, sheep, and rabbits or for use in the production of poultry, including, but not limited to, chickens, hens and turkeys; producing plants, trees, fowl, or animals; the production of aquaculture, horticultural, dairy, livestock, poultry, eggs and apiarian products; farm buildings and farm ponds;

F. Forestry land management practices, including harvesting; provided, however, that when such exempt forestry practices cause or result in land-disturbing or other activities otherwise prohibited in a buffer, as established in Section 6.7.3.C of this Division, no other land-disturbing activities, except for normal forest management practices, shall be allowed on the entire property upon which the forestry practices were conducted for a period of three years (3) after completion of such forestry practices;

G. Any project carried out under the technical supervision of the Natural Resources Conservation Service (NRCS) of the United States Department of Agriculture;

H. Any project involving less than one acre of disturbed area; provided, however, that this exemption shall not apply to any land-disturbing activity within a larger common plan of development or sale with a planned disturbance of equal to or greater than one

acre or within 200 feet of the banks/points of wrested vegetation of any state waters, and for purposes of this paragraph, "state waters" excludes channels and drainage ways which have water in them only during and immediately after rainfall events, however, that any person responsible for a project which involves less than one acre, which involves land-disturbing activity, and which is within 200 feet of any such excluded channel or drainageway, must prevent sediment from moving beyond the boundaries of the property on which such project is located and provided, further, that nothing contained herein shall prevent the local issuing authority from regulating any such project which is not specifically exempted by paragraphs A., B., C., D., E., F., G., I. or J. of this Section;

I. Construction or maintenance projects, or both, undertaken or financed in whole or in part, or both, by the Georgia Department of Transportation, the Georgia Highway Authority, or the State Road and Tollway Authority; or any road construction or maintenance project, or both, undertaken by any county or municipality; provided, however, that construction or maintenance projects of the Georgia Department of Transportation or the State Road and Tollway Authority which disturb one or more contiguous acres of land shall be subject to provisions of O.C.G.A. § 12-7-7.1; except where the Georgia Department of Transportation, the Georgia Highway Authority, or the State Road and Tollway Authority is a secondary permittee for a project located within a larger common plan of development or sale under the state general permit, in which case a copy of a notice of intent under the state general permit shall be submitted to the local issuing authority, the local issuing authority shall enforce compliance with the minimum requirements set forth in O.C.G.A. § 12-7-6, as if a permit had been issued, and violations shall be subject to the same penalties as violations by permit holders;

J. Any land-disturbing activities conducted by any electric membership corporation or municipal electrical system or any public utility under the regulatory jurisdiction of the Georgia Public Service Commission, any utility under the regulatory jurisdiction of the Federal Energy Regulatory Commission, any cable television system as defined in O.C.G.A. § 36-18-1, or any agency or instrumentality of the United States engaged in the generation, transmission, or distribution of power; except where an electric membership corporation or municipal electrical system or any public utility under the regulatory jurisdiction of the Georgia Public Service Commission, any utility under the regulatory jurisdiction of the Federal Energy Regulatory Commission, any cable television system as defined in O.C.G.A. § 36-18-1, or any agency or instrumentality of the United States engaged in the generation, transmission, or distribution of power is a secondary permittee for a project located within a larger common plan of development or sale under the state general permit, in which case the local issuing authority shall enforce compliance with the minimum requirements set forth in

O.C.G.A. § 12-7-6, as if a permit had been issued, and violations shall be subject to the same penalties as violations by permit holders; and

K. Any public water system reservoir.

14.6.3 Minimum Requirements.

A. General Provisions. Excessive soil erosion and resulting sedimentation can take place during land-disturbing activities if requirements of the ordinance [from which this Division derived] and the NPDES general permit are not met. Therefore, plans for those land-disturbing activities that are not exempted by this Division shall contain provisions for application of soil erosion, sedimentation and pollution control measures and practices. The provisions shall be incorporated into the erosion, sedimentation and pollution control plans. Soil erosion, sedimentation and pollution control measures and practices shall conform to the minimum requirements of Section 14.6.3.B and Section 14.6.3.C of this ordinance. The application of measures and practices shall apply to all features of the site, including street and utility installations, drainage facilities and other temporary and permanent improvements. Measures shall be installed to prevent or control erosion, sedimentation and pollution during all stages of any land-disturbing activity in accordance with requirements of this Division and the NPDES general permit.

B. Minimum Requirements/BMPs.

1. Best management practices as set forth in this section of this Division shall be required for all land-disturbing activities. Proper design, installation, and maintenance of best management practices shall constitute a complete defense to any action by the Director of Stormwater Management or to any other allegation of noncompliance with Section 14.6.3.B.2 or any substantially similar terms contained in a permit for the discharge of stormwater issued pursuant to O.C.G.A. § 12-5-30(f), the "Georgia Water Quality Control Act." As used in this section, the terms "proper design" and "properly designed" mean designed in accordance with the hydraulic design specifications contained in the "Manual for Erosion and Sediment Control in Georgia" specified in O.C.G.A. § 12-7-6(b).
2. A discharge of stormwater runoff from disturbed areas where best management practices have not been properly designed, installed, and maintained shall constitute a separate violation of any land-disturbing permit issued by a local issuing authority or of any state general permit issued by the division pursuant to O.C.G.A. § 12-5-30(f), the "Georgia Water Quality Control Act," for each day on which such discharge results in the turbidity of receiving waters being increased by more than 25 nephelometric turbidity units for waters supporting warm water fisheries or by more than ten nephelometric turbidity units for waters classified as trout waters. The turbidity of the receiving waters shall be measured in accordance with

guidelines to be issued by the Director of Stormwater Management, EPD. This paragraph shall not apply to any land disturbance associated with the construction of single-family homes which are not part of a larger common plan of development or sale unless the planned disturbance for such construction is equal to or greater than five acres.

3. Failure to properly design, install, or maintain best management practices shall constitute a violation of any land-disturbing permit issued by a local issuing authority or of any state general permit issued by the division pursuant to O.C.G.A. § 12-5-30(f), the "Georgia Water Quality Control Act," for each day on which such failure occurs.
4. The Director of Stormwater Management may require, in accordance with regulations adopted by the Board of Natural Resources, reasonable and prudent monitoring of the turbidity level of receiving waters into which discharges from land-disturbing activities occur.
5. The local issuing authority (LIA) may set more stringent buffer requirements than stated in Section 14.6.3.C.15 and Section 14.6.3.C.16, in light of O.C.G.A. § 12-7-6(c).

C. The rules and regulations, ordinances, or resolutions adopted pursuant to O.C.G.A. § 12-7-1 et seq. for the purpose of governing land-disturbing activities shall require, as a minimum, protections at least as stringent as the state general permit and best management practices, including sound conservation and engineering practices to prevent and minimize erosion and resultant sedimentation, which are consistent with, and no less stringent than, those practices contained in the "Manual for Erosion and Sediment Control in Georgia" published by the Georgia Soil and Water Conservation Commission as of January 1 of the year in which the land-disturbing activity was permitted, as well as the following:

1. Stripping of vegetation, regrading and other development activities shall be conducted in a manner so as to minimize erosion;
2. Cut-fill operations must be kept to a minimum;
3. Development plans must conform to topography and soil type so as to create the lowest practicable erosion potential;
4. Whenever feasible, natural vegetation shall be retained, protected and supplemented;
5. The disturbed area and the duration of exposure to erosive elements shall be kept to a practicable minimum;
6. Disturbed soil shall be stabilized as quickly as practicable;
7. Temporary vegetation or mulching shall be employed to protect exposed critical areas during development;
8. Permanent vegetation and structural erosion control practices shall be installed as soon as practicable;

9. To the extent necessary, sediment in runoff water must be trapped by the use of debris basins, sediment basins, silt traps, or similar measures until the disturbed area is stabilized. As used in this paragraph, a disturbed area is stabilized when it is brought to a condition of continuous compliance with the requirements of O.C.G.A. § 12-7-1 et seq.;
10. Adequate provisions must be provided to minimize damage from surface water to the cut face of excavations or the sloping of fills;
11. Cuts and fills may not endanger adjoining property;
12. Fills may not encroach upon natural watercourses or constructed channels in a manner so as to adversely affect other property owners;
13. Grading equipment must cross flowing streams by means of bridges or culverts except when such methods are not feasible, provided, in any case, that such crossings are kept to a minimum;
14. Land-disturbing activity plans for erosion, sedimentation and pollution control shall include provisions for treatment or control of any source of sediments and adequate sedimentation control facilities to retain sediments on site or preclude sedimentation of adjacent waters beyond the levels specified in this article;
15. Except as provided in paragraph (16) of this section, there is established a 25-foot buffer along the banks of all state waters, as measured horizontally from the point where vegetation has been wrested by normal stream flow or wave action, except where the Director of Stormwater Management, EPD determines to allow a variance that is at least as protective of natural resources and the environment, where otherwise allowed by the Director of Stormwater Management, EPD pursuant to O.C.G.A. § 12-2-8, where a drainage structure or a roadway drainage structure must be constructed, provided that adequate erosion control measures are incorporated in the project plans and specifications and are implemented; or along any ephemeral stream. As used in this provision, the term "ephemeral stream" means a stream: that under normal circumstances has water flowing only during and for a short duration after precipitation events; that has the channel located above the groundwater table year round; for which groundwater is not a source of water; and for which runoff from precipitation is the primary source of water flow, unless exempted as along an ephemeral stream, the buffers of at least 25 feet established pursuant to Part 6 of Article 5, Chapter 5 of Title 12, the "Georgia Water Quality Control Act," shall remain in force unless a variance is granted by the Director of Stormwater Management, EPD as provided in this paragraph. The following requirements shall apply to any such buffer:
    a. No land-disturbing activities shall be conducted within a buffer and a buffer shall remain in its natural, undisturbed state of vegetation until

all land-disturbing activities on the construction site are completed. Once the final stabilization of the site is achieved, a buffer may be thinned or trimmed of vegetation as long as a protective vegetative cover remains to protect water quality and aquatic habitat and a natural canopy is left in sufficient quantity to keep shade on the streambed; provided, however, that any person constructing a single-family residence, when such residence is constructed by or under contract with the owner for their own occupancy, may thin or trim vegetation in a buffer at any time as long as protective vegetative cover remains to protect water quality and aquatic habitat and a natural canopy is left in sufficient quantity to keep shade on the streambed; and

b. The buffer shall not apply to the following land-disturbing activities, provided that they occur at an angle, as measured from the point of crossing, within 25 degrees of perpendicular to the stream; cause a width of disturbance of not more than 50 feet within the buffer; and adequate erosion control measures are incorporated into the project plans and specifications and are implemented: (i) stream crossings for water lines; or (ii) stream crossings for sewer lines;

16. There is established a 50-foot buffer as measured horizontally from the point where vegetation has been wrested by normal stream flow or wave action, along the banks of any state waters classified as "trout streams" pursuant to Article 2 of Chapter 5 of Title 12, the "Georgia Water Quality Control Act," except where a roadway drainage structure must be constructed; provided, however, that small springs and streams classified as trout streams which discharge an average annual flow of 25 gallons per minute or less shall have a 25-foot buffer or they may be piped, at the discretion of the landowner, pursuant to the terms of a rule providing for a general variance promulgated by the Board of Natural Resources, so long as any such pipe stops short of the downstream landowner's property and the landowner complies with the buffer requirement for any adjacent trout streams. The Director of Stormwater Management, EPD may grant a variance from such buffer to allow land-disturbing activity, provided that adequate erosion control measures are incorporated in the project plans and specifications and are implemented. The following requirements shall apply to such buffer:

    a. No land-disturbing activities shall be conducted within a buffer and a buffer shall remain in its natural, undisturbed, state of vegetation until all land-disturbing activities on the construction site are completed. Once the final stabilization of the site is achieved, a buffer may be thinned or trimmed of vegetation as long as a protective vegetative cover remains to protect water quality and aquatic habitat and a natural

canopy is left in sufficient quantity to keep shade on the streambed; provided, however, that any person constructing a single-family residence, when such residence is constructed by or under contract with the owner for their own occupancy, may thin or trim vegetation in a buffer at any time as long as protective vegetative cover remains to protect water quality and aquatic habitat and a natural canopy is left in sufficient quantity to keep shade on the streambed; and

b. The buffer shall not apply to the following land-disturbing activities, provided that they occur at an angle, as measured from the point of crossing, within 25 degrees of perpendicular to the stream; cause a width of disturbance of not more than 50 feet within the buffer; and adequate erosion control measures are incorporated into the project plans and specifications and are implemented: (i) stream crossings for water lines; or (ii) stream crossings for sewer lines.

17. Nothing contained in O.C.G.A. § 12-7-1 et seq. shall prevent any local issuing authority from adopting rules and regulations, ordinances, or resolutions which contain stream buffer requirements that exceed the minimum requirements in Section 14.6.3.B and Section 14.6.3.C of this ordinance.
18. The fact that land-disturbing activity for which a permit has been issued results in injury to the property of another shall neither constitute proof of nor create a presumption of a violation of the standards provided for in this Division or the terms of the permit.

14.6.4 Application/Permit Process.

A. General. The property owner, developer and designated planners and engineers shall design and review before submittal the general development plans. The local issuing authority shall review the tract to be developed and the area surrounding it. They shall consult the zoning ordinance, stormwater management ordinance, subdivision ordinance, flood damage prevention ordinance, this Division, and any other ordinances, rules, regulations or permits, which regulate the development of land within the jurisdictional boundaries of the local issuing authority. However, the owner and/or operator are the only parties who may obtain a permit.

B. Application Requirements.

1. No person shall conduct any land-disturbing activity within the jurisdictional boundaries of Rockdale County, Georgia, without first obtaining a permit from the Department to perform such activity and providing a copy of notice of intent submitted to EPD, if applicable.
2. The application for a permit shall be submitted to the Department and must include the applicant's erosion, sedimentation and pollution control plan with supporting data, as necessary. Said plans shall include, as a minimum, the data specified in Section 14.6.4.C, Plan Requirements of this ordinance. Erosion,

sedimentation and pollution control plans, together with supporting data, must demonstrate affirmatively that the land-disturbing activity proposed will be carried out in such a manner that the provisions of Section 14.6.3.B and Section 14.6.3.C of this ordinance will be met. Applications for a permit will not be accepted unless accompanied by three copies of the applicant's erosion, sedimentation and pollution control plans. All applications shall contain a certification stating that the plan preparer or the designee thereof visited the site prior to creation of the plan in accordance with EPD Rule 391-3-7-10.

3. In addition to the local permitting fees, fees will also be assessed pursuant to paragraph O.C.G.A. § 12-5-23(5)(a), provided that such fees shall not exceed $80.00 per acre of land-disturbing activity, and these fees shall be calculated and paid by the primary permittee as defined in the state general permit for each acre of land-disturbing activity included in the planned development or each phase of development. All applicable fees shall be paid prior to issuance of the land disturbance permit. In a jurisdiction that is certified pursuant to O.C.G.A. § 12-7-8(a), half of such fees levied shall be submitted to the division; except that any and all fees due from an entity which is required to give notice pursuant to O.C.G.A. § 12-7-17(9) or (10) shall be submitted in full to the division, regardless of the existence of a local issuing authority in the jurisdiction.
4. Upon receipt of an application and plan for a permit, the County shall review and approve or disapprove concerning the adequacy of the erosion, sedimentation and pollution control plan. The County shall approve or disapprove a plan within 35 days of receipt. Failure of the County to act within 35 days shall be considered an approval of the pending plan. No permit will be issued unless the plan has been approved by the County, and any variances required by Section 14.6.3.C have been obtained, all fees have been paid, and bonding, if required as per Section 14.6.4.B, has been obtained.
5. If a permit applicant has had two or more violations of previous permits, this Division section, or the Erosion and Sedimentation Act, as amended, within three years prior to the date of filing the application under consideration, the local issuing authority may deny the permit application.
6. The local issuing authority may require the permit applicant to post a bond in the form of government security, cash, irrevocable letter of credit, or any combination thereof up to, but not exceeding, $3,000.00 per acre or fraction thereof of the proposed land-disturbing activity, prior to issuing the permit. If the applicant does not comply with this section or with the conditions of the permit after issuance, the local issuing authority may call the bond or any part thereof to be forfeited and may use the proceeds to hire a contractor to stabilize the site of the land-disturbing activity and bring it into compliance.

These provisions shall not apply unless there is in effect an ordinance or statute specifically providing for hearing and judicial review of any determination or order of the local issuing authority with respect to alleged permit violations.

C. Plan Requirements.

1. Plans must be prepared to meet the minimum requirements as contained in Section 14.6.3.B and Section 14.6.3.C of this ordinance, or through the use of more stringent, alternate design criteria which conform to sound conservation and engineering practices. The "Manual for Erosion and Sediment Control in Georgia" is hereby incorporated by reference into this ordinance. The plan for the land-disturbing activity shall consider the interrelationship of the soil types, geological and hydrological characteristics, topography, watershed, vegetation, proposed permanent structures, including roadways, constructed waterways, sediment control and stormwater management facilities, local ordinances and state laws. Maps, drawings and supportive computations shall bear the signature and seal of the certified design professional. Persons involved in land development design, review, permitting, construction, monitoring, or inspections or any land-disturbing activity shall meet the education and training certification requirements, dependent on their level of involvement with the process, as developed by the commission and in consultation with the division and the stakeholder advisory board created pursuant to O.C.G.A. § 12-7-20.
2. Data required for site plan shall include all the information required from the appropriate erosion, sedimentation and pollution control plan review checklist established by the commission as of January 1 of the year in which the land-disturbing activity was permitted.
3. Stand-alone residential development permit and procedures.
4. All building permits for a standalone residential development or redevelopment shall be submitted for review and approval that includes an erosion control plan and details.
5. The building permit shall include a site erosion control plan, sealed by a Georgia registered Engineer, Landscape Architect, Certified Person in Erosion and Sediment Control (CPESC) or Land Surveyor, to accompany the building plans. No permit shall be issued by the local issuing authority unless the erosion, sedimentation and pollution control plan has been approved by the local issuing authority pursuant to Section 14.6.3.C. All proposed BMPs on the site erosion control plan shall be designed per requirements and specifications contained in the "Manual for Erosion and Sediment Control in Georgia."

6. At the time of the preconstruction meeting the owner, operator or applicant shall sign the memorandum of understanding titled "Erosion Control Responsibilities." This document is on file with the Department.
7. Self-inspections and rain event logs.
    a. The on-site operator, owner or applicant shall perform self-inspections of the erosion control BMPs daily when land disturbing is underway and at a minimum of once per week when the site is stabilized.
    b. An inspection be conducted after every rain event of 0.5 inches or more within a 24-hour period.
    c. Any problems noted during these inspections should be logged and corrected immediately.
    d. A log of the self-inspections and remedial measures undertaken must be available for review by Rockdale County at any time during the development and up to the final site stabilization.
8. Permits.
    a. Permits shall be issued or denied as soon as practicable, but in any event not later than 45 days after receipt by the local issuing authority of a completed application, providing variances and bonding are obtained, where necessary, and all applicable fees have been paid prior to permit issuance. The permit shall include conditions under which the activity may be undertaken.
    b. No permit shall be issued by the local issuing authority unless the erosion, sedimentation and pollution control plan has been approved by the district and the local issuing authority has affirmatively determined that the plan is in compliance with this section, any variances required by Section 14.6.3.C.15 and Section 14.6.3.C.16 are obtained, bonding requirements, if necessary, as per Section 14.6.4.B.6 are met and all ordinances and rules and regulations in effect within the jurisdictional boundaries of the local issuing authority are met. If the permit is denied, the reason for denial shall be furnished to the applicant.
    c. Any land-disturbing activities by a local issuing authority shall be subject to the same requirements of this section and any other ordinances relating to land development, as are applied to private persons, and this section shall enforce such requirements upon the local issuing authority.
    d. If the tract is to be developed in phases, then a separate permit shall be required for each phase.
    e. The permit may be suspended, revoked, or modified by the local issuing authority, as to all or any portion of the land affected by the

plan, upon finding that the holder or his successor in the title is not in compliance with the approved erosion and sedimentation control plan or that the holder or his successor in title is in violation of this section. A holder of a permit shall notify any successor in title to him as to all or any portion of the land affected by the approved plan of the conditions contained in the permit.

f. The local issuing authority may reject a permit application if the applicant has had two or more violations of previous permits or the Erosion and Sedimentation Act permit requirements within three years prior to the date of the application, in light of O.C.G.A. § 12-7-7(f)(1).

14.6.5 Education and Certification.

A. Persons involved in land development design, review, permitting, construction, monitoring, or inspection or any land-disturbing activity shall meet the education and training certification requirements, dependent on their level of involvement with the process, as developed by the commission in consultation with the division and the stakeholder advisory board created pursuant to O.C.G.A. § 12-7-20.

B. For each site on which land-disturbing activity occurs, each entity or person acting as either a primary, secondary, or tertiary permittee, as defined in the state general permit, shall have as a minimum one person who is in responsible charge of erosion and sedimentation control activities on behalf of said entity or person and meets the applicable education or training certification requirements developed by the commission present on site whenever land-disturbing activities are conducted on that site. A project site shall herein be defined as any land-disturbance site or multiple sites within a larger common plan of development or sale permitted by an owner or operator for compliance with the state general permit.

C. Persons or entities involved in projects not requiring a state general permit but otherwise requiring certified personnel on site may contract with certified persons to meet the requirements of this ordinance.

D. If a state general permittee who has operational control of land-disturbing activities for a site has met the certification requirements of O.C.G.A. § 12-7-19(b)(1), then any person or entity involved in land-disturbing activity at that site and operating in a subcontractor capacity for such permittee shall meet those educational requirements specified in O.C.G.A. § 12-7-19(b)(4) and shall not be required to meet any educational requirements that exceed those specified in said subsection.

14.6.6 Effectivity, Validity, and Liability.

A. Effectivity. This section became effective upon the date of adoption.

B. Validity. If any section, paragraph, clause, phrase, or provision of this section shall be adjudged invalid or held unconstitutional, such decisions shall not affect the remaining portions of this section.

C. Liability.
    1. Neither the approval of a plan under the provisions of this section, nor the compliance with provisions of this section shall relieve any person from the responsibility for damage to any person or property otherwise imposed by law nor impose any liability upon the local issuing authority or district for damage to any person or property.
    2. The fact that a land-disturbing activity for which a permit has been issued results in injury to the property of another shall neither constitute proof of nor create a presumption of a violation of the standards provided for in this section or the terms of the permit.
    3. No provision of this section shall permit any persons to violate the Georgia Erosion and Sedimentation Act of 1975, the Georgia Water Quality Control Act or the rules and regulations promulgated and approved thereunder or pollute any waters of the state as defined thereby.

14.7 Illicit Discharge and Connection.

14.7.1 General Provisions.

A. Purpose and intent. The purpose of this section is to protect the public health, safety, environment and general welfare through the regulation of non-stormwater discharges to the County separate storm sewer system to the maximum extent practicable as required by federal law. This section establishes methods for controlling the introduction of pollutants into the County separate storm sewer system in order to comply with requirements of the National Pollutant Discharge Elimination System (NPDES) permit process. The objectives of this section are to:
    1. Regulate the contribution of pollutants to the storm sewer system by any person;
    2. Prohibit illicit discharges and illegal connections to the storm sewer system;
    3. Prevent non-stormwater discharges, generated as a result of spills, inappropriate dumping or disposal, to the storm sewer system; and
    4. Establish legal authority to carry out all inspection, surveillance, monitoring and enforcement procedures necessary to ensure compliance with this section.

B. Compatibility with Other Regulations. This section is not intended to modify or repeal any other chapter, rule, regulation, or other provision of law. The requirements of this section are in addition to the requirements of any other chapter, rule, regulation, or other provision of law, and where any provision of this section imposes restrictions different from those imposed by any other chapter, rule, regulation, or other provision of law, whichever provision is more restrictive or imposes higher protective standards for human health or the environment shall control.

C. Responsibility for Administration. The Department of Stormwater Management shall administer, implement, and enforce the provisions of this section.

14.7.2 Prohibitions.

A. Prohibition of Illicit Discharges. No person shall throw, drain, or otherwise discharge, cause, or allow others under his control to throw, drain, or otherwise discharge into the County separate storm sewer system any pollutants or waters containing any pollutants other than stormwater.

B. Exemptions The following discharges are exempt from the prohibition provision above:

1. Water line flushing performed by a government agency, other potable water sources, landscape irrigation or lawn watering, diverted stream flows, rising groundwater, groundwater infiltration to storm drains, uncontaminated pumped groundwater, foundation or footing drains (not including active groundwater dewatering systems), crawl space pumps, air conditioning condensation, springs, natural riparian habitat or wetland flows, and any other water source not containing pollutants;
2. Discharges or flows from firefighting, and other discharges specified in writing by the Director of Stormwater Management as being necessary to protect public health and safety;
3. The prohibition provision above shall not apply to any non-stormwater discharge permitted under an NPDES permit or order issued to the discharger and administered under the authority of the state and the Federal Environmental Protection Agency, provided that the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations, and provided that written approval has been granted for any discharge to the County separate storm sewer system.

C. Prohibition of Illegal Connections. The construction, connection, use, maintenance or continued existence of any illegal connection to the storm sewer system is prohibited.

1. This prohibition expressly includes, without limitation, illegal connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.
2. A person violates this section if the person connects a line conveying sewage to the storm sewer system or allows such a connection to continue.
3. Improper connections in violation of this section must be disconnected and redirected, if necessary, to an approved onsite wastewater management system or the sanitary sewer system upon approval of the Department of Stormwater Management.
4. Any drain or conveyance that has not been documented in plans, maps or equivalent, and which may be connected to the storm sewer system, is located by the owner or occupant of that property upon receipt of written notice of violation from the Department of Stormwater Management requiring that such locating be completed. Such notice will specify a reasonable time period

within which the location of the drain or conveyance is to be completed, that the drain or conveyance be identified as storm sewer, sanitary sewer or other, and that the outfall location or point of connection to the storm sewer system, sanitary sewer system or other discharge point be identified. Results of these investigations are to be documented and provided to the Department of Stormwater Management.

14.7.3 Industrial, Construction Discharges.

Any person subject to an industrial or construction activity, NPDES stormwater discharge permit, shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the Department of Stormwater Management prior to allowing discharges to the County separate storm sewer system.

14.7.4 Reporting Illicit Discharge to Issuing Authority / Rockdale County.

A. Notwithstanding other requirements of law, as soon as any person responsible for a facility, activity or operation, or responsible for emergency response for a facility, activity or operation has information of any known or suspected release of pollutants or non-stormwater discharges from that facility or operation which is resulting or may result in illicit discharges or pollutants discharging into stormwater, the County separate storm sewer system, state waters, or waters of the U.S., said person shall take all necessary steps to ensure the discovery, containment, and cleanup of such release so as to minimize the effects of the discharge.
B. Said person shall notify the authorized enforcement agency by phone, in writing, or in person no later than 24 hours of the nature, quantity and time of occurrence of the discharge. Notifications in person or by phone are confirmed by written notice addressed and mailed to the Department of Stormwater Management within three business days of the phone or in-person notice. If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the discharge and the actions taken to prevent its recurrence. Such records are retained for at least three years. Said person shall also take immediate steps to ensure no recurrence of the discharge or spill.
C. In the event of such a release of hazardous materials, emergency response agencies and/or other appropriate agencies are immediately notified.
D. Failure to provide notification of a release as provided above is a violation of this section.

Article 15: Off-Street Parking and Loading

15.1 General Requirements.

15.1.1 Applicability.

A. Applicability. Unless specifically exempt elsewhere in this UDO, all existing and proposed development shall provide off-street parking and loading facilities in accordance with this section.
B. Time of completion. Parking and loading areas shall be completed, landscaped, and ready for use prior to the issuance of a certificate of occupancy.
C. Additions and renovations.
    1. Additions or renovations to a building or use, other than an addition to an existing residential dwelling unit that does not increase the number of families or household units, that increases its gross floor area by 500 or more square feet shall provide additional parking and loading space commensurate with the addition.
    2. When an addition or renovation of an existing building or use increases the gross floor space of a building or use by more than 50 percent, the entire building or use shall meet parking and loading requirements of this UDO, unless an administrative variance is granted in accordance with Section 18.8, Variances.
    3. No addition to an existing building shall reduce the number of spaces or usability of an existing parking or loading area unless it conforms to this UDO.

15.1.2 Prohibited uses.

A. No parking areas may be used for the sale, repair, dismantling, servicing or long-term storage of any vehicles or equipment, unless permitted by the zoning district in which the area is located.

15.1.3 Inoperable or hazardous vehicle parking.

A. Inoperable Vehicle Parking.
    1. Any inoperable vehicle, trailer, automobile, or part thereof shall not be parked or stored in any required parking spaces or in any side or front yard.
    2. Whenlocated in a rear yard, such vehicles or part thereof shall be completely screened from view, using a fence, wall, hedge or combination thereof, from all surrounding public streets in accordance with Article 11.
B. Hazardous Vehicle Parking.
    1. No hazardous vehicle, as defined by this UDO, shall be parked, stored, or left standing on:
        a. Any public streets, rights-of-way, alley, or public property

b. Any private property in a manner visible from a public right-of-way or that poses a threat to adjacent properties or occupants.

15.1.4 Vehicle parking in residential districts.

A. Business Vehicle Parking.

1. Except as provided herein, no business vehicle shall be allowed to park in any Residential (A-R, R-1, MR, PV, CRS,) or any standalone residential portion of a PUD district or MXD district, either on private property so zoned or on the streets abutting such property.

2. Parking shall not be permitted on grass, dirt, gravel, or any other unpaved or unfinished surface.

3. Exceptions.

   a. Any business vehicle actively engaged in loading or unloading of merchandise or passengers or actively servicing a customer.

   b. Any business vehicle under oneand one-half (1.5) tons in cargo capacity shall be allowed to be parked in a carport or within a side yard or rear yard behind the main building line in accordance with other sections of this ordinance.

   c. This section shall not apply to any vehicle in an enclosed building or not visible from any public place, street, right-of-way, or from any surrounding private property.

   d. This section shall not apply to vehicles on school property or on property of not-for-profit organizations.

   e. Any government vehicle or other vehicle used for the primary purpose of transporting children to and from non-profit organizations, or state licensed accredited schools may park in said districts provided that such vehicle is not parked on any public street and is parked in the side or rear yard behind the main building line of the driver's dwelling.

4. Whenever any law enforcement officer finds a business vehicle stopped, standing, stored, or parked upon any alley, street, highway, or right-of-way that creates or would create an immediate public safety hazard or prevents public safety vehicles, which shall include, but not limited to, law enforcement, fire, and EMS vehicles, from traveling on or otherwise using such alley, street, highway or right-of-way, the police officer is hereby authorized:

a. To require the driver or other person in charge of the business vehicle to move the vehicle to a position off of the alley, street, highway, or right-of-way.

b. To provide for the removal of the vehicle to the nearest vehicle impound or other place of safety if the owner or other person in charge of the vehicle is unable or refuses to immediately move the vehicle to a position off of the alley, street, highway, or right-of-way.

B. Recreational Vehicle (RV), Equipment, and Trailer Parking.

1. Except as provided herein, no motorized or non-motorized recreational vehicles, equipment, or trailers shall be parked or stored in any Residential (R-1, MR, PV, CRS,) or any standalone residential portion of a PUD district or MXD district, either on private property so zoned or streets abutting such property for more than seventy-two (72) hours unless one of the following conditions is satisfied:

a. The motorized or non-motorized recreational vehicle, equipment, or trailer is parked in a side or rear yard behind the main building line in accordance with other sections of this ordinance.

b. The motorized or non-motorized recreational vehicle, equipment, or trailer is parked under a carport or in an enclosed garage or structure.

c. The motorized or non-motorized recreational vehicle, equipment, or trailer is completely out of public view from the street.

2. Motorized or non-motorized vehicles, equipment, or trailers parked or stored shall not have fixed connections to electricity, water, gas, or sanitary sewer facilities and at no time shall be used for living, sleeping, or housekeeping purposes in any Residential (AR, R-1, MR, PV, CRS), PUD, or MXD district except for authorized RV parks or campgrounds.

3. All motorized or non-motorized recreational vehicles, equipment, and trailers must be kept in good repair, carry a current year's license and registration, and be titled to or leased by one of the permanent occupants of the residence, or their temporary guest.

15.2 Parking Space Requirements.

15.2.1 Fractional measurements.

A. If the calculation of required off-street parking spaces results in a fraction, any fraction of 0.5 or greater shall be rounded up to equire one additional full parking space.

A. If the calculation of a parking reduction results in a fraction, the fractional space shall be rounded down and not counted.

15.2.2 Minimum space requirements for uses not identified.

A. Where the need for parking of a particular use is uncertain due to unknown/unusual operating characteristics or where the use is not specifically identified in the Parking Calculation Table, the Director of Planning and Development shall determine the parking requirement.
B. In making such a determination, the Director of Planning and Development shall be guided by the following:
    1. The number of persons to be employed in such building;
    2. The number of persons expected to reside in, visit or patronize such building or use;
    3. The anticipated percentage of residents, visitors or patrons driving vehicles;
    4. The need for safe and convenient loading space for visitors or patrons and goods; and/or
    5. Applicant submitted parking data. Such data may include, but is not limited to, site studies from similar uses, generally accepted engineering standards (e.g., Institute of Transportation Engineers trip and parking operation rates), or independent engineering calculations based on the nature of the proposed use.

15.2.3 Parking requirements.

A. Minimum parking space requirements. The minimum number of parking spaces shall be determined from the table of minimum parking requirements, unless otherwise expressly qualified for reduction per Section 15.2.4.
B. Maximum parking requirements.
    1. Maximum parking requirements are established in order to promote efficient use of land, provide for better pedestrian movement, reduce the amount of impervious surface, and to protect air and water quality.
    2. The maximum number of parking spaces allowed is 200 percent of the number shown in the table of minimum parking requirements in this section.
    3. For any surface parking lot that provides more than the maximum required number of spaces, the number of parking spaces that are in excess of the maximum shall be placed on pervious paving surfaces. Pervious paving materials shall include those described in Volume 2 - Technical Handbook of the Georgia Stormwater Management Manual as the porous concrete or modular porous paver systems under the limited application stormwater structural controls.

Table 15.2.3: Parking Requirements

	Min. Number of Parking Spaces Required:	Max. Number of Parking Spaces Allowed:	Required for Each:
Agricultural Uses			
Agricultural Production [4]	1	2	Per on-duty employee
Botanical/Community Garden[4]	1	2	Per on-duty employee on the largest shift
	10 guest parking spaces	20 guest parking spaces	Per acre (or no fewer than 10 spaces if less than an acre)
Residential Uses			
Single-Family Detached	2	4	Dwelling Unit
Two-Family (Duplex)	2	4	Dwelling Unit
Townhome	2	4	Dwelling Unit
	1 guest parking space	2 guest parking spaces	Per every 3 Dwelling Units
Multi-Family (1 or more bedrooms)	1.5	3	Dwelling Unit
Multi-Family (studio/efficiency units)	1	2	Dwelling Unit
Live-Work	1.5	3	Dwelling Unit
Group Living	1	2	Per every 3 Beds
Public, Institutional, and Civic Uses			
Cemetery	1	2	Per full-time employee
Funeral Home and Mortuaries	1	2	Per every 3 seats
	1	2	Per full-time employee
	1	2	Per company vehicle stored on-site
Daycare	2	4	1,000sf per gross floor area
	1	2	Per on-duty employee
School (K-8)[1]	1	No maximum	Per full-time employee
	3	No maximum	Per Classroom
High School [1]	1	No maximum	Per full-time employee
	6	No maximum	Per Classroom
	1	2	Per every 8 students
Trade or Vocational School	11	No maximum	Per Classroom
	1	No maximum	Per full-time employee
College or University (excluding housing & assembly areas) [1]	11	No maximum	Per Classroom
	1	No maximum	Per full-time employee
	3	6	Per 1,000sf per gross floor area of office/administrative space

Childcare Learning Facility / Pre-K	1	2	Per every 6 children in attendance
	1	2	Per on-duty employee
Place of Assembly (fixed seating)	1	2	Per every 4 seats in the largest assembly room
Place of Assembly (w/o fixed seating)	1	2	Per 100sf in the largest assembly room
Hospital	1	2	Per every 2 Beds
	1	2	Per full-time physicians on the largest shift
	3	6	Per 1,000sf per gross floor area of office/administrative space
Nursing Home	1	2	Per every 4 beds
	1	2	Per on-duty employee
Library or Museum	3	6	Per 1,000sf per gross floor area
Park (also see indoor and/or outdoor recreation)	1	2	Per 5,000sf of park area
Commercial			
Animal Services (Limited, General, and Veterinary)	3	6	Per 1,000sf per gross floor area
Office and Professional Service	3	6	Per 1,000sf per gross floor area
Financial Services	4	8	Per 1,000sf per gross floor area
Medical Services	4	8	Per 1,000sf per gross floor area
Automobile Repair, Service, and Maintenance (Minor and Major)	2	4	Per service bay
	1	2	Per full-time employee
	4	8	Per 1,000sf of sales floor area
Automobile Gas Sales (with convenience store)[2]	1	2	Per on-duty employee
	4	8	Per 1,000sf sales floor area
Motor Vehicle Sales, Recreational Vehicle Dealers, and Manufactured Home Dealers	2	4	Per 1,000sf of indoor sales area
	1	2	Per 2,500sf of outdoor display area
	2	4	Per service bay
	1	2	Per full-time employee

Fast Food Restaurant (with drive-through)[3]	1	2	Per 100sf of gross floor area
	1	2	Per on-duty employee
Grocery Store	1	2	Per 250sf of gross floor area
Restaurant (Quick Serve, Carry Out only, no drive-through)	1	2	Per 75sf of gross floor area
	1	2	Per on-duty employee
Restaurant (Dine-in/Sit Down)	1	2	Per on-duty employee
	1	2	Per 75sf of indoor floor area for patrons
	1	2	Per every 4 outdoor seats
Retail Sales, General Merchandise Stores, and Shopping Centers	4	8	Per 1,000sf of gross floor area
Convenience Store	4	8	Per 1,000sf of gross floor area
Indoor recreation/entertainment	4	8	Per 1,000sf of public activity area
	1	2	Per on-duty employee on the largest shift
Outdoor recreation/entertainment	10	20	Per 1,000sf of public activity area
	1	2	Per on-duty employee on the largest shift
Bed & Breakfast	2	4	For permanent residents
	1	2	Per room for lodging
Hotel/Motel (see table for applicable accessory uses)	1	2	Per room for lodging
	1	2	Per on-duty employee on the largest shift
Home improvement store	1	2	Per 200sf of gross floor area
Sporting goods store	1	2	Per 200sf of gross floor area
Family travel center[2]	1	2	Per on-duty employee
	4	8	Per 1,000sf sales floor area
Industrial and Manufacturing			
Wholesale Trade	1	2	Per 200sf of office/administrative space
	1	2	Per 1,000sf of storage area
	1	2	Per company vehicle stored on-site
	1	2	Per 1,000sf of storage area

General Warehousing/Storage and Distribution/Freight Forwarding	1	2	Per on-duty employee
	1	2	Per company vehicle stored on-site
General Warehousing and Storage (including commercial sales to the public)	3	6	Per 200sf of sales area
	1	2	Per 1,000sf of storage area
	1	2	Per on-duty employee
	1	2	Per company vehicle stored on-site
Light & Heavy Manufacturing	3	6	Per 1,000sf of gross floor area
	1	2	Per every 2 on-duty employees
	1	2	Per company vehicle stored on-site
Data Center	1	2	Per on-duty employees on the largest shift
	3 visitor spaces	No maximum	Per building
Battery Energy Storage System	1	2	Per on-duty employee
	1	2	Per company vehicle stored on-site
Building, trade, and similar contractors	3	6	Per 1,000sf per gross floor area
	1	2	Per company vehicle stored on-site
Microbrewery, distillery, winery (see dine-in restaurant, if applicable)	1	2	Per on-duty employee
	1	2	Per 100sf of tasting room area
Research & Development	1	2	Per on-duty employees on the largest shift
	3 visitor spaces	No maximum	Per building

1. Should a school increase in capacity, by any reason including the addition of portable classrooms, additional parking shall be provided in accordance with this Ordinance.

2. Gas pump island spaces for active fueling may count towards minimum/maximum number of parking spaces.
3. A restaurant with drive-through service shall include a bypass lane by which traffic may navigate around the restaurant without traveling in a drive-through service lane.
4. A variance may be requested to substitute pervious parking surface instead of paved or impervious surface.

15.2.4 Reduction in minimum parking requirements.

A. Shared parking may be permitted by the Director of Planning and Development if the applicant satisfactorily demonstrates that the actual peak parking requirements of the proposed development or use can be satisfied with a lesser number of parking spaces through sharing adjacent parking for two or more proximate uses because peak demand periods for proposed land uses do not occur at the same time periods.

B. Developers requesting reductions based on shared parking shall submit the following to the Director of Planning and Development for review at the time of submitting a preliminary plat or site development plan for the project:

    1. Site plan indicating the location of uses proposing to share parking requirements and design of shared parking facilities.
    2. Names and addresses of the owner(s) and uses that share parking.
    3. Location and number of parking shared spaces.
    4. If there is more than one owner, submit a cross-access legal agreement between owners to assure the continued availability of adequate parking.
    5. A shared parking analysis that shall follow the procedures detailed in this section.

C. The procedures for determining parking requirements in a mixed-use development are:

    1. Determine the minimum amount of parking required for each separate use described in the table of minimum parking requirements.
    2. Multiply the parking requirement for each use by the corresponding percentage for each of the time periods in the table of parking ratios by use and time of day for mixed-use developments.
    3. Sum the total parking requirements for all uses for each of the five time periods in the table of parking ratios by use and time of day for mixed-use developments.
    4. The parking requirement for the time period having the largest required total number of parking spaces based on use of table of parking ratios by use and time of day for mixed-use developments shall be the minimum required number of parking spaces for the mixed-use development.

Table 15.2.4: Parking Reduction Table			
	Weekdays	Weekends	Night Time

Uses	6 a.m. to 5 p.m.	5 p.m. to 1 a.m.	6 a.m. to 5 p.m.	5 p.m. to 1 a.m.	1 a.m. to 6 a.m.
Office	100%	10%	10%	5%	5%
Retail/Commercial	60%	90%	100%	70%	5%
Lodging	75%	100%	75%	100%	5%
Food and Beverage	50%	100%	100%	100%	10%
Entertainment/ Recreational	40%	100%	80%	100%	10%
Place of Assembly	50%	50%	100%	100%	10%

D. Any subsequent change in land uses within the participating developments shall require proof that adequate parking will be available. Prior to any change in ownership or use, the owner must apply to the Director of Planning and Development for an evaluation and confirmation of the reduction. If the Director of Planning and Development finds that the parking reduction is no longer justified, the Director of Planning and Development shall notify the owner to construct the number of parking spaces necessary to meet the required level.

E. On-street parking. Up to 50 percent of the on-street parking spaces available within 600 feet of a use may be counted towards the minimum off-street parking requirements, provided that the same parking space cannot be used to contribute to the off-street parking requirements of by more than one parcel. No more than 25 percent of the number of required off-street parking spaces may be provided by on-street parking.

F. Landscaped reserve. Where it can be demonstrated that a use or establishment will temporarily need a lesser number of parking spaces than is required (such as phased occupancy of large new facilities or eventual succession of a new use), the number of such spaces required may be reduced by not more than 50 percent, subject to the site plan approval, provided that the following requirements are met:

1. The applicant shall submit documentary evidence to the Director of Planning and Development that the use will temporarily justify a lesser number of spaces for a period of time not less than one year.
2. A reserve area provided shall be sufficient to accommodate the difference between the spaces required and the lesser number provided. Said reserve area shall:
    a. Be inclusive of all associated parking spaces, drive aisles, access routes, transition slopes, and infrastructure.
    b. Not encroach upon or directly drain to any water body, wetland, undisturbed buffer, impervious setback, floodplain, or other environmentally sensitive area.

3. Said reserved area shall be maintained exclusively as landscaped area and shall be clearly indicated as "Reserve Parking Area" on the site plan.
4. The landscaping may either consist of existing natural vegetation or be developed as a new landscaped area, whichever is granted site plan approval.
5. No structure, mechanical equipment, material stockpile, or trash may be placed in the landscaped reserve; and no parking shall be allowed within the landscaped reserve until developed as a parking lot.
6. Said reserve area shall not be counted toward the minimum open space required by lot coverage provisions of this section.
7. When in the discretion of the Director of Planning and Development additional parking is required, said reserve area may be required to be developed as a parking lot.
8. A separate land disturbance permit shall be required for any modification to the reserve area regarding its location, size, use, configuration, or impervious coverage.

15.2.5 ADA accessible parking.

Table 15.2.5: ADA-accessible Parking Requirements	
Total Required Parking Spaces	Required Accessible Spaces
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2 percent of total
1,001 and over	20 plus 1 for each 100 over 1,000

A. Off-street parking for persons with disabilities is to be provided as required by the federal Americans with Disabilities Act and the Georgia Accessibility Code for all multifamily and non-residential uses.
B. ADA-accessible parking spaces shall be counted as part of the total number of parking spaces required in this section of the UDO.
C. The minimum number of required ADA-accessible parking spaces is shown in Table 15.2.5.
D. One of every eight ADA-accessible spaces, but not less than one per parking lot that provides ADA-accessible spaces, shall be designed to be "van accessible" in

accordance with the ADA Accessibility Guidelines. See Section 15.6.1, Construction and dimensional requirements for parking areas for design of "van-accessible" spaces.

E. The number of parking spaces required for persons with disabilities is not subject to variance and may not be reduced in number to below the minimum number required by the Federal Americans with Disabilities Act Accessibility Guidelines for Buildings and Facilities, as Amended.

F. Design of ADA spaces shall be as required in subsection Section 15.6.1, Construction and dimensional requirements for parking areas.

15.3 Parking Structures.

Parking structures are allowed as an accessory use in the MR, CC, MXD, OI, C-1, C-2, M-1, and M-2 zoning districts and shall comply with the following provisions:

A. Vehicular Access.
   1. Vehicular access shall be designed in a manner that minimizes disruption to motorized travel, non-motorized travel, and the streetscape.
   2. Vehicular ingress and egress shall be provided from an alley or local street. When alley access or local-street access is not possible, then vehicular ingress and egress shall be permitted from a collector or arterial street.
   3. Free-flow parking garage entries (i.e., without attendants, gates or ticket-dispensing machines) shall provide at least one off-street vehicle stacking space per entry lane.
   4. Parking garage entries that include automatic ticket-dispensing machines or automatic key readers at entries shall provide at least two off- street vehicle stacking spaces per entry lane.
   5. Parking garage entries that include manual ticket-dispensing machines at entries shall
   6. provide at least three off-street vehicle stacking spaces per entry lane.
   7. Required vehicle stacking spaces at entries shall be located so that they do not obstruct sidewalks.

B. Structure Design.
   1. Ramps and sloping floors shall be located so as not to be visible from the front-street facing.
   2. In order to de-emphasize the horizontal nature of the parking garage, vertical divisions of at least two feet in width and extending the full height of the parking garage structure are required at least every 30 feet (measured horizontally).
   3. A parking garage shall not span more than 200 feet on any block face, unless fully lined and concealed by habitable/occupiable spaces on all floors.
   4. All parking garages shall provide pedestrian access from the ground level parking to the public sidewalk or building entrance.

15.4 Loading Space Requirements.

15.4.1 Provisions of off-street loading spaces.

A. Application. Whenever the normal operation of any development requires that goods, merchandise, or equipment be routinely delivered to or shipped from the development, a sufficient off-street loading and unloading area must be provided in accordance with this UDO.

B. Minimum number of spaces. The minimum number of off-street loading spaces required for buildings containing more than 5,000 gross square feet of retail business, office, wholesale, industrial, governmental and institutional uses including public assembly places, hospitals and educational institutions, shall be one space for the first 25,000 square feet of total floor area or fractional part thereof. For such uses in excess of 25,000 square feet, the building shall provide loading spaces as provided in this subsection.

Table 15.4.1: Provisions for off-street loading spaces

Sq. ft.	Number of Spaces
5,000-25,000	1
25,001-99,999	2
100,000-159,999	3
160,000-239,999	4
240,000-349,999	5
For each additional 100,000 square feet or fraction thereof, one additional space shall be required.	

C. Prohibited use. No area allocated to loading and unloading facilities may be used to satisfy the area requirements for off-street parking, nor shall any portion of any off-street parking area be used to satisfy the area requirements for loading and unloading facilities.

D. Location of off-street loading spaces.
   1. All required off-street loading spaces shall be located on the same lot as the building that they intend to serve or on an adjacent lot where shared with the use occupying said adjacent lot.
   2. Each required off-street loading space shall have direct access to a street or alley that provides safe and adequate ingress and egress for trucks.

E. Permanent reservation. Areas reserved for off-street loading, in accordance with the requirements of this UDO, shall not be reduced in area or changed to any other use unless the permitted use that is served, discontinued or modified; except where equivalent loading space is provided and approved by the Director of Planning and Development.

15.4.2 Construction and dimensions of off-street loading spaces.

A. Required dimensions for each loading stall. Each loading stall shall be a minimum of ten feet wide and 30 feet in length, except that for wholesale and industrial use, loading stalls shall be a minimum of ten feet wide and 50 feet in length.
B. Loading areas shall provide an adequate ingress and egress with a minimum vertical clearance of 12 feet and a driveway grade no greater than four percent. The loading area shall not exceed a grade of two percent.
C. Paving. All required loading areas shall be paved with asphalt, concrete, porous paving blocks, gravel or other materials, as approved by the Director of Planning and Development. Paving areas shall be of sufficient size and strength to support the weight of service vehicles.

15.5 Alternative Vehicle Parking.

15.5.1 Bicycle Parking.

A. Bicycle parking spaces (racks or lockers) must be provided for any use that is required to provide more than 100 parking spaces. At least one bicycle parking space must be provided for each 50 parking spaces.
B. Required bicycle parking spaces shall be no more than 100 feet from the main entrance of the principal building or use on a parcel.
C. Bicycle racks or lockers shall be permanently and securely attached to the ground.

15.5.2 Motorcycle and scooter parking.

A. Such spaces shall be provided on concrete or other paved surface and sized four feet by eight feet.

15.6 Parking Area Design Standards.

15.6.1 Construction and dimensional requirements of parking areas.

A. Layout. Off-street parking areas shall be laid out, constructed, and maintained in accordance with the following requirements (except for single- and two-family residential uses):
    1. All parking areas shall have access to a public street and shall be designed to ensure ease of mobility, ample clearance, and the safety of pedestrians and vehicles.
    2. Adequate interior driveways shall connect each parking space with a public right-of-way.
    3. Parking spaces shall be separated from sidewalks and streets in public rights-of-way by wheel bumpers and by a strip of land at least ten feet wide reserved as open space and planted in grass, shrubs and trees.
    4. All parking areas must be striped in conformance with the parking dimension standards of this UDO.

B. Pedestrian movement.
    1. Parking areas shall be designed to facilitate safe and convenient use by pedestrians.
    2. The pathways from the principal building entrance to the adjacent streets shall include a sidewalk at least5 ft. wide with marked crosswalks across all interior driveways.

C. Parking area dimensions.
    1. Standard off-street parking stalls and aisles shall conform to the minimum dimensions provided in the table of minimum parking space requirements and dimensions of parking stalls provided in this subsection.

Table 15.6.1: Parking dimensional Requirements

	Parking Angle (A)		
	45 degrees	60 degrees	90 degrees
Width (B)	8 ft. 6 in.	8 ft. 6 in.	8 ft. 6 in.
Depth* (E)	17 ft.	17 ft. 6 in.	19 ft.
Aisle (D)	14 ft. one-way 20 ft. two-way	16 ft. one-way 20 ft. two-way	24 ft. one-way 24 ft. two-way
*Depth measured perpendicular to aisle to farthest corner of stall or nearest wall.			



Figure 15.6.1 – Parking Angle: 45 Degrees.

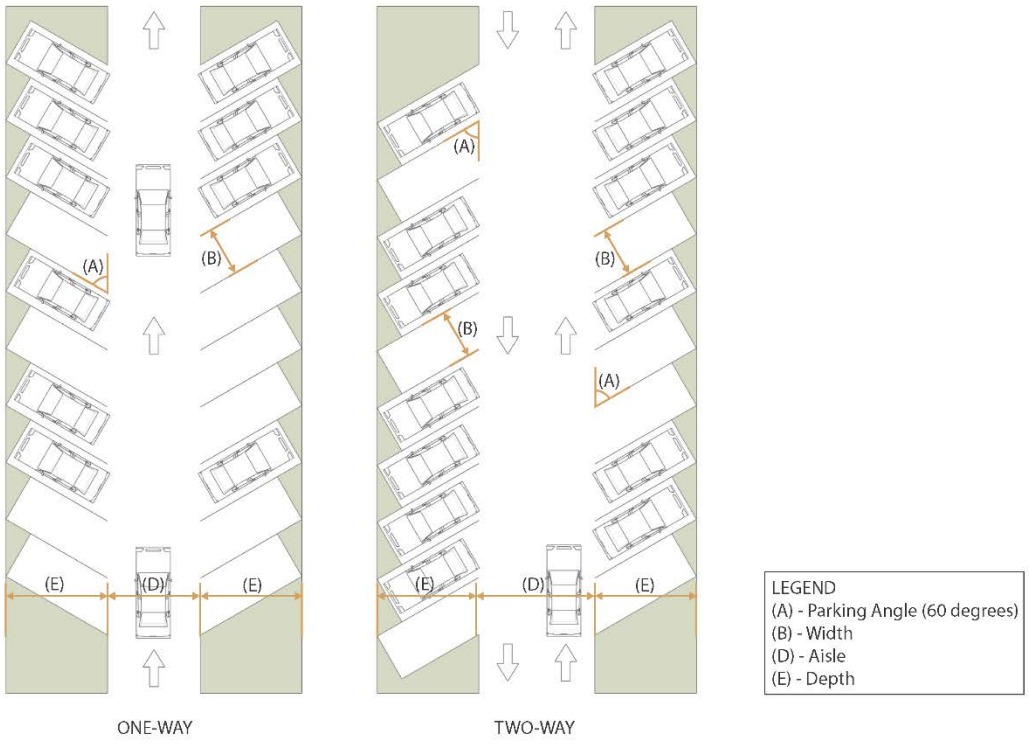


Figure 15.6.1 – Parking Angle: 60 Degrees.

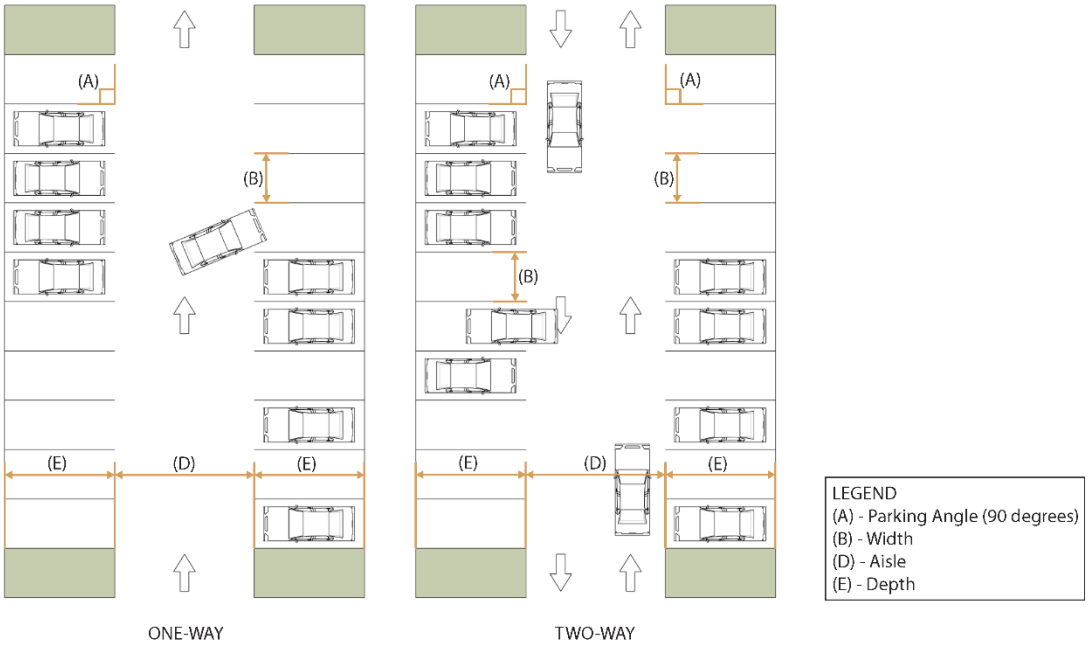


Figure 15.6.1 – Parking Angle: 90 Degrees.

2. Parallel parking spaces shall be a minimum of eight feet wide and 22 feet and six inches long.
3. ADA-accessible spaces. ADA-accessible parking spaces shall be a minimum of eight (8) feet in width by nineteen (19) feet in length and shall be located adjacent to a paved accessible aisle or walkway at least 60 inches in width. If the accessible walkway is at an elevation different from the elevation of the parking space, a 1:6 slope ramp shall be provided up to the walk. An aisle, having a width of not less than three feet shall be from the handicap-accessible spaces to the building entrance.
4. Van-accessible spaces. Van-accessible parking stalls shall have a minimum width of eight feet and a minimum length of 19 feet. Each van-accessible space shall be adjacent to a passenger loading aisle that is a minimum use of eight-foot wide leading to an accessible aisle or walkway at the front of the parking spaces that is a minimum of three feet wide leading to the closest building entrance.

D. Signage. Handicap-accessible parking spaces and van-accessible parking spaces shall be identified by signs meeting the requirements of the ADA Accessibility Guidelines and the MUTCD (Manual on Uniform Traffic Control Devices).
E. Paving materials for parking lots.
    1. All parking areas shall be paved with asphalt, concrete or pervious materials approved by the Director of Planning and Development. Recommended pervious paving materials include those described in Volume 2—Technical Handbook of the Georgia Stormwater Management Manual (First Edition, August 2001) as the Porous Concrete or Modular Porous Paver Systems under the Limited Application Stormwater Structural Controls.
    2. Paving areas shall be of sufficient size and strength to support the weight of service vehicles.

15.6.2 Driveways.

A. Parking areas shall provide an adequate ingress and egress with a minimum vertical clearance of 14 feet and a driveway grade no greater than five percent.
B. Driveways entering public streets must be designed as follows:
    1. No driveway curb cut may be located closer than 75 feet from the extended curb line of an intersecting street.
    2. Except for driveways that are restricted to right-in/right-out access only, no driveway curb cut may be located opposite an exclusive left turn lane that serves an adjacent intersection.
    3. Except for driveways that are restricted to right-in/right-out access only, the minimum spacing between driveways along the same side of an arterial or major collector street shall be as follows, in Table 15.6.2:

Table 15.6.2: Driveway Length Requirements

Posted highway speed	Minimum driveway spacing
25 mph	125 ft.
30 mph	125 ft.
35 mph	150 ft.
40 mph	185 ft.
45 mph	230 ft.
50 mph	275 ft.
55 mph	350 ft.
60 mph	450 ft.
65 mph	550 ft.

    4. The centerline of driveway curb cuts located on public streets that are not divided by a raised median should be aligned with the driveways on the opposite side of the street where feasible. Driveways intersecting a public street that are not aligned with an opposing driveway or street shall be offset

by a minimum of least 125 feet from a driveway or street on the opposite side of the street.

15.6.3 Landscaping in parking lots.

A. Parking lots shall be designed with landscape areas, in accordance with Article 12.
B. Where the parking lot fronts a public street or public right-of-way, trees preserved or planted in the perimeter planting strip may be used to meet the parking lot planting requirement.
C. Landscaped median islands in parking lots shall be constructed as stormwater bioretention areas with a grade level that is recessed at least four inches below the grade of the adjacent paved surfaces. Curbs separating recessed landscaped median islands from parking areas shall be either flush with the paved surface or notched at intervals of four feet to allow stormwater runoff to pass through them into the landscaped areas for bioretention.
D. Landscape materials in median islands shall be selected to be compatible with the bioretention function of the landscaped areas, and adequate drainage shall be provided for the chosen species. Recommended plant species are listed in this subsection. Additional appropriate species are listed in the Georgia Stormwater Management Manual, Volume 2, Appendix F, Table F.5 on page F-23.

Table 15.6.3: Acceptable Landscape Species, via Georgia Stormwater Manual, Volume 2

Trees	**Shrubs**	**Herbaceous Plants**
Red Maple	Bottlebrush Buckeye	Broom sedge
River Birch	Red Chokeberry	Joe Pye Weed
Eastern Red Cedar	Fothergilla	Day Lily
Golden Rain Tree	Witch Hazel	Yellow Iris
Black Gum	Common St. Johns Wort	Cardinal Flower
London Plane-Tree	Inkberry	Switchgrass
Sycamore	Winterberry	Fountaingrass
Pin Oak	Creeping Juniper	Greenhead Coneflower
Willow Oak	Spicebush	Woolgrass
Black Willow	Bayberry	Ironweed
Source: Georgia Stormwater Manual, Volume 2, Appendix F, Table F-4, page F-20.		

15.6.4 Lighting in parking lots.

A. Lighting shall comply with Section 10.12, Outdoor Lighting and the following provisions, where applicable:
    1. If parking and loading areas are to be used at night, they shall be properly illuminated for the safety and security of pedestrians and vehicles.
    2. Lighting shall be designed to preclude light spillover on to adjacent properties. Parking areas abutting residential uses shall use only cut-off luminary fixtures

mounted in such a manner that its cone of light is directed internally and does not cross any property line of the site.

3. Only incandescent, fluorescent, metal halide or color-corrected, high-pressure sodium may be used. The same type of lighting must be used for the same or similar types of lighting on any one site.

Article 16: Land Development and Permitting

16.1 General Provisions.

16.1.1 Purpose and Intent.

A. The purpose of this Article of the UDO is to establish procedures and standards for the development and subdivision of land. This Article aims to achieve the following:
    1. Orderly growth and development of new and redeveloped neighborhoods; and,
    2. Coordinate of streets within proposed neighborhoods with existing or planned streets and other public facilities; and,
    3. Distribute population and traffic in a manner that will mitigate congestion and overcrowding; and,
    4. Dedicate or reserve parks, squares, and recreational areas, accessible to all residents to serve as community focal points; and,
    5. Set standards for landscaping and detailing of the public domain of streets, parks, and squares to promote a pedestrian oriented atmosphere and civic awareness; and,
    6. Provide for pleasing visual environments to ensure public health, safety and the general welfare to residents of the County.

B. This article is designed to facilitate adequate provision for water, sewer, and stormwater management facilities; and, for the dedication of rights-of-way or easements for streets and utility purposes; and to ensure the proximity of residential areas to employment centers and shopping; and to facilitate the further subdivision of larger tracts into smaller parcels of land; and to provide proper land records for the convenience of the public; and for better identification and permanent location of real property boundaries.

C. This article is also designed to protect and enhance the quality of the natural environment of the County by encouraging the preservation and protection of significant existing trees; assisting in the natural control of solar heat; reducing the impact of development on the community's storm drainage system; assisting in soil conservation and flood control; reduction of air emissions and noise; conserving the County's water supply; and enhancing the visual and aesthetic appearance of the community.

16.1.2 Applicability.

A. Jurisdiction. These regulations govern all property within the unincorporated area of Rockdale County.
B. General Provisions. All development within the jurisdiction of this UDO shall conform to the general provisions of this article.
C. No construction or installation of improvements shall commence in a proposed development until the land disturbance permit has been approved and all applicable preliminary plats, construction plans, and specifications have been approved by the appropriate authorities.
D. No building or other permits shall be issued for erection of a structure on any lot not of record until all requirements of this article have been met.

16.2 Subdivisions.

16.2.1 Purpose.

A. It is declared to be the policy of the County to consider the subdivision of land and the subsequent development of the subdivided land as subject to the control of the County pursuant to the County's official Comprehensive Plan in order to promote the orderly, planned, efficient and economical development of the County.
B. Land to be subdivided shall be of such character that it can be used safely for building purposes without danger to health or peril from fire, flood, or other menace.
C. The existing and proposed public improvements shall conform to and be properly related to the proposals shown in adopted County plans and maps.

16.2.2 Intent.

A. To protect and provide for the public health, safety, and general welfare of the citizens of the County; and,
B. To guide the future growth and development of the County in accordance with the Comprehensive Plan; and,
C. To guide public policy and both public and private actions in order to provide adequate and efficient transportation, water, sewerage, schools, parks, playgrounds, recreation, and public services and support facilities; and,
D. To provide for the safe and efficient circulation of motorized and non-motorized traffic throughout the County; and,
E. To ensure the adequate provision of safe and convenient traffic access and circulation, both motorized and non-motorized, in new land developments; and,
F. To establish reasonable standards of design and procedures for subdivisions and re-subdivisions to further the orderly layout and use of land, and to ensure proper legal descriptions and proper installation of monuments upon subdivided land; and,

G. To ensure to the extent legally possible that public facilities and services are available concurrent with development and will have a sufficient capacity to serve the proposed subdivision; and,
H. To preserve the natural beauty, environment, and topography of the County and to ensure appropriate development with regard to these natural features.

16.2.3 Applicability.

No person shall record any subdivision plat until it has been approved and accepted by the Director of Planning and Development, nor shall any lot be sold by reference to any subdivision plat whether recorded or not, if the plat is made after the effective date of the ordinance from which this chapter is derived, unless it has been approved and accepted by the Director of Planning and Development. The recording of a plat shall be based on an approved plat and shall not be recorded solely on the basis of a metes and bounds description.

16.2.4 Exemptions from Preliminary Plat Procedures.

A. General Requirements. For the purpose of this UDO, the types of activities contained in this Section shall be considered subdivisions but are exempt from the preliminary plat requirements of this Article, except as noted. Each exempt subdivision shall be drawn in accordance with final plat standards and shall be submitted with the appropriate fees to the Director of Planning and Development for review and approval. Upon approval, the Director of Planning and Development shall authorize the applicant to record the exempted plat with the Clerk of Superior Court of Rockdale County and grant the issuance of permits pursuant to the codes and ordinances of the County.
B. Court Action. Any proposed division of land ordered through action of a court of competent jurisdiction.
C. Lot combinations. The combination or recombination of two (2) or more lots of record, where the total number of lots is not increased and the resultant lot or parcel are in compliance with this UDO.
D. Boundary Line Adjustments. The vacation or alteration of the boundary of any lot or parcel of land, which was established as part of an otherwise valid and properly recorded plat of subdivision and properly executed by the owner(s) of such land and approved as provided in this ordinance or properly recorded prior to the applicability of this ordinance, provided that such vacation or alteration:
    1. shall not result in the creation of additional buildable lots;
    2. shall represent the same general lot relationships as shown in the plat prior to the boundary line adjustment;
    3. shall not involve the relocation or alteration of streets, alleys, easements for public passage, or other public areas;
    4. shall not relocate or alter any easements or utility right-of-way without the express written consent of all persons holding interest therein; and

5. shall retain a lot configuration which conforms to the requirements of the UDO, or in the case of a legal, non-conforming lot, does not increase the extent of nonconformity (See Section 19.4.3).

E. Minor Subdivisions.
   1. Residential. The division of a buildable lot of record into four (4) or fewer lots; or
   2. Non-residential/mixed use. Lots for the purpose of sale within a non-residential/mixed-use development, provided:
      a. Each proposed lot complies with all requirements of this UDO and is limited to commercial or non-single-family detached residential uses.
      b. The subdivision does not include the installation of any public infrastructure.
      c. Each proposed lot abuts an existing public or private street or previously approved public or private street.
      d. All project-related slope and utility easements as well as necessary street right-of-way, as determined by the Department of Transportation, are provided at no cost to the County.
      e. The subdivision does not create any unbuildable lots, unless permitted pursuant to Section 19.4, Nonconforming Situations.
      f. Each proposed lot shall comply with the requirements of the Rockdale County Department of Water Resources or the Environmental or Board of Health Department, as appropriate, whose certification of approval shall be required prior to approval of the Exemption Plat by the Department of Planning and Development.
   3. Each lot thus created may not be re-subdivided pursuant to the provisions of this subsection for a period of one (1) year. Such re-subdivision prior to one (1) year shall be accomplished only through the procedures contained in this UDO.

F. Minor revised final plat. When it becomes necessary to revise an original recorded final plat due to some error, required adjustment, or desired adjustment, that is minor in scope and scale of change, including the adjustment of lot lines for single-family attached units after as-builts have taken.

16.2.5 Minor Subdivision Procedures.

A. Minor subdivisions, not requiring a preliminary plat, shall be submitted in accordance with the final plat standards of this UDO, Section 16.2.10.

B. Applicants shall submit documentation that establishes that they are the owners or the owner's representative of the property for which the preliminary plat review application is being submitted. Property owned by multiple owners shall include authorization from all owners. Property owned by an organization shall include documentation of its designated

agent and consent for the designated agent to submit an application on behalf of the organization.

C. A complete application form and any required attachments, along with the required review fee is due to the Planning and Development Department. Incomplete applications shall not be accepted for review.

D. Upon determination of receipt of a complete application, the Department of Planning and Development will distribute the application for minor subdivision review to the following departments: Stormwater Management, Water Resources, Transportation, and Fire Rescue, and the Board of Environmental Health. If state or regional agency approval of a feature or features of the plat is necessary, the Department shall forward the preliminary plat to the appropriate state or regional agency or agencies for review. In certain instances, the applicant may be required to submit materials directly to an external agency for review (e.g., U.S. Army Corp of Engineers).

E. If, after the internal and external review, the Director of Planning and Development finds that a minor subdivision meets all applicable requirements of this UDO, the final plat will be certified as complying with all applicable requirements of this UDO and shall approve the recording of the final plat.

16.2.6 Preliminary Plat Procedures.

A. Applicability. This section is applicable to all residential, nonresidential, and mixed-use subdivisions of land involving any:
   a. Creation of new streets (public or private) or the public dedication thereof;
   b. Installation and/or extension of new public infrastructure or utilities;
   c. Platted open space or common areas that are not part of an individually owned lot; or
   d. All other subdivisions not exempt in Section 16.2.4, Exemptions from Plat Procedures.

B. Effect of approval. The preliminary plat does not constitute nor provide assurance of approval of the final plat or building or development permits but is to be used as the development design for the subdivision and for the acquisition of a development permit as provided for in the UDO.

C. Improvements prior to Final Plat. No final plat shall be approved unless and until the subdivider has installed all improvements required by this chapter, or appropriate sureties have been secured pursuant to Section 16.10, Sureties and Guarantees.

D. Lot Assembly. The total acreage of land included in a proposed subdivision must be represented via an approved, recorded consolidation or combination plat prior to submittal of a preliminary plat application. This requirement does not preclude the inclusion of additional lots over the life of the project.

16.2.7 Preliminary Plat Review Process.

A. Applicants shall submit documentation that establishes that they are the owners or the owner's representative of the property for which the preliminary plat review application is being submitted. Property owned by multiple owners shall include authorization from all owners. Property owned by an organization shall include documentation of its designated agent and consent for the designated agent to submit an application on behalf of the organization.

B. A complete application form and any required attachments, along with the required review fee is due to the Planning and Development Department. Incomplete applications shall not be accepted for review.

C. Upon determination of receipt of a complete application, the Department of Planning and Development will distribute the application for review to the following departments: Stormwater Management, Water Resources, Transportation, and Fire Rescue, and the Board of Environmental Health. If state or regional agency approval of a feature or features of the plat is necessary, the Department shall forward the preliminary plat to the appropriate state or regional agency or agencies for review. In certain instances, the applicant may be required to submit materials directly to an external agency for review (e.g., U.S. Army Corp of Engineers).

D. If, after the internal and external review, the Director of Planning and Development finds that a Preliminary Plat does not meet all the applicable requirements of the UDO, the Director of Planning and Development will notify the applicant in writing of the specific provisions that have not been met and offer the applicant the opportunity to make changes to their application.

E. If, after the internal and external review, the Director of Planning and Development finds that a Preliminary Plat does meet all applicable requirements of this UDO, the application will be certified as complying with all applicable requirements of this UDO.

F. When the director has determined that the preliminary plat is in compliance with this UDO and approval has been received from all affected county departments and outside agencies having jurisdiction, the director shall deliver the preliminary plat to the planning commission for their review at its next scheduled meeting. Not less than seven (7) days prior to the planning commission meeting at which the preliminary plat will be reviewed, the director shall notify the applicant of the time and place of the planning commission meeting in writing.

16.2.8 Approval Authority.

A. Planning Commission shall review the proposed preliminary plat for consistency with the Comprehensive Plan and compliance with the UDO based on the following findings:

1. Provisions have been made for sufficient water supply for the proposed subdivision;

2. Provisions for adequate public sewer or private wastewater treatment have been supplied for the proposed subdivision;
3. Adequate areas have been allocated within the proposed subdivision for the long-term collection, management, and treatment of stormwater;
4. All proposed lots within the subdivision will be conforming;
5. The proposed subdivision will adequately mitigate anticipated impacts to the surrounding transportation network;
6. Required open space and buffers have been provided per the UDO; and
7. The proposal complies with all applicable requirements of the UDO.

B. Within sixty (60) calendar days of the meeting in which the plat is presented, Planning Commission shall approve or disapprove the preliminary plat based on findings of fact above. Public input, subject to procedures of Section 18.5, may be heard at the discretion of the Planning Commission chairperson. If the Planning Commission fails to take action within 60 days, then the preliminary plat shall be deemed to be approved.
C. If approved, the chair of the planning commission shall sign such preliminary plat and certify approval on two copies of the preliminary plat. One copy shall be returned to the applicant and the other copy retained and made a part of the department's records. The Director of Planning and Development must also sign the approved preliminary plats.
D. If the preliminary plat application is disapproved, the applicant may resubmit the preliminary plat one time with corrections to Planning Commission within thirty (30) days of receipt of the written decision. The item will be scheduled for the next available meeting and subject to the procedures of this Section. See Section 16.2.14 for appeals.

16.2.9 General Checklist for Preliminary Plat.

The preliminary plat shall be prepared by a licensed surveyor, landscape architect, or civil engineer. The plat shall be drawn at a scale no smaller than one hundred (100) feet to an inch and at minimum include the following information:

A. General Information. The following information and features shall be shown on the proposed preliminary plat:

1. Name of the proposed subdivision, which shall not duplicate or closely resemble that of any existing subdivision in the County;
2. Names and addresses of owner(s) of record and applicant;
3. Street address, gross acreage (to the nearest tenth), land lot, district, and parcel ID number of the subject property;
4. Names, addresses, signatures, seals, and registrations of professionals preparing the plat; All sheets of plats must be sealed by a professional engineer, architect, surveyor, or landscape architect currently registered in the state of Georgia;
5. Applicable zoning district and any conditions of approval set upon the property by the Board of Commissioners with case numbers;

6. Any applicable special use permits and associated conditions of approval from the Board of Commissioners with case numbers;
7. Graphic scale, north arrow, date, and county names and county limit lines;
8. A vicinity map
9. Location map showing the lot pattern of surrounding development located within three hundred (300) feet of the proposed development;
10. Name and reference of any formerly recorded subdivision crossing any of the land shown on the plat;
11. Statement from tax commissioner certifying that all ad valorem taxes on the property have been paid
12. Preliminary plat certificates;
13. Date of drawing and revisions for each sheet.

B. Existing Conditions. The following existing site features and conditions shall be shown on the proposed preliminary plat:

1. Names of current owners of abutting properties along with addresses and parcel ID numbers for abutting properties;
2. Existing uses and zoning of all adjoining properties
3. Name, centerline location, right-of-way width, and location of streets on and adjacent to the tract, and any existing railroad, sidewalk, trail, or bike lane;
4. Topography by contour data at no more than two-foot elevation intervals. The source of this data shall be written on the plat
5. Tree Survey per the requirements of Section 12.3 (Tree Preservation and Protection)
6. Location of existing easements with use and width.
7. Location of existing driveways and access points
8. Any building, structure, site or district identified as historic by listing on the Georgia or National Register of Historic Places, or by listing as a National Historic Landmark and the approximate location and extent of any significant historic or archaeological feature, grave, cemeteries, object or structure marking a place of burial, if known, and a statement indicating how the proposed development will preserve the feature and provide access to it during and after construction.
9. Other conditions on the tract such as stream buffers, state waters, wetlands, existing structures, intermediate regional floodplain boundary (where available), and rock outcroppings; Provide wetlands determination from U.S. Army Corps of Engineers, if applicable; Provide distance to and name of receiving waters;
10. Delineation of floodplain designated by the Federal Emergency Management Agency, United States Geological Survey, or Rockdale County; the

delineation of any jurisdictional wetlands as defined by Section 404 of the Federal Clean Water Act.

11. Existing utilities, pipe sizes and easements on subject property and adjacent to the tract; Show size and location of sanitary sewer main(s) available; Show water main and sanitary sewer easements with a minimum width of fifteen (15) feet of for all county-maintained lines not within county rights-of-way, unless otherwise required by water and sewer department; Show size and location of water main(s) and fire hydrants;
12. Show existing septic tank and drain field location or note absence;
13. Banks of streams, lakes and other existing water bodies.
14. For all existing structures provide location, floor area, height, lowest floor elevation and whether they will be retained or demolished.
15. Location of soils as shown on Soil Survey of Rockdale County, Georgia by the United States Department of Agriculture
16. Existing covenants and deed restrictions.
17. Show location of any existing inert waste bury pits.

C. Proposed Conditions. The following proposed features shall be shown on the proposed preliminary plat:

1. Proposed use(s) of the property;
2. Any residual acreage remaining from the original tract
3. proposed easements with use and width
4. proposed covenants and deed restrictions
5. Certification by the applicant that no lots platted are non-conforming or will result in any non-conforming lots
6. The proposed layout and dimensions of lots, street, recreation areas, easements (whether public or private);
7. Development density, lot sizes, lot widths for each dwelling unit type, if applicable.
8. Total number of proposed lots within the development including lot lines with dimensions, bearings, and lot numbers
9. Minimum building setback lines;
10. The name of all proposed street/road rights-of-way, including, but not limited to:
    a. Proposed layout of internal streets, with proposed street names, rights-of-way, centerlines, and pavement widths.
    b. Notes indicating location, type, and dimensions of curb and gutter.
    c. Location and width of sidewalks, bicycle lanes, landscape areas and any other required or proposed improvements to the public or private right(s)-of-way
    d. Location of existing driveways and access points

11. An indication of phases or sections within the proposed subdivision and the order of development.
12. Table of proposed lot areas in square feet, setbacks, yards and buildable areas in square feet.
13. For land that slopes less than two (2) percent, show spot elevations at all breaks in grade along all drainage channels or swales and at selected points not more than one hundred (100) feet apart in all directions; for land that slopes more than approximately two (2) percent, show contours with an interval of not more than five (5) feet;
14. Labeling of utilities and all public infrastructure for dedication to the County. Show whether electrical service will be above ground or underground;
15. For proposed buildings give building use, location, square footage, density, building height in stories and feet and lowest floor elevation.
16. For all off-street parking areas, show number of spaces by type, width, depth, angle of standard stalls, width and types of aisles, curb cuts, curbing, drainage, landscaping and irrigation.
17. Show off-street loading areas, with location, number and dimensions of all berths, aisles and driveways.
18. Show new fire hydrant(s) and fire line(s)
19. Indication that the property is served by public water and/or sewer or private water and/or septic field.
20. Conceptual plans for drainage, with approximate location and estimated size of all proposed stormwater management facilities, any required fencing, and a statement as to the type of facility proposed; the calculations used in determining the drainage area and size of each drainage tile shall be submitted as an attachment to the plat;
21. Location and width of required transitional buffers, if any and any required screening fencing;
22. Location and approximate extent (in acres) of open space and recreation facilities, if applicable; percentage of open space as a percentage of the subdivision;
23. Location, where applicable, of proposed areas dedicated or reserved for common areas, trails, recreation areas, parks, schools, libraries, churches and other public or community uses, facilities, or structures on the site.
24. Site data and construction details.
    a. Contour changes, dikes or any created water bodies or proposed changes to water courses.
    b. Bulkheads and bridges
    c. Plans for all underground utilities; including, but not limited to, sanitary sewer, storm sewers, and water lines, showing connections to

existing systems, or proposals for developing new water supply, storm drainage, sewage disposal systems.

d. List of regulatory approvals or permits other than those issued by the county.

25. Any other information deemed necessary by the director or the service provider for the reasonable review of the development. 16.2.10 Review Process.

16.2.10 General Checklist for Final Plat.

The final plat shall be prepared by a surveyor, landscape architect, or civil engineer who is licensed to practice in Georgia, affixing the respective signed and dated seal. The plat shall be drawn at a scale no smaller than one hundred (100) feet to an inch and shall conform to the general concept of the preliminary plat, with the following additions:

A. Name of subdivision and street names;
B. Name, address and license number of surveyor;
C. Be drawn in permanent ink on reproducible material to a scale of not less than one (1) inch equals one hundred (100) feet on a sheet or sheets not exceeding seventeen (17) by twenty (20) inches;
D. Date of plat drawing, graphic scale, north point, notation as to the reference of bearings and indication whether bearing shown are calculated from angles turned or taken from compass readings;
E. Location of tract (land district and land lot) giving total acreage;
F. Location sketch;
G. Index map where more than one (1) sheet is required to present plat;
H. Courses and distances to the nearest existing street intersections or benchmarks or other recognized permanent monuments (not less than three (3) which shall be accurately described on the plat;
I. Exact boundary lines of the tract, to be indicated by a heavy line giving distances to the nearest one-hundredth (0.01) foot and angles to the nearest minute, which shall be balanced and closed with an error of closure not to exceed one (1) to five thousand (5,000). The error of closure shall be stated on the plat;
J. City, County, or land lot lines accurately tied to the lines of the subdivision by distance, bearings, and angles when such lines traverse the subdivision;
K. Street center lines showing angles of deflection and standard curve data of intersection, radii, length of tangents and arcs, and degree of curvature with basis of curve data, width of roadway, right-of-way width, street/alley names, and easement width and whether public or private;
L. Lot lines with dimensions to the nearest one-hundredth (0.01) foot, necessary internal angles, arcs, and chords and tangent or radii of rounded corners;

M. Building setback lines, any transitional buffers, with dimensions, or note indicating none required, as applicable;
N. Lots numbered in numerical order and blocks lettered alphabetically;
O. Location, dimensions and purpose of all drainage structures and of any easements; including slope easements; culvert pipes, on site and adjacent to subdivision limits; and public service utility right-of-way lines, and any areas to be reserved, donated, or dedicated to public use or sites for other than residential use with notes stating their purpose and limitations; and of any areas to be reserved by deed covenant for common uses of all property owners;
P. Location, description and dimensions of any stormwater runoff retention/detention facility and to include an access easement thereto having a minimum width of 20 feet and not more than 20 percent longitudinal gradient;
Q. Location and dimensions of any public and private water systems and fire hydrants;
R. Accurate location, material description of monuments and markers;
S. Declarations of covenants and restrictions applicable to the subdivision;
T. A copy of the deeds for dedication of public areas to the appropriate public agency(s), if applicable; and
U. Zoning information including the current zoning district and all applicable zoning conditions, variances, and/or special use permits. The adopted ordinance, or final letter in the case of variances, shall be provided on the final plat.
V. Places for final plat certificates and statements in accordance with the UDO and O.C.G.A. Section 15-6-67 including the following:
    1. An engineer's or surveyor's certification, directly on the plat as follows:
    "It is hereby certified that this plat is true and accurate and was prepared from an actual survey of the property by me or under my supervision; that all monuments shown hereon actually exist or are marked as 'future' and their location, size type and material are correctly shown, and that all engineering requirements of the Rockdale County Unified Development Ordinance have been fully complied with.
    Registered Georgia Civil Engineer No. _____
    By: _____
    OR
    Registered Georgia Land Surveyor No. _____
    By: _____
    2. An owner's certification:
    Owner's Certification: State of Georgia: County of Rockdale: The owner of the land shown on this plat and whose name is subscribed hereto, in person or through a duly authorized agent, certifies that all state, city and county taxes or other assessments now due on this land have been paid.
    Agent: _____ Owner: _____

Date: _____ Date: _____

3. A dedication certificate, directly on the plat as follows:
   "Dedication Certification: State of Georgia: County of Rockdale: It is hereby certified that the lands and improvements shown on this plat and designated as being dedicated to public use are hereby dedicated to Rockdale County, Georgia, for public use.
   Owner: _____
   Date: _____
4. Certificate of approval of the final plat by the Planning Commission, directly on the plat as follows:
   Pursuant to the Rockdale County Unified Development Ordinance, all the requirements for approval having been fulfilled, this Final Plat was given Final Approval by the Rockdale County Planning Commission on _____.

By:	_____	_____
	PC Chairperson	P&D Director

5. Revised final plats shall provide the date of the revision, description of revision and adequate space for the appropriate signature of the engineer or surveyor and planning commission chair.

16.2.11 Subdivision Lot Design.

A. Unbuildable lots prohibited. No preliminary plat shall be approved on which is shown a flag lot or other lot or parcel of land that would require a variance to be developed or used or that is otherwise unlawful or unbuildable, whether due to the presence of a floodplain, configuration, lack of public utilities, or other physical impediments.

B. Lot design standards. All lots established in connection with the development of a subdivision shall comply with the following design standards unless the proposed subdivision is covered by approved variances or conditions of zoning that take precedence:
   1. Insofar as practical, side lot lines shall be perpendicular or radial to street lines, unless otherwise approved by the Director of Planning and Development.
   2. Each lot shall have direct abutting access to an approved street.
   3. Each lot shall abut a public street except those that front on an approved private residential street within a gated community, and shall contain at least 60 feet of street frontage, except for lots fronting on cul-de-sacs that shall abut a said public or private street with at least 30 feet of street frontage. All lots shall comply with the developmental regulations of Sections 5.3 and 6.3.

4. Each lot intended for building development shall contain a building site with required buildable area that is outside the limits of floodways, easements, buffers, and building setback lines required by this UDO.
5. Subdivisions shall be designed to minimize direct lot access to major thoroughfares. Reverse frontage lots shall be required for residential subdivisions along the state highway system or other arterials or collectors where internal access can be provided. An easement of at least ten feet in width, across which there shall be no right of access, shall be provided along the line of lots abutting such a traffic artery. Said easement shall provide outdoor screening with an evergreen hedge planted along the roadway within said easement.
6. Lot remnants that constitute reserve strips shall be prohibited. Such remnant areas shall be added to adjacent lots, rather than remain as unusable parcels.
7. No lot shall be created that is of a lesser dimension than that required to meet the frontage, minimum setbacks, and yards established in Articles 5 and 6, unless a variance is granted by the Board of Adjustment. However, this provision shall not apply when a conforming lot is made nonconforming as a result of public acquisition.
8. No lot shall be reduced in size less than the minimum lot area established in Articles 5 and 6.

C. Political boundaries. No lot line of a lot established in connection with the development of a subdivision shall cross a jurisdictional boundary line.

16.2.12 Monumentation.

A. Boundary monument. All subdivisions of residential property resulting in a total of three or more parcels and all subdivisions or site developments consisting of nonresidential property without regard to the number of resulting parcels shall have a boundary monument installed on its boundary with public rights-of-way.
B. Construction. Each subdivision monument shall be embedded in concrete or similar permanent material, complete with brass cap with a unique identification stamped or engraved into the cap face.
C. Map registration and accuracy. Georgia State Plan (West) coordinates for this boundary monument will be annotated on the final plat and also provided under separate cover to the GIS Manager, Rockdale County. The standard accuracy shall be in accordance with applicable American Land Title Act (ALTA) requirements for suburban surveys in all three planes (X, Y, and Z).
D. Street corners. Solid steel rods at least one-half inch in diameter and 18 inches long or concrete posts at least 3.5 inches square and 18 inches long shall be set at all street corners. The top of the monument shall have an indented cross to identify the location and shall be set flush or up to six inches above the finished grade.

E. Lot corners. All other lot corners shall be marked with solid steel rods not less than one-half (½) inch in diameter, and at least 24 inches long and shall be set flush or up to six inches above the finished grade.

16.2.13 Review Criteria.

The following criteria shall be used to review plats:

A. The inclusion of the minimum information listed on the General Checklist for Preliminary Plat (Section 16.2.9, General Checklist for Preliminary Plat) and General Checklist for Final Plat (Section 16.2.10, General Checklist for Final Plat);
B. Recommendations from internal County Departments and external agencies;
C. Compliance with all applicable requirements of this UDO, including installation of improvements as required for Final Plats; and
D. Substantial conformance with the County's applicable adopted plans and policies.

16.2.14 Permit Issuance after Plat Approval.

A. Building permits shall not be issued until a final plat is recorded, except as provided for model homes.
B. Where a Final Plat includes dedications to Rockdale County, these shall be approved and accepted by the Director of Transportation.
C. Final plats shall not be approved until all infrastructure is completed or bonded in accordance with Section 16.10, Sureties and Guarantees.

16.2.15 Appeals.

If a Final Plat is denied, the applicant may file an appeal with the Board of Adjustments, no later than 30 days after the receipt after a denial is issued. Appeals shall be processed in accordance with Section 18.10, Appeals. Should an appeal not be filed, the decision to deny the plat shall be final.

16.2.16 Expiration.

A. Preliminary Plat Applications. An application for a preliminary plat shall expire six (6) months after the issuance of the latest letter/comments of plat revisions. The application shall not expire within six (6) months if the inactivity is a result of a pending review from an external agency outside the applicant’s control.
B. Plats. A plat remains valid for the duration of the project, subject to the following time restrictions:
    1. An approved preliminary plat expires two (2) years after the approval date unless the applicant has filed a complete application for a final plat.
    2. An approved Final Plat does not expire.

16.2.17 Preliminary Plat Revisions.

A. Minor revisions to an approved Preliminary Plat that reflect the same basic street and lot configurations as the original approval may be approved by the Director of Planning and Development.
B. Any request for a revision to an approved Preliminary Plat that increases the number of building lots, decreases the amount of common open space, or alters a street or block pattern, shall be initiated and processed as a new Preliminary Plat application.

16.2.18 Final Plat Approval.

A. The Final Plat shall be drawn in substantial compliance with the approved preliminary plat. It is understood that the final location of lots and the alignment of required public improvements may result in minor alterations to the preliminary plat layout.
B. Applicants shall submit documentation that establishes that they are the owners or the owner's representative of the property for which the preliminary plat review application is being submitted. Property owned by multiple owners shall include authorization from all owners. Property owned by an organization shall include documentation of its designated agent and consent for the designated agent to submit an application on behalf of the organization.
C. A complete application form and any required attachments, along with the required review fee is due to the Planning and Development Department. Incomplete applications shall not be accepted for review.
D. Upon determination of receipt of a complete application, the Department of Planning and Development will distribute the application for review to the following departments: Stormwater Management, Water Resources, Transportation, and Fire Rescue, and the Board of Environmental Health. If state or regional agency approval of a feature or features of the plat is necessary, the Department shall forward the final plat to the appropriate state or regional agency or agencies for review. In certain instances, the applicant may be required to submit materials directly to an external agency for review.
E. If, after the internal and external review, the Director of Planning and Development finds that a Final Plat does not meet all the applicable requirements of the UDO, the Director of Planning and Development will notify the applicant in writing of the specific provisions that have not been met and offer the applicant the opportunity to make changes to their application.
F. If, after the internal and external review, the Director of Planning and Development finds that a Final Plat does meet all applicable requirements of this UDO and that the Final Plat filed substantially conforms with the approved Preliminary Plat, the application will be certified as complying with all applicable requirements of this UDO.

16.2.19 Final Plat Recordation and Revisions.

A. If approved, the chair of the planning commission and the director of planning and development shall sign the approved final plat and certify approval on two copies of the final plat. One copy shall be returned to the applicant and the other copy retained and made a part of the department's records. The applicant must have the final plat recorded with the Clerk of the Superior Court of Rockdale County within six (6) months of final approval. Proof of recordation of the final plat must be provided within the six (6) month period. If the final plat is not recorded within the allotted six (6) month period, the final plat shall be invalid.

B. Once a Final Plat is recorded, any improvements dedicated to Rockdale County thereon may not be withdrawn. Upon final acceptance at the end of the maintenance period, all dedicated improvements shall be deemed accepted by the County without further action.

C. Before project close out, the Director of Planning and Development shall certify that the applicant has obtained the necessary bonds, sureties, and/or agreements to ensure completion of all required public and private improvements upon the property, per Section 16.10, Sureties and Guarantees

D. Final Plat revisions are permitted and shall be processed in accordance with this article based on the nature of the revision.

1. The original recorded plat shall be used for all revisions. Minor revisions to an approved, recorded Final Plat must reflect the same design configurations as the original approval.
2. Any request for a revision to an approved, recorded Final Plat that increases the number of building lots, decreases the amount of common open space, or alters a street or block pattern, shall be initiated and processed as a new Preliminary Plat application.
3. Procedures of Section 16.2.18 shall apply.
4. A new tracing shall be required for revision of that portion of the subdivision being revised showing all requirements listed under subsection 16.2.10.
5. Revision and notation explaining the revision(s) shall be shown in ink on the revised plat. When revised, the plat shall be designated as "revised final plat."
6. Revised final plats shall be prepared at the same scale as the original plat, or at a scale of not less than 100 feet to one inch.
7. The revised final plat shall comply with applicable regulations of the UDO.
8. The revised plat shall contain the following wording:
   "This revised plat has been submitted to and considered by Conyers-Rockdale County Planning Commission and is hereby approved subject to any protective covenants shown hereon.
   Dated this _____ day _____, ___
   Conyers-Rockdale County Planning Commission

By:	_____	_____
	PC Chairperson	P&D Director

9. All changes shall be bound by the protective covenants on the original approved, recorded final plat, and a statement to that effect shall be noted on the revised final plat.
10. Other data may be required in a final engineering design report on proposed revisions and other certificates, affidavits, endorsements or dedications may be required by the county in the enforcement of the UDO.

16.2.20 Covenants Required.

A. All new subdivisions (or condominium/single-family attached developments) proposing common property, including amenity space, greenspace, stormwater features, private roads, etc. shall establish a mandatory homeowners association. The developer shall execute, record, and maintain documents for the homeowners or condominium association, which establish dues, fees, and responsibilities related to maintenance of units and common facilities in perpetuity.
B. Turn-Over from the Declarant:
    1. The developer shall turnover the subdivision as the declarant once a maximum of 70 percent (70%) of the units in a subdivision have been conveyed to other owners, including builders that will perform vertical construction. The proportion of conveyed lots required for condominium units is 80 percent (80%), pursuant to O.C.G.A. 44-3. Notwithstanding, all improvement and development standards herein shall remain the developer's responsibility after the turnover until such a time that all close-out procedures have been completed.
    2. Sixty (60) days after the required proportion of units are conveyed, the Declarant is required to hold a "transition meeting" to allow for the election of the new homeowner board.
    3. The Declarant is required to turn over to the new homeowner board all of the records of the Association, including minutes, stormwater management, deeds to common areas, insurance documents, and owner rosters. All of this must take place within 30 days of the Transition Meeting.

16.3 Street Name Change Procedures.

16.3.1 Name change initiated by petition.

An application requesting a street name change shall be submitted to the Department of Planning and Development, containing the following:

A. A written petition bearing signatures of a minimum of twenty-five (25) percent of the property owners fronting the street and containing the following information:

1. Existing and proposed street names.
2. Reason for requesting change.
3. Map showing street or portion of street affected by change.
4. A filing fee as established by the Planning and Development Department, if any.

16.3.2 Name change initiated by County Staff or Board of Commissioners.

The Director of Planning and Development shall process the proposed name change according to the procedures below. The petition process outlined in Section 16.3.1, Name change initiated by petition is not required for County-initiated changes.

16.3.3 Applicable to all Petitions regardless of initiation source.

All name change proposals shall be processed and scheduled for public hearing as follows:

A. The proposed name shall be checked by the County to ensure nonduplication.
B. The Board of Commissioners shall consider the name change after conducting one public hearing.
C. Legal notice of the application and the date, time, and place of the public hearing shall be published in the official legal organ of the County at least ten (10) days prior to the public hearing.
D. The Planning and Development Department shall post a sign at approximately one-mile intervals along the length of the roadway for which a name change is proposed and shall give notice by regular mail to the owners (according to tax records) of each property which bears an address on the roadway for which a name change is proposed. The postmaster shall also be notified of the hearings by regular mail.
E. The final decision on the proposed change shall be made by the Board of Commissioners after having held the scheduled public hearing.
F. Petitioners shall bear all costs necessary for street marker changes as determined by the County.
G. Procedures for notification to all affected agencies shall follow addressing procedures.

16.4 Land Development.

16.4.1 Authority.

A. The Director of Stormwater Management oversees issuance of the Land Disturbance Permit (hereinafter may be referred to as “LDP”) to ensure site work conforms to federal, state, and local regulations.
B. The Director of Stormwater Management shall have the authority to approve, approve with conditions, or to deny the application.

16.4.2 Applicability.

A. An LDP is required for land disturbance activity including but not limited to clearing and grubbing, dredging, grading, excavating, filling, storage, and the construction of improvements such as streets, parking facilities, driveways, access drives, stormwater drainage facilities, sidewalks, or other permanent structures placed on or in the property.
B. Water and sanitary sewer system improvements must be authorized by the utility provider; however, the utility placement and land disturbing activities associated with utility work shall be reviewed and permitted by Rockdale County to ensure compliance with UDO standards that may be affected by the construction of such utilities.

16.4.3 Permit Required.

A. A Major Land Disturbance Permit is required for all land-disturbing activities in the County not otherwise exempted by this article.
B. The County will consider all factors of the project prior to making a final determination as to the appropriate LDP permit for the scope of work proposed. The criteria below provide guidance, but final authority as to the permitting needs rests with the Director of Stormwater Management.
C. Calculations of the area of disturbance applies to the total disturbed area of a project, regardless of property boundaries.
D. Minor Land Disturbance. A minor Land Disturbance Permit is required for projects that:
    1. Do not include work in the right of way;
    2. Have less than one (1) acre of disturbance;
    3. Add or replace less than five thousand (5,000) square feet of impervious surface; or
    4. Have less than one (1) acre of grubbing.
E. Major Land Disturbance. A major Land Disturbance Permit is required for projects that:
    1. Have one (1) acre or more of disturbance;
    2. Add, remove, or replace more than 5,000 square feet of impervious surface; or
    3. Have one (1) acre or more of grubbing.
F. Exemptions.
    1. No land disturbance permit is required for any proposed ground disturbance that does not exceed 500 square feet, does not result in need for erosion control best management practices, and does not result in changes to topography or stormwater drainage patterns.

2. Land disturbance associated with a building permit shall require a separate land disturbance permit.

16.4.4 Review Process.

A. Application Submittal. Applicant shall submit a completed application form and copies of plan sets along with required review fees, as required by the instructions on the form or informational materials provided by Rockdale County. Partial, incomplete, or unassembled submittals or resubmittals shall be rejected.

B. Distribution of Application Materials.
   1. Upon determination of a completed application packet, the Director of Stormwater Management shall distribute the application for review to internal County Departments.
   2. If external agency reviews are required, the Director of Stormwater Management shall provide applicants with an external agency review form. Applicants are to submit to the external agency for review.
   3. County reviews and external agency reviews may occur concurrently, but Rockdale County will not issue any permits until the external agency approval is received.
   4. A Traffic Study, to be approved by the Director of Transportation, shall be required as part of an LDP review for projects for projects that meet any of the following thresholds:
      a. More than 100 peak hour trips are generated;
      b. For any multi-unit building use;
      c. Any single-family use with over 10 units; or
      d. Any non-residential use that exceeds a footprint of 200,000 square feet.

C. Review Outcomes.
   1. If, after internal and external reviews are completed, the Director of Stormwater Management finds that the application does not meet all UDO requirements, the applicant will receive written notice of the specific provisions that have not been met and be given the opportunity to make changes to the application.
   2. If, after internal and external reviews are completed, the Director of Stormwater Management finds that the application meets all applicable provisions, they will accept the application as complete, and the permit shall be issued upon receipt of any pending fees.
   3. No LDP shall be issued prior to the project acceptance by the water and wastewater service provider.

16.4.5 Approval Criteria.

Any checklists provided by Rockdale County are intended as a guide and convenience for the applicant. Approval or requirement of revisions to an LDP application are based solely on whether the submittal meets or fails to meet the requirements of the UDO.

16.4.6 Denied Application.

Any aggrieved person not satisfied by the decision of the Director of Stormwater Management may appeal such a determination in accordance with the procedures set forth in Section 18.10, Appeals.

16.4.7 Expiration.

A. Application Expiration. An application for land disturbance permit expires one (1) year after the issuance of the latest letter of permit revisions or approval. The application will not expire within one (1) year if the inactivity is a result of a pending review from an external agency outside the applicant's control.
B. Permit Expiration. An issued land disturbance permit remains valid for the duration of the project subject to the following time restrictions:
    1. Land Disturbance Permits expire six (6) months from the date of issuance if no activity has been initiated on the project; or
    2. If six (6) months elapses between observed activity during proactive inspections.

16.4.8 Permit Extension.

The Director of Stormwater Management is authorized to grant an extension of a Land Disturbance Permit for a period not more than six (6) months. To request an extension, the owner or developer shall submit a written request to the Director of Stormwater Management no later than 30 days after the expiration of the land disturbance permit. The Director is authorized to grant only one extension request for the Land Disturbance Permit in question.

16.4.9 Lapse in Activity.

A lapse in or suspension of application or development activity that is the direct result of action or inaction by Rockdale County or external review authority and for reasons outside the control of the applicant, will not be considered as a lapse in activity causing the land disturbance permit to expire.

16.5 Buildings.

16.5.1 Building Code.

Building Permits and Certificates of Occupancy or Completion are issued consistent with this UDO.

16.5.2 Other Applicable Codes.

Building permits for all structures or interior finishes are issued after meeting the applicable requirements of the various health, water, and sewer codes of Rockdale County utility providers.

16.6.3 Plans.

All commercial building plans shall be prepared by a professional designer. The design professional shall be a professional designer, architect, or professional engineer registered under Georgia laws regulating the practice of building design, architecture, or engineering and shall affix their official seal and signature to said drawings and specifications.

16.5.4 Sanitary Sewage Disposal.

A. Sewer Connection is Required. Except as herein provided, it shall be unlawful to construct or maintain any privy, septic tank, cesspool, or other facilities intended or used for the disposal of sewage. All buildings or structures intended for human occupancy shall install connect waste disposal facilities directly with the property public sewer in accordance the provisions of Section 16.9, Utilities.
B. Private Sewage Disposal. Where a public sanitary or combined sewer is not available, the building shall be connected to a private sewage disposal system complying with the provisions of Section 16.9, Utilities. Approval for private sewage disposal systems shall be obtained from the Rockdale County Environmental or Health Department.
C. Notwithstanding, development is exempt from sewer connection requirements if public or private sewer connection is not available within 1,000 feet of the subject property line. Rockdale County Environmental Health shall approve any privy, septic tank, cesspool, or other facility intended or used for the disposal of sewage.

16.5.5 Potable Water Supply.

A. Any structure for which a connection to the County Water System or other potable water system is required must provide proof of payment of all applicable fees to the water provider before a building permit is issued. Connections to Rockdale County Water Supply shall be made in accordance with Section 16.9, Utilities.
B. Notwithstanding, development is exempt from potable water system connection requirements if a public or private connection is not available within 1,000 feet of the subject property line. Any applicable agency shall approve ant facility intended or used for the potable water supply.

16.5.6 Demolition Permits.

Demolition Permits may be required for the partial or complete demolition of the interior or exterior of any structure within Rockdale County. Pursuant to the State of Georgia's Asbestos Safety Act, an asbestos survey is required.

16.5.7 Permit Duration.

A. Application Expiration. An application for a building permit expires one (1) year after the issuance of the latest letter of permit revisions or approval. The application will not expire within one (1) year if the inactivity is a result of a pending review from an external agency outside the applicant's control.
B. Permit Expiration. An issued building permit remains valid for the duration of the project subject to the following time restrictions:
    1. Building Permits expire six (6) months from the date of issuance if no inspection has been requested; or
    2. If six (6) months elapses between inspection requests.

16.6 Townhomes and Duplexes.

A. A building permit may be issued on a recorded plat establishing the location for each unit following the completion of all required improvements. Upon completion of the buildings, the final plat shall be re-recorded to establish as-built locations of the units prior to issuance of Certificates of Occupancy.

16.7 Model Home Permits.

A. Up to four (4) model homes may be permitted for construction and issued prior to the approval of a Final Plat.
B. No building permits for model homes shall be issued until the roads are paved (base course installed).

16.8 Certificate of Occupancy Required.

16.8.1 Certificates of Occupancy.

A. A Certificate of Occupancy indicating that a building, lot, and occupancy comply with the Building Code and this UDO is required.
B. Visibility. The Certificate of Occupancy shall be kept on the premises but at any location of the owner’s choosing.
C. Changes of Ownership or Use Require New Occupancy Permit. Any owner, authorized agent, or contractor who desires to change the owner or occupancy of a building or structure shall apply to the County Building Official to obtain the required permits and obtain a Certificate of Occupancy prior to occupying the structure.

16.9 Utilities.

16.9.1 Underground Installation Required.

All utilities shall be placed underground. Major electric transmission lines and substations are exempt from this requirement. Nothing in this Section shall be construed to prohibit, conflict with, or supersede any requirement, right, protection, or limitation established by applicable federal or state law, including applicable Federal Communications Commission regulations, the

Communications Act of 1934, as amended, or Georgia law governing telecommunications, broadband, wireless facilities, pole attachments, rights-of-way, or utility infrastructure.

16.10 Sureties and Guarantees.

16.10.1 Generally.

A. Surety Required. Before plat recordation or any land disturbance permit, building permit, or other project close-out, the Director Planning and Development shall certify that the applicant has obtained the necessary bonds, other sureties, and/or agreements that ensure completion of all required public and private improvements on the subject property.
B. Sureties Accepted. Three types of guarantees and sureties may be provided for as a part of the Final Plat approval and development permitting process:
    1. Performance guarantees.
    2. Maintenance guarantees.
    3. Maintenance agreements/inspections.

16.10.2 Performance Guarantees.

A. Purpose. Performance guarantees shall be allowed for required site improvements (public or private) not yet completed. Instead of requiring the completion, installation, and/or dedication of any and all improvements prior to approval of a final plat or certificate of occupancy or certificate of completion, the county may enter into a written agreement with the developer or subdivider whereby the developer or subdivider shall agree to complete all required improvements prior to the release of the performance guarantee.
B. Performance Guarantee Amounts. The performance guarantee shall be payable to the county and shall be in an amount equal to 1.5 times the entire cost, as estimated by the developer or subdivider and verified by the county, of installing all outstanding required improvements.
C. Duration. The duration of the performance guarantee shall be for no longer than twelve (12) months, or until such lesser time that the improvements are accepted by the county.
D. Forfeiture. Performance Guarantee funds are forfeited if the improvements are not completed and accepted by the county within 12 months.

16.10.3 Maintenance Guarantees.

A. Purpose. Maintenance guarantees shall be required for all improvements to be publicly dedicated and/or maintained (e.g.: streets, sidewalks, landscaping) to guarantee the quality and ongoing performance of the installations. Prior to approval of a final plat or final Certificate of Occupancy (CO), the county may enter into a written agreement with the applicant, whereby they shall agree to maintain in good

repair and living condition all applicable improvements prior to the release of the maintenance guarantee.

B. Maintenance Guarantees Amounts. The maintenance guarantee shall be payable to Rockdale County and shall be in an amount equal to 60 percent of the construction value for all public improvements, as estimated by the applicant and verified by the county.

C. Duration. The duration of the surety shall be for a period of 24 months following the date of approval of a Final Plat, project close-out, or final certificate of occupancy or certificate of completion.

D. Forfeiture. Maintenance Guarantees shall be forfeited if the improvement fails to be kept in good repair and condition prior to the release of the maintenance guarantee.

16.10.4 Maintenance Guarantees (Stormwater).

A. Purpose. Stormwater maintenance guarantees shall be provided for the ongoing maintenance of stormwater management facilities and features. Prior to approval of a final plat or final Certificate of Occupancy, the county may enter into a written agreement with the applicant whereby they shall agree to maintain in good repair and working order all applicable improvements prior to the release of the maintenance guarantee.

B. Maintenance Guarantee for Stormwater Facilities Amount. The stormwater maintenance guarantee shall be payable to the county and shall be in an amount equal to $5.00/cubic foot of storage provided by the stormwater management facility, as estimated by the developer or subdivider and verified by the county. The guarantee shall be accompanied by the appropriate agreements outlined in Section 16.10.5, Maintenance Agreements and Inspections (Stormwater).

C. Duration. The duration of the surety shall be for a period of 24 months following the date of the approval of a final plat or final certificate of occupancy or certificate of completion.

16.10.5 Maintenance Agreements / Inspections (Stormwater).

A. Required for Private Stormwater Facilities. Prior to the issuance of any project close-out, final plat, or certificate of completion/occupancy requiring a stormwater management facility or practice hereunder and for which the county requires ongoing maintenance, the applicant or owner of the site shall, unless an on-site stormwater management facility or practice is dedicated to and accepted by the county, execute an inspection and maintenance agreement, and/or a conservation easement, if applicable, that shall be binding on all subsequent owners of the site.

B. Agreement, Generally:

1. Recordation Required. The inspection and maintenance agreement, if applicable, shall be approved by the county prior to approval, and recorded in

the deed records of the office of the Clerk of the Superior Court of Rockdale County, Georgia.

2. Inspector Required. The inspection and maintenance agreement shall identify, by name or official title, the person(s) responsible for carrying out the inspection and maintenance.

C. Owner Responsibility. Responsibility for the operation and maintenance of a stormwater management facility shall remain with the property owner and shall pass to any successor owner, unless an agreement with the county is made whereby the county takes ownership of the facility.

D. If portions of the land are sold or otherwise transferred, legally binding arrangements shall be made to pass the inspection and maintenance responsibility to the appropriate successors in title. These arrangements shall designate for each portion of the site, the person to be permanently responsible for its inspection and maintenance.

E. Schedule Required.

1. As part of the inspection and maintenance agreement, a schedule shall be developed for when and how often routine inspection and maintenance will occur to ensure proper function of the stormwater management facility or practice, including their associated landscaping measures.
2. The agreement shall also include plans for annual inspections to ensure proper performance of the facility between scheduled maintenance and shall also include remedies for the default thereof.

F. Enforcement. In addition to enforcing the terms of the inspection and maintenance agreement, the county may also enforce all of the provisions for ongoing inspection and maintenance.

16.10.6 Authorized Guarantee Types.

A. Mixture of Guarantees is Allowed. The applicant shall provide either one, or a combination, of the following guarantees in the amounts and durations specified in this Section. Any expenses associated with the cost verification by the county shall be paid entirely by the applicant.

B. Cash or equivalent security. The developer or subdivider shall deposit cash, bond, or other instrument readily convertible into cash at face value, either with the county or in escrow with a financial institution designated as a

C. official depository of the county.

D. Escrow. Cash or other instrument is deposited in escrow with a financial institution as provided above, then the applicant shall file with the Rockdale County an agreement between the financial institution and the applicant guaranteeing the following:

1. That said escrow amount will be held in trust until released by the Director of Stormwater Management and may not be used or pledged by the applicant in any other transaction during the term of the escrow; and

2. That in case of a failure on the part of the developer or subdivider to complete said improvements/maintenance, the financial institution shall, upon notification of the county to the financial institution of an estimate of the amount needed to complete the improvements, immediately pay to the county
3. the funds estimated to complete the improvements, up to the full balance of the escrow account, or deliver to the county any other instruments fully endorsed or otherwise made payable in full to the county.

16.10.7 Default.

A. Failure to Complete Improvements. Upon default, meaning failure on the part of the applicant to complete the required improvements in the time allowed by this UDO, or as spelled out in the performance or maintenance bond or escrow agreement, then the surety, or financial institution holding the escrow account, shall, if requested by the county, pay all or any portion of the escrow fund to the county up to the amount needed to complete the improvements or maintenance based on an estimate by the county.

B. Notification of Default. Notification may take place following abandonment of the project for more than 90 continuous days. Upon payment, the county, in its discretion, may expend such portion of said funds as it deems necessary to complete all or any portion of the required improvements. The county shall return to the applicant any funds not spent in completing the improvements.

16.10.8 Release of Surety.

A. Inspection and Acceptance Required. The county may release a portion of any security posted as the improvements are completed or maintenance period completed and approved by the Director of Stormwater Management.
B. The Director of Stormwater Management shall inspect the premises, and if work is found to be completed and satisfactory in accordance with ordinance regulations and approved plans, the Director of Stormwater Management shall release the portion of the security posted which covers the approved cos
C. of the improvements and maintenance of satisfactorily completed work that was subject to the security.
D. It shall be the responsibility of the applicant to petition the county for release of guarantees and sureties and to warrant that all improvements subject to the guarantee or surety have been completed to fulfill the requirements of this UDO.

16.10.9 Intergovernmental Agreements.

A. Applicability. Where development proposed through a preliminary plat is located within an area or involves circumstances requiring coordination between Rockdale County and

another governmental entity pursuant to applicable law, ordinance, or adopted intergovernmental agreement, the applicant shall coordinate with the County and the affected governmental entity to establish the terms of such coordination.

B. Required Agreement. Where an intergovernmental agreement is required to establish responsibilities for development review, infrastructure, transportation, utilities, stormwater management, impact fees, public safety, or other development-related matters, the required intergovernmental agreement shall be submitted to the County with the preliminary plat application.

C. Approval Required. The preliminary plat shall not be approved unless the required intergovernmental agreement has been executed and approved by all governmental entities that are parties to the agreement, unless otherwise authorized by this UDO.

D. Agreement Requirements. An intergovernmental agreement required pursuant to this section shall identify, as applicable:
    1. The governmental entities that are parties to the agreement;
    2. The property or geographic area subject to the agreement;
    3. The purpose and scope of the agreement;
    4. The governmental entity responsible for development review and permitting;
    5. Responsibilities for the design, construction, operation, maintenance, and acceptance of required infrastructure;
    6. Responsibilities for inspections and enforcement;
    7. Responsibility for the collection, administration, and expenditure of applicable fees;
    8. Any applicable development standards or procedures to be administered pursuant to the agreement;
    9. The governmental entities responsible for providing public safety services, including law enforcement, fire protection, emergency medical services, emergency response, and other applicable emergency services, and the responsibilities of each governmental entity for providing such services;
    10. Requirements for emergency access, fire apparatus access, emergency ingress and egress, addressing, and other public safety improvements necessary to adequately serve the development;
    11. The term, amendment, renewal, and termination provisions of the agreement; and
    12. Any other responsibilities necessary to ensure coordinated development of the property.

E. Final Plat. No final plat shall be approved or recorded for property subject to a required intergovernmental agreement unless the final plat is consistent with the executed agreement and all conditions required to be satisfied prior to final plat approval have been met.

F. No Modification of Development Regulations. An intergovernmental agreement shall not be construed to amend, waive, repeal, or otherwise modify the requirements of this UDO

unless such modification is independently authorized by applicable law and approved in accordance with the procedures required by this UDO.

16.11 Impact Fees.

16.11.1 Short title, authority, and applicability.

A. Short title. This section shall be known and may be cited as the "Development Impact Fee Ordinance of Rockdale County, Georgia," or, for brevity, the "Impact Fee Ordinance."
B. Authority. This section has been prepared and adopted by the Rockdale County Board of Commissioners in accordance with the authority provided by Article 9, Section 2, Paragraph 3 of the Constitution of the State of Georgia, the Georgia Development Impact Fee Act (O.C.G.A. § 36-71-1 et seq. as amended), and such other laws as may apply to the provision of public facilities and the power to charge fees for such facilities.
C. Applicability.
    1. The provisions of this section shall not be construed to limit the power of Rockdale County, Georgia, to use any other legal methods or powers otherwise available for accomplishing the purposes set forth herein, either in substitution of or in conjunction with this section.
    2. This section shall apply to all areas under the regulatory control and authority of Rockdale County, Georgia, and such other areas as may be included by intergovernmental agreement.

16.11.2 Findings, purpose, and intent.

A. Findings. The County Board of Commissioners finds and declares:
    1. That an equitable program for planning and financing public facilities to serve new growth and development is necessary in order to promote and accommodate orderly growth and development and to protect the public health, safety, and general welfare of the citizens of Rockdale County.
    2. That certain public facilities as herein defined have been and must be further expanded if new growth and development is to be accommodated at the same level of service available to existing development.
    3. That it is fair and equitable that new growth and development shall bear a proportionate share of the cost of such public facilities necessary to serve new growth and development.
B. Purpose.
    1. The purpose of this section is to impose impact fees, as hereinafter set forth, for certain public facilities, as hereinafter defined.
    2. It is also the purpose of this section to ensure that adequate public facilities are available to serve new growth and development in Rockdale County and to

provide that new growth and development bears a proportionate share of the cost of new public facilities needed to serve them.

C. Intent. This section is intended to implement and be consistent with the Rockdale County Comprehensive Plan, as it may be adopted or amended in accord with the Georgia Comprehensive Planning Act (O.C.G.A. § 50-8-1 et seq.); and the applicable Minimum Standards and Procedures for Local Comprehensive Planning and the Development Impact Fee Compliance Requirements, both as adopted by the Georgia Board of Community Affairs and amended from time to time.

16.11.3 Imposition of development impact fees.

A. Any person who, after the effective date of this chapter, engages in development shall pay a development impact fee in the manner and amount set forth in this section.

B. Construction not subject to impact fees. The following projects and construction activities do not constitute "development" as defined in this section, and are therefore not subject to the imposition of impact fees:

1. Rebuilding no more than the same number of units of development as defined in this section that were removed by demolition, or destroyed by fire or other catastrophe, on the same lot or property.
2. Remodeling or repairing a structure that does not result in an increase in the number of units of development.
3. Replacing a residential housing unit with another housing unit on the same lot or property.
4. Placing or replacing a manufactured home in a manufactured home park on a prepared manufactured home pad in existence and operation prior to the effective date of this ordinance.
5. Placing a temporary construction or sales office on a lot during the period of construction or build-out of a development project.
6. Constructing an addition to or expansion of a residential housing unit that does not increase the number of housing units.
7. Adding uses that are typically accessory to residential uses and intended for the personal use of the residents, such as a deck or patio, satellite antenna, pet enclosure, or private recreational facilities such as a swimming pool.

C. Grandfathered projects. Notwithstanding any other provision of this section, that portion of a project for which a valid building permit has been issued prior to the effective date of this ordinance shall not be subject to development impact fees so long as the permit remains valid and construction is commenced and is pursued according to the terms of the permit.

D. Method of calculation.

1. Any development impact fee imposed pursuant to this ordinance shall not exceed a project's proportionate share of the cost of system improvements, shall be calculated on the basis of the establishment of service areas, and shall

be calculated on the basis of levels of service for public facilities that are the same for existing development as for new growth and development, as established in the capital improvements element of the comprehensive plan.

2. Notwithstanding anything to the contrary in this ordinance, the calculation of impact fees shall be net of credits for the present value of ad valorem taxes or other revenues as established in the capital improvements element of the comprehensive plan, and which:
    a. Are reasonably expected to be generated by new growth and development; and
    b. Are reasonably expected on the basis of historical funding patterns to be made available to pay for system improvements of the same category and in the same service area for which an impact fee is imposed.
3. The method of calculating impact fees for public facilities under this chapter shall be maintained for public inspection as a part of the official records of Rockdale County, Georgia, and may be amended from time to time by official act.
4. In addition to the cost of new or expanded system improvements needed to be built to serve new development, the cost basis of a development impact fee may also include the proportionate cost of existing system improvements to the extent that such public facilities have excess service capacity and new development will be served by such facilities, as established in the capital improvements element of the comprehensive plan.
5. Development impact fees shall be based on actual system improvement costs or reasonable estimates of such costs, as set forth in the capital improvements element of the comprehensive plan.

16.11.4 Fee assessment and payment.

A. Fee schedule.
    1. Payment of a development impact fee pursuant to the fee schedule, Section 16.11.12, for a property located inside of Rockdale County, shall constitute full and complete payment of the project's proportionate share of system improvements as individually levied by Rockdale County, and shall be deemed to be in compliance with the requirements of this chapter.
    2. When a land development activity for which an application for a building permit has been made includes two or more buildings, structures or other land uses in any combination, including two or more uses within a building or structure, the total development impact fee shall be the sum of the fees for each and every building, structure, or use, including each and every use within a building or structure.

3. In the event that an applicant contends that the land use category of the proposed development is not shown on the fee schedule or fits within a different category, then:
    a. The administrator in his or her sole discretion shall make a determination as to the appropriate land use designation and the appropriate development impact fee.
    b. In making such determination, the administrator may require such additional information from the applicant as necessary to form a logical fee determination relative to the impact fees shown on the adopted fee schedule.
    c. If a land use designation is not in a category contained in this ordinance, then an appropriate new category may be added by the administrator and an appropriate fee established under the county's current impact fee methodology, subject to annual confirmation by the county Board of Commissioners.
    d. Any aggrieved person not satisfied by the decision of the Director of Stormwater Management may appeal such a determination in accordance with the procedures set forth in Section 18.10, Appeals.

B. Timing of assessment and payment.
    1. Development impact fees shall be assessed at the time of application for a building permit.
    2. All development impact fees shall be collected no later than the time of issuance of a building permit.
    3. For projects not involving issuance of a building permit, all development impact fees shall be collected at the time of approval of the development permit or such other authorization to commence construction or to commence use of a property.
    4. If the final use of a building cannot be determined at the time of the initial building permit, the administrator shall have the authority to assess a development impact fee based on the most likely use of the building, and shall adjust the fee in accordance with the actual use prior to issuance of an interior finishes permit or approval of a certificate of occupancy. An adjustment may result in a refund to the feepayer or payment of the marginal increase of the adjusted fee over the amount already paid.
    5. Notwithstanding any other provision of this chapter, any future change in demand for public facilities in excess of the average demand anticipated at the time of issuance of the building permit shall be assessed such additional fee as would otherwise have been due. Future changes in demand may result from a change in the land use category of the occupant of the building or property, the expansion of a building or use on a property that results in an increase in

the units of development (as defined herein), or the subsequent discovery of facts unknown or misrepresented at the time of issuance of the building permit.

C. Individual assessment determinations. Individual assessments of development impact fees may be established as follows:
    1. At their option, an applicant for development approval may petition the administrator for an individual assessment determination of development impact fees due for their project in lieu of the fee established on the fee schedule, Section 16.11.12.
    2. In the event that an applicant elects an individual assessment, the applicant shall submit an individual assessment study. Each individual assessment study shall:
        a. Be based on relevant and credible information from an accepted standard source of engineering or planning data; or,
        b. Be based on actual, relevant, and credible studies or surveys of facility demand conducted in Rockdale County or its region, carried out by qualified engineers or planners pursuant to accepted methodology; and,
        c. Provide any other written specifications as may be reasonably required by the administrator to substantiate the individual assessment determination.

B. The administrator in his or her sole discretion shall determine whether the content of an individual assessment study satisfies the requirements of this ordinance. Any aggrieved person not satisfied by the decision may appeal such a determination in accordance with the procedures set forth in Section 18.10, Appeals.

D. Any fee approved as an individual assessment determination shall have standing for 180 days following the date of approval. Payment of such an approved individual assessment determination shall constitute full and complete payment of the project's proportionate share of system improvements as individually levied by Rockdale County and shall be deemed to be in compliance with the requirements of this ordinance.

E. Fee certification. Upon application to the administrator, a developer may receive a certification of the development impact fee schedule, Section 16.11.12, or a certified fee for a particular project, as applicable. Such certified schedule or fee shall establish the development impact fee due for a period of 180 days from the date of certification, even if new or revised rate schedules are adopted in the interim.

16.11.5 Deposit and expenditure of fees.

A. Maintenance of funds.
    1. All development impact fee funds collected for future expenditure on construction or expansion of facilities pursuant to this ordinance shall be

maintained in one or more interest-bearing accounts until encumbered or expended. Restrictions on the investment of development impact fee funds shall be the same that apply to investment of all such funds generally.

2. Separate accounting records shall be maintained for each category of system improvements within each service area wherein fees are collected.
3. Interest earned on development impact fees shall be considered funds of the account on which it is earned and shall be subject to all restrictions placed on the use of development impact fees under this ordinance.

B. Expenditures; restrictions.

1. Expenditures from the impact fee accounts shall be made only for the category of system improvements within the service area for which the development impact fee was assessed and collected.
2. Except as provided below, development impact fees shall not be expended for any purpose that does not involve building or expanding system improvements that create additional capacity available to serve new growth and development.
3. Notwithstanding anything to the contrary in this ordinance, the following shall be considered general revenue of Rockdale County, and may be expended accordingly:
    a. Impact fees collected to recover the present value of excess capacity in existing system improvements;
    b. Any portion of an impact fee collected as a repayment for expenditures made by Rockdale County for system improvements intended to be funded by such impact fee; and,
    c. Any portion of the impact fee (but not to exceed three percent of the total) collected and allocated by the administrator for administration of the impact fee ordinance, and such additional amount assessed for repayment of the cost of preparing the capital improvements element of the comprehensive plan.

C. Annual report.

1. The administrator shall prepare an annual report to the county Board of Commissioners as part of the annual audit describing the amount of any development impact fees collected, encumbered, and used during the preceding fiscal year by category of public facility and service area.
2. Such annual report shall be prepared following guidelines of the Georgia Department of Community Affairs (DCA) and submitted to DCA in conjunction with the annual update of the capital improvements element of the comprehensive plan.

16.11.6 Credits.

A. When eligible, feepayers shall be entitled to a credit against impact fees otherwise due and owing under the circumstances and in the manner set forth in this section.
    1. Credits; restrictions.
        a. Except as provided in subsection b. below, no credit shall be given for construction, contribution, or dedication of any system improvement or funds for system improvements made before the effective date of this ordinance.
        b. If the value of any construction, dedication of land, or contribution of money made by a developer (or his or her predecessor in title or interest) prior to the effective date of this chapter for system improvements that are included for impact fee funding in the capital improvements element of the comprehensive land use plan, is greater than the impact fee that would otherwise have been paid for the project, then the developer shall be entitled to a credit for such excess construction, dedication, or funding. Notwithstanding anything to the contrary in this ordinance, any credit due under this section shall not constitute a liability of Rockdale County and shall accrue to the developer to the extent of impact fees assessed for new development for the same category of system improvements within the same service area.
        c. In no event shall credit be given for project improvements, or for system improvements not included for impact fee funding in the capital improvements element of the comprehensive plan.
    2. Granting credits.
        a. Credits shall be given for the present value of any construction of improvements, contribution or dedication of land, or payment of money by a developer or his or her predecessor in title or interest for system improvements of the same public facilities category and in the same service area for which a development impact fee is imposed, provided that:
            i. System improvement is included for impact fee funding in the capital improvements element of the comprehensive land use plan.
            ii. The amount of the credit does not exceed the portion of the system improvement's cost that is eligible for impact fee funding, as shown in the capital improvements element.
            iii. The county Board of Commissioners have explicitly approved said improvement, contribution, dedication, or payment and the value thereof prior to its construction, dedication, or transfer.

b. The credit allowed pursuant to this section shall not exceed the impact fee due for such system improvement unless a greater credit is authorized under a private agreement executed under the provisions of Section 16.11, Impact Fees.

3. Guidelines for credit valuation. Credits under this section shall be valued using the following guidelines:
    a. For the construction of any system improvements by a developer or his or her predecessor in title or interest and accepted by the county, the developer must present evidence satisfactory to the administrator of the original cost of the improvement, from which present value may be calculated.
    b. For any contribution or dedication of land for system improvements by a developer or his or her predecessor in title or interest and accepted by the county, the original value of the land shall be the same as that attributed to the property by the validated tax appraisal at the time of dedication, from which present value may be calculated.
    c. For any contribution of capital equipment that qualifies as a system improvement by a developer or his or her predecessor in title or interest and accepted by the county, the value shall be the original cost to the developer of the capital equipment or the cost that Rockdale County, Georgia would normally pay for such equipment, whichever is less.
    d. For any contribution of money for system improvements from a developer or his or her predecessor in title or interest accepted by the county, the original value of the money shall be the same as that at the time of contribution, from which present value may be calculated.
    e. In making a present value calculation, the discount rate used shall be the net of the interest returned on a State of Georgia, AA rated or better municipal bond less average annual inflation, or such other discount rate as the county Board of Commissioners in its sole discretion may deem appropriate.
4. Credits; application.
    a. Credits shall be given only upon written request of the developer to the administrator. A developer must present written evidence satisfactory to the administrator at or before the time of development impact fee assessment.
    b. The administrator, in his or her sole discretion, shall review all claims for credits and make determinations regarding the allowance of any claimed credit, and the value of any allowed credit.

c. Any credit approved by the administrator shall be acknowledged in writing by the administrator and calculated at the time of impact fee assessment.

5. Credits; abandoned building permits. In the event that an impact fee is paid but the building permit is abandoned, credit shall be given for the present value of the impact fee against future impact fees for the same parcel of land, upon submission of adequate evidence to the administrator that an impact fee was received by the county, the amount paid, and that the building permit was abandoned.

16.11.7 Refunds.

A. Eligibility for a refund.
   1. Upon the request of a feepayer regarding a property on which a development impact fee has been paid, the development impact fee shall be refunded if:
      a. Capacity is available in the public facilities for which the fee was collected but service is permanently denied.
      b. The development impact fee has not been encumbered, or construction has not commenced within six (6) years after the date the fee was collected.
   2. In determining whether development impact fees have been encumbered, development impact fees shall be considered encumbered on a first-in, first-out (FIFO) basis.

B. Notice of entitlement to a refund. When the right to a refund exists due to a failure to encumber the development impact fees, the administrator shall provide written notice of entitlement to a refund to the feepayer who paid the development impact fee at the address shown on the application for development approval or to a successor in interest who has given adequate notice to the administrator of a legal transfer or assignment of the right to entitlement to a refund and who has provided a mailing address. Such notice shall also be published in a newspaper of general circulation in Rockdale County within 30 days after the expiration of the six-year period after the date that the development impact fee was collected and shall contain a heading "Notice of Entitlement to Development Impact Fee Refund." No refund shall be made for a period of 30 days from the date of said publication.

C. Filing a request for a refund. All requests for refunds shall be made in writing to the administrator within one year of the time the refund becomes payable or within one year of publication of the notice of entitlement to a refund, whichever is later. Failure to make a claim for a refund within said time period shall result in a waiver of all claims to said funds.

D. Payment of refunds.
   1. All refunds shall be made to the feepayer within 60 days after it is determined by the administrator that a sufficient proof of claim for refund has been made,

but no sooner than 30 days after publication of the notice of entitlement to the refund.

2. A refund shall include a refund of a pro rata share of interest actually earned on the unused or excess impact fee collected.
3. In no event shall a feepayer be entitled to a refund for impact fees assessed and paid to recover the cost of excess capacity in existing system improvements, for any portion of an impact fee collected as a repayment for expenditures made by Rockdale County for system improvements intended to be funded by such impact fee, or for that portion of the fee payment that was assessed for administration of the impact fee ordinance or for recovery of the cost of preparation of the capital improvements element of the comprehensive plan.

16.11.8 Private contractual agreements.

A. Private agreements; authorized. Nothing in this chapter shall prohibit the voluntary mutual approval of a private contractual agreement between the county and any developer or property owner or group of developers and/or property owners in regard to the construction or installation of system improvements and providing for credits or reimbursement for system improvement costs incurred by a developer, including inter-project transfers of credits or providing for reimbursement for project improvement costs which are used or shared by more than one development project, provided that:
    1. The system improvements are included for impact fee funding in the capital improvements element of the comprehensive plan.
    2. The amount of any credit or reimbursement granted shall not exceed the portion of the system improvement's cost that is eligible for impact fee funding.
B. Private agreements; provisions. A private contractual agreement for system improvements may include, but shall not be limited to, provisions which:
    1. Modify the estimates of impact on public facilities according to the methods and provisions concerning the calculation of impact fees, provided that any such agreement shall allow the county to assess additional development impact fees after the completion of construction according to schedules set forth in this ordinance.
    2. Permit construction of, dedication of property for, or other in-kind contribution for specific public facilities of the type for which development impact fees would be imposed in the same service area in lieu of or with a credit against applicable development impact fees.
    3. Permit a schedule and method of payment appropriate to particular and unique circumstances of a proposed project in lieu of the requirements for payment under this chapter, provided that acceptable security is posted ensuring

payment of the development impact fees. Forms of security that may be acceptable include a cash bond, irrevocable letter of credit from a bank authorized to do business within the State of Georgia, a surety bond, or lien or mortgage on lands to be covered by the building permit.

C. Private agreements; procedure.
    1. Any private agreement proposed by an applicant pursuant to this section shall be submitted to the administrator for review, negotiation, and submission to the county Board of Commissioners.
    2. Any such agreement must be presented to and approved by the county Board of Commissioners of Rockdale County, Georgia prior to the issuance of a building permit.
    3. Any such agreement shall provide for execution by mortgagees, lien holders or contract purchasers in addition to the landowner and shall require the applicant to submit such agreement to the clerk of superior court for recording.

16.11.9 Periodic review and amendments.

A. Amendments.
    1. This ordinance may be amended from time to time as deemed appropriate or desirable.
    2. Interim amendments to the impact fee schedule regarding the establishment of new land use categories by the administrator under Section 16.11.12 are expressly authorized and shall be confirmed by the county Board of Commissioners when this ordinance is subsequently amended.

B. Capital improvements element periodic review.
    1. Update. At least once each year, the county Board of Commissioners shall review and may update the capital improvements element so as to maintain, at a minimum, a schedule of system improvements for each of the subsequent five (5) years. The capital improvements element update may include changes in funding sources or project costs, or changes in the list or scheduling of projects. The capital improvements element update shall be submitted to the regional development center for their review, in accordance with the development impact fee compliance requirements as adopted by the Board of Community Affairs of the State of Georgia.
    2. Amendment. In conducting a periodic review of the capital improvements element and calculation of development impact fees, the county Board of Commissioners may determine to amend the capital improvements element. Amendments to the capital improvements element shall comply with the procedural requirements of the development impact fee compliance requirements as adopted by the Board of Community Affairs of the State of

Georgia, and shall be required for any change to the capital improvements element that would:

a. Redefine growth projections, land development assumptions, or goals or objectives that would affect system improvements proposed in the capital improvements element;
b. Add new public facility categories for impact fee funding, modify impact fee service areas or make changes to system improvement projects;
c. Change service levels established for an existing impact fee service area; or
d. Make any other revisions needed to keep the capital improvements element up to date.

C. Continuation of validity. Failure of the county Board of Commissioners to undertake a periodic review of the capital improvements element shall result in the continued use and application of the latest adopted development impact fee schedule and other data. The failure to periodically review such data shall not invalidate this ordinance.

16.11.10 Administrative appeals.

A. Eligibility to file an appeal. Only applicants or feepayers who have already been assessed an impact fee by the County or who have already received a written determination of individual assessment, refund, or credit amount shall be entitled to an appeal.
B. Appeals process.
1. The aggrieved applicant or feepayer (hereinafter, the "appellant") must file a written appeal with the administrator within 15 days of the decision or receipt of written determination from which the appeal is taken.
2. Such written appeal shall constitute an application for relief, shall be of sufficient content to set forth the basis for the appeal and the relief sought, and shall include:
a. The name and address of the appellant.
b. The location of the affected property.
c. A copy of any applicable written decision or determination made by the administrator (from which the appeal is taken).
3. Within 15 days after receipt of the appeal, the administrator shall make a written final decision with respect to the appeal, such decision to be of sufficient content to set forth the basis for the determination.
C. Any aggrieved person not satisfied by the appeal decision of this section may appeal such a determination in accordance with the procedures set forth in Section 18.10, Appeals.
C. Payment of impact fee during appeal.

1. The filing of an appeal shall not stay the collection of a development impact fee as a condition to the issuance of development approval.
2. A developer may pay a development impact fee under protest to obtain a development approval, and by making such payment shall not be [stopped] from exercising this right of appeal or receiving a refund of any amount deemed to have been collected in excess.

16.11.11 Enforcement and penalties.

A. Enforcement authority.
   1. The enforcement of this ordinance shall be the responsibility of the administrator and such personnel as the administrator may designate from time to time.
   2. The administrator shall have the right to inspect the lands affected by this ordinance and shall have the right to issue a written notice, a stop-work order or citation for violations, as the administrator in his or her sole determination may deem appropriate to the circumstances. Refusal of written notice of violation, stop work order or citation under this ordinance shall constitute legal notice of service. The citation shall be in the form of a written official notice issued in person or by certified mail to the owner of the property, or to his or her agent, or to the person performing the work. The receipt of a citation shall require that corrective action be taken within 30 days unless otherwise extended at the discretion of the administrator.
   3. The administrator may suspend or revoke any building permit or withhold the issuance of other development approvals, if the provisions of this ordinance have been violated by the developer or the owner or their assigns.

B. Violations.
   1. Knowingly furnishing false information on any matter relating to the administration of this ordinance shall constitute an actionable violation.
   2. Proceeding with construction of a project that is not consistent with the project's impact fee assessment, such as the use category claimed or units of development indicated, shall constitute an actionable violation.
   3. Failure to take corrective action following the receipt of a citation shall constitute an actionable violation.
   4. A violation of this ordinance shall be a misdemeanor punishable according to law, including the general penalty provisions of the Rockdale County Code of Ordinances, Part II, Subpart A, section 1-11. In addition to or in lieu of criminal prosecution, the county Board of Commissioners shall have the power to sue in law or equity for relief in civil court to enforce this ordinance, including recourse to such civil and criminal remedies in law and equity as may be necessary to ensure compliance with the provisions of this ordinance, including but not limited to injunctive relief to enjoin and restrain any person

from violating the provisions of this ordinance and to recover such damages as may be incurred by the implementation of specific corrective actions.

16.11.12 Fee schedule.

A. Impact fees by land use.

Table 16.11.12: Impact Fee by Land Use					
Land Use	Fire Protection	Library	Parks & Recreation	Total Maximum Fee	Unit of Measure
Residential					
Single-Family Detached Housing	$ 752.07	$ 591.63	$ 2,224.98	$ 3,568.68	per dwelling
Apartment	$ 752.07	$ 591.63	$ 2,224.98	$ 3,568.68	per dwelling
Residential Condominium/Townhouse	$ 752.07	$ 591.63	$ 2,224.98	$ 3,568.68	per dwelling
Port and Terminal					
Intermodal Truck Terminal	$ 0.47	$ -	$ -	$ 0.47	per square foot
Industrial/Agricultural					
General Light Industrial	$ 0.77	$ -	$ -	$ 0.77	per square foot
General Heavy Industrial	$ 0.61	$ -	$ -	$ 0.61	per square foot
Manufacturing	$ 0.60	$ -	$ -	$ 0.60	per square foot
Warehousing	$ 0.31	$ -	$ -	$ 0.31	per square foot
Mini-Warehouse	$ 0.03	$ -	$ -	$ 0.03	per square foot
High-Cube Warehouse	$ 0.03	$ -	$ -	$ 0.03	per square foot
Lodging					
Hotel or Conference Motel	$ 191.10	$ -	$ -	$ 191.10	per room
All Suites Hotel	$ 167.71	$ -	$ -	$ 167.71	per room
Motel	$ 147.42	$ -	$ -	$ 147.42	per room
Recreational					
Golf Course	$ 82.39	$ -	$ -	$ 82.39	per acre
Bowling Alley	$ 0.34	$ -	$ -	$ 0.34	per square foot
Movie Theater	$ 0.49	$ -	$ -	$ 0.49	per square foot

Arena	$ 1,117.97	$ -	$ -	$ 1,117.97	per acre
Amusement Park	$ 3,050.64	$ -	$ -	$ 3,050.64	per acre
Tennis Courts	$ 81.81	$ -	$ -	$ 81.81	per acre
Racquet/Tennis Club	$ 0.10	$ -	$ -	$ 0.10	per square foot
Health/Fitness Center	$ 0.24	$ -	$ -	$ 0.24	per square foot
Recreational Community Center	$ 0.42	$ -	$ -	$ 0.42	per square foot
Institutional					
Private Elementary School	$ 0.33	$ -	$ -	$ 0.33	per square foot
Private High School	$ 0.22	$ -	$ -	$ 0.22	per square foot
Church/Place of Worship	$ 0.12	$ -	$ -	$ 0.12	per square foot
Day Care Center	$ 0.95	$ -	$ -	$ 0.95	per square foot
Cemetery	$ 27.31	$ -	$ -	$ 27.31	per acre
Medical					
Hospital	$ 0.99	$ -	$ -	$ 0.99	per square foot
Nursing Home	$ 0.78	$ -	$ -	$ 0.78	per square foot
Clinic	$ 1.32	$ -	$ -	$ 1.32	per square foot
Office					
General Office Building	$ 1.11	$ -	$ -	$ 1.11	per square foot
Corporate Headquarters Building	$ 1.15	$ -	$ -	$ 1.15	per square foot
Single-Tenant Office Building	$ 1.06	$ -	$ -	$ 1.06	per square foot
Medical-Dental Office Building	$ 1.36	$ -	$ -	$ 1.36	per square foot
Research and Development Center	$ 0.98	$ -	$ -	$ 0.98	per square foot
Business Park	$ 1.03	$ -	$ -	$ 1.03	per square foot
Retail					
Building Materials and Lumber Store	$ 0.47	$ -	$ -	$ 0.47	per square foot

Free-Standing Discount Superstore	$ 0.32	$ -	$ -	$ 0.32	per square foot
Variety Store	$ 0.32	$ -	$ -	$ 0.32	per square foot
Free-Standing Discount Store	$ 0.67	$ -	$ -	$ 0.67	per square foot
Hardware/Paint Store	$ 0.32	$ -	$ -	$ 0.32	per square foot
Nursery (Garden Center)	$ 1.05	$ -	$ -	$ 1.05	per square foot
Nursery (Wholesale)	$ 0.56	$ -	$ -	$ 0.56	per square foot
Shopping Center	$ 0.56	$ -	$ -	$ 0.56	per square foot
Factory Outlet Center	$ 0.56	$ -	$ -	$ 0.56	per square foot
Specialty Retail Center	$ 0.66	$ -	$ -	$ 0.66	per square foot
Automobile Sales	$ 0.51	$ -	$ -	$ 0.51	per square foot
Auto Parts Store	$ 0.32	$ -	$ -	$ 0.32	per square foot
Tire Store	$ 0.43	$ -	$ -	$ 0.43	per square foot
Tire Superstore	$ 0.43	$ -	$ -	$ 0.43	per square foot
Supermarket	$ 0.39	$ -	$ -	$ 0.39	per square foot
Convenience Market (Open 24 Hrs)	$ 0.60	$ -	$ -	$ 0.60	per square foot
Convenience Market w/Gas Pumps	$ 0.60	$ -	$ -	$ 0.60	per square foot
Discount Supermarket	$ 0.76	$ -	$ -	$ 0.76	per square foot
Wholesale Market	$ 0.28	$ -	$ -	$ 0.28	per square foot
Discount Club	$ 0.44	$ -	$ -	$ 0.44	per square foot
Home Improvement Superstore	$ 0.32	$ -	$ -	$ 0.32	per square foot
Electronics Superstore	$ 0.32	$ -	$ -	$ 0.32	per square foot

Apparel Store	$ 0.56	$ -	$ -	$ 0.56	per square foot
Department Store	$ 0.66	$ -	$ -	$ 0.66	per square foot
Pharmacy/Drugstore	$ 0.56	$ -	$ -	$ 0.56	per square foot
Furniture Store	$ 0.14	$ -	$ -	$ 0.14	per square foot
Services					
Drive-in Bank	$ 1.61	$ -	$ -	$ 1.61	per square foot
Quality Restaurant	$ 2.50	$ -	$ -	$ 2.50	per square foot
High-Turnover (Sit-Down) Restaurant	$ 2.50	$ -	$ -	$ 2.50	per square foot
Fast-Food Restaurant	$ 3.66	$ -	$ -	$ 3.66	per square foot
Quick Lubrication Vehicle Shop	$ 704.39	$ -	$ -	$ 704.39	per service bay
Gasoline/Service Station	$ 53.67	$ -	$ -	$ 53.67	per pump
Gasoline Station w/Convenience Mkt	$ 72.45	$ -	$ -	$ 72.45	per pump
Self-Service Car Wash	$ 67.09	$ -	$ -	$ 67.09	per stall

B. Other uses. Impact fees for other uses not included in the fee schedule above shall be determined in accordance with the methodologies contained in the capital improvements element of Rockdale County, GA, or other methodologies as approved by the county.

Article 17: Administrative Bodies.

17.1 Governing and Review 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.

17.2 Board of Commissioners.

A. Duties. The specific duties of the Board of Commissioners with respect to the UDO shall include, but not be limited to, the following:
    1. Recommendations. Receiving from the department and from the Planning Commission recommendations concerning the comprehensive plan,

amendments to the comprehensive plan, amendments of provisions of the UDO, special use permits or any other matters relating to planning and zoning within the county.

2. Public meetings. Conducting public hearings and meetings for the purpose of receiving information and public comment and taking final action on amendments to the comprehensive plan, text of the UDO, official zoning map, special use permit, and other actions pursuant to the UDO. The Board of Commissioners may conduct public hearings and may solicit additional advice, information or comments prior to rendering its decision.

17.3 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 commission 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 this ordinance.
2. To review preliminary 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 seven (7) members. Members of the Planning Commission shall be residents of the county and shall be appointed by the Board of Commissioners.
2. Terms. Four of the members initially appointed to serve on the Planning Commission shall serve for a term of three (3) years each, and the other three 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. Term Limits. No member shall serve more than two (2) consecutive terms. A member who has served two (2) consecutive terms shall not be eligible for reappointment until the member has been off the Commission for at least one (1) year.
4. Qualifications. When possible, the chair and at least three 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.
5. 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.
6. 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.
7. Other offices. Members of the Planning Commission shall hold no other Rockdale County elected or appointed office or other county-compensated position.
8. Expiration of term. Appointments shall expire on July 1 in the last year of the term.
9. 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 the criteria herein.

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.
    a. 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.

2. 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.
    a. 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.
3. 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.
    1. A Watershed Protection District Subcommittee shall be established by the Planning Commission in compliance with Section 7.2.7.

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, as practicable, and shall place appropriate public notice at the place of regular meetings stating the date of the canceled meeting at least 24 hours in advance of the scheduled meeting, as practicable.
4. Agenda and minutes. 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.
5. Quorum. A quorum shall consist of four (4) or more 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.
6. 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.
7. 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 17.3(D) of this article.

8. 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 this section or said rules of procedure.

17.4 Board of Adjustment.

A. The Board of Adjustment shall have the powers and duties conferred by this UDO and applicable state law, including, but not limited to, the following:
    1. Appeals. To hear and decide appeals alleging error in any final order, requirement, or decision made by an administrative official in the administration or enforcement of this UDO. A failure to act shall not be construed as an appealable order, requirement, or decision.
    2. Variances. To hear and decide applications for variances from the dimensional or development standards of this UDO, where authorized, in accordance with the variance criteria and procedures established herein.
    3. Waiver. To hear and decide applications for waivers in accordance with Section 9.9.4 Temporary Special Events.
    4. Floodplain Matters. To hear and decide appeals and variance requests related to flood damage prevention regulations adopted by the County.
    5. Stream Buffers and Other Matters. To hear and decide variance requests, appeals, or other determinations expressly assigned to the Board of Adjustment elsewhere in this UDO.
B. Appointment and terms.
    1. Terms. The Board of Adjustment shall be composed of seven (7) members who shall be appointed by the Board of Commissioners and shall serve staggered, four-year terms established by the Board of Commissioners.
    2. Composition. The Board of Commissioners shall appoint the seven (7) members of the Board of Adjustment.
    3. Vacancies. All appointees shall continue to serve until their successor is appointed. Any vacancy in the membership shall be filled for the unexpired term in the same manner as the initial appointments. If a member moves to reside outside of Rockdale County, such member shall be deemed to have resigned from the Board of Adjustment.
    4. Other offices. Members of the Board of Adjustment shall hold no other elected or appointed office or other county-compensated position.
    5. Term limits. No member of the Board of Adjustment shall be eligible for more than two consecutive terms.
    6. Removal. A member of the Board of Adjustment may be removed from office prior to the expiration of his/her appointed term by a majority vote of the

Board of Commissioners. Cause for removal from office shall include but not be limited to: failure to attend regularly scheduled meetings; failure to disclose a conflict of interest, as provided in O.C.G.A. § 36-67A-1 et seq.; and failure to complete required training.

C. Board of Adjustment officers.
    1. Officers. The Board of Adjustment shall elect a chair and vice-chair annually in the month of February.
    2. Duties of chair. The chair shall preside at all meetings and hearings of the Board of Adjustment and decide all points of order and procedure. The chair may appoint committees necessary to assist and advise it in its work.
    3. Acting chair. The vice-chair shall be acting chair in the absence of the chair.
    4. Secretary. A designated person from the department shall serve as the secretary of the Board of Adjustment. The secretary shall have responsibility for assisting the chair with scheduling and preparing the agenda for meetings; providing copies of staff reports to members of the Board of Adjustment; preparing public notice of hearings and other meetings; and making, publishing and preserving public records of the attendance, proceedings, reports and actions of the Board of Adjustment; and other duties assigned by the chair.
D. Meetings of the Board of Adjustment.
    1. Regular meetings.
        a. Unless there is no business to be conducted, regular meetings, including public hearings on matters listed in subsection 17.4(A) of this article, shall be held on the first Monday of each month at a time so designated by the Board of Adjustment. If the first Monday of the month is a holiday, the hearing will be scheduled for the second Monday of the month. Meetings shall be held at the Rockdale County Assembly Hall.
        b. All meetings shall be open to the public. Notice of all meetings shall comply with O.C.G.A. § 50-14-1 et seq., the Georgia Open Meetings Act.
        c. 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 Board of Adjustment may call a special meeting at any time that permits posting of a written notice for at least 24 hours in advance at the place of regular meetings and giving written or oral notice 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 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. Agenda and minutes.
    a. The chair and secretary shall determine the meeting agenda. All matters to be considered and/or acted upon by the Board of Adjustment shall appear on the agenda.
    b. Meeting minutes shall include and indicate all important facts, a report of 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 record of any explanation or commentary that is relevant to the decisions made on matters before the Board of Adjustment.
4. Cancellation of meetings. In the event that there is a lack of business to be discussed and/or voted upon at a future meeting, the secretary shall post an appropriate public notice at the stating the date of the canceled meeting. Such notice shall be posted at least 24 hours in advance of the scheduled meeting.
5. Continuance of hearing. All items on an advertised agenda for a public hearing shall be heard on the scheduled date unless a majority of the members of the Board of Adjustment present at the public hearing determine that specific circumstances surrounding the matter warrant the continuance of the hearing on the matter to a specific future date and time. In such instances, the department shall provide public notice of the new time, date, and location of the continued hearing consistent with O.C.G.A. § 50-14-1 et seq., the Georgia Open Meetings Act.

E. Quorum and voting.
1. Quorum. A quorum shall consist of four (4) or more members of the Board of Adjustment.
2. Voting.
    a. Abstention. A Board of Adjustment member, who is part of a quorum of the Board of Adjustment 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 the voting on that specific matter. No member of the Board of Adjustment may abstain from voting, except in the case of having a conflict of interest with respect to the matter under consideration.
    b. Majority vote. A majority vote of those members present of the Board of Adjustment 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, and a new motion must be made to approve the opposite position.

17.5 Orientation and Continuing Education Training.

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.

17.6 Conflict of Interest.

A. Disclosure of conflicts. A member of the Board of Commissioners or Planning Commission who:
    1. Has a property interest in any real property affected by a rezoning action that is under consideration by the Planning Commission or Board of Commissioners;
    2. Has a financial interest in any business entity that has a property interest in any real property affected by a rezoning that is under consideration by the Planning Commission or Board of Commissioners; or
    3. Has a member of the family having any interest described in subsections 1 or 2 of this subsection.
    4. Shall comply with the requirements of O.C.G.A. 36-67A-1 et seq., as amended.

Article 18: Public Hearing Applications and Review Procedures

18.1 Purpose.

The purpose of this Article is to provide the procedures and general standards for review of applications that are submitted to administrators or review bodies with Rockdale County under this UDO.

18.1.1 Application Requirements.

The requirements of this Section shall apply to all applications unless otherwise provided in this UDO.

18.1.2 Pre-Application Community Meeting Required.

A. *Applicability.* A community meeting shall be required, except where the County is the applicant, prior to acceptance of any application for;
    1. Rezoning;

2. Planned Unit Development District;
3. Special Use Permit.

B. *Timing*. The meeting shall occur not less than fifteen (15) days before application submittal and not more than 180 days before application submittal.

C. *Notice*. Notice shall be mailed to:
   1. Property owners within 1,000 feet;
   2. Registered homeowner associations and condominium owner associations within one mile of project;
   3. Any other organizations designated by the Director of Planning and Development.

D. *Meeting Requirements.* The applicant shall present:
   1. Existing zoning and land use;
   2. Proposed zoning and land use;
   3. Concept Plan
   4. Traffic access and circulation;
   5. Anticipated impacts and mitigation measures.

E. *Community Meeting Report.* The report shall include:
   1. Affidavit of notice;
   2. Mailing list;
   3. Copy of notice;
   4. Attendance roster;
   5. Summary of comments received;
   6. Summary of modifications made in response to comments.

F. *Effect of noncompliance.* An application shall not be deemed complete until the requirements of this section have been satisfied.

18.1.3 Pre-Application Conference.

Before submitting an application for a petition that requires a public hearing before a review body, the applicant shall schedule a pre-application meeting with the Planning and Development staff to discuss procedures, standards, and regulations required for approval in accordance with this UDO. The pre-application meeting may be in person or via conference call. County-initiated petitions are exempt from the pre-application meeting requirement.

18.1.4 Forms and Fees.

A. Applications required under this UDO shall be submitted on standardized forms approved by Rockdale County. All applications shall be filed and completed as specified on the application form.

B. All fees associated with a review must be paid in full before any application will be processed or reviewed.

1. Filing fees are established and reviewed periodically to defray the cost of processing the application. Fees shall be adopted by the Board of Commissioners.
2. An applicant who has paid the appropriate fee pursuant to the submission of an application, but who chooses to withdraw such application prior to Public Notice advertising will be entitled to a refund of the total amount paid, less 10 percent for administrative costs, upon written request to the Director of Planning and Development. Once advertising has been sent, no refunds are available.

C. Campaign Disclosure. It is the duty of all applicants and opponents of rezoning actions who have made campaign contributions aggregating $250.00 or more to a member of the Board of Commissioners or Planning Commission within two years prior to the applicant's application for the rezoning action, to comply with the requirements of O.C.G.A. § 36-67A-1 et seq., or as amended.

18.1.5 Determination of Completeness.

A. Completeness Determination.
   1. Applications will be submitted to the Director of Planning and Development and checked for completeness. An application is determined to be complete if all required information and documents have been prepared in accordance with the specific application requirements noted in the application materials.

B. Complete Application.
   1. Once an application has been deemed to be complete, the Director of Planning and Development shall transmit the application to the appropriate reviewing body for review and recommendation. The Director of Planning and Development shall notify the applicant that the application is complete. If an application requires a public hearing, the application shall be placed on the next available agenda of the appropriate reviewing body.

C. Effect of Incomplete Application.
   1. Incomplete applications will not be accepted for review. If an application is determined incomplete, the applicant shall be notified of the additional information that is required to process and review the application.

18.1.6 Application Deadline.

Applications shall be submitted in accordance with the published calendar schedule. Schedules indicating submittal dates shall be developed each year and made available to the public, upon request.

18.1.7 Concurrent Applications.

Related applications may be filed and reviewed simultaneously. Applications submitted simultaneously are subject to individual approval. Any application that is contingent upon the

approval of another application shall not be eligible for final approval until the contingent application is approved.

18.1.8 Application Withdrawals, Deferrals, Continuances.

A. Withdrawals.
    1. The applicant may withdraw an application in writing at any time prior to the final decision by the appropriate reviewing body on said application.
    2. If a request to withdraw an application is made in a public hearing, the applicant may do so by stating the request on the record.

B. Deferrals at Applicant Request (Postponement to a Certain Time).
    1. The applicant may request a deferral to a future scheduled meeting by requesting the deferral in writing in advance of the meeting or by stating the request on the record at the meeting. In either case, the applicable review or governing body shall vote in a properly advertised meeting to postpone to a certain time. If the date and time of the meeting are not indicated at the time of the originally scheduled public hearing, the application shall be readvertised pursuant to the Public Notice requirements.

C. Deferrals by Reviewing or Governing Body (Postponement to a Certain Time).
    1. Deferrals by a reviewing or governing body (postponement to a certain time) are authorized, but final decisions shall be made within the identified timeframes outlined herein.
    2. Board of Commissioners.
        a. The Board of Commissioners shall have the authority to postpone to a certain time the review of an application scheduled for public hearings to any future date chosen by the governing body.
    3. Planning Commission.
        a. The Planning Commission shall issue a recommendation to approve or deny an application or petition within 45 days after the close of the public meeting or comment period. Failure of the Planning Commission to act within the 45-day period shall constitute a recommendation that the application be forwarded to the Board of Commissioners for final decision.

18.1.9 Procedures Summary.

Table 18.1.9: Procedures Summary Table provides a summary of review and decision-making authority under this UDO. In the event of conflict between Table 18.1.9 and the detailed procedures identified in this UDO, the detailed procedures shall govern.

Table 18.1.9: Procedures Summary Table
R= Review; DM= Decision Maker

Application Type	County Staff	Board of Adjustment	Planning Commission	BOC
Text Amendments	R	--	<R>	<DM>
Rezoning (i.e., Map Amendments)	R	--	<R>	<DM>
Special Use Permit	R	--	<R>	<DM>
Variance	R	<DM>	--	--
Administrative Variance	DM	--	--	--
Appeal of Admin. Decision	R	<DM>	--	--

18.1.10 Expiration.

A. Application Expiration. An application is deemed expired and withdrawn if it remains dormant for six (6) consecutive months.
    1. Dormant means no substantive step has occurred to advance the application, including but not limited to: payment of required fees; submission of required or requested materials; response to staff review comments; requesting or maintaining a hearing date; or other actions necessary for staff review or decision.
    2. No formal withdrawal is required for an application to expire; upon the expiration date, processing ceases and the file may be closed.
B. Tolling. The dormancy period is tolled for delays caused by the County or external agency, a duly adopted moratorium, or a court-ordered stay, as documented in the file.
C. Extension. Prior to expiration, the Director of Planning and Development may grant one written extension of up to ninety (90) days for good cause demonstrated in the extension request.
D. Effect of expiration. Upon expiration, processing ceases and the application is closed. Any resubmittal shall be treated as a new application subject to the current UDO and applicable fees and schedules.

18.2 Public Notices.

18.2.1 Applicability.

All meetings or hearings of the Board of Commissioners, Planning Commission, and Board of Adjustment, which involve annexation, rezonings, zoning map amendments, zoning text amendments, special use permits, appeals, and variances are public and subject to the notification requirements under the State Zoning Procedures Law, O.C.G.A 36-66-1 et seq., where applicable.

18.2.2 Types of Public Notice.

Forms of notice required for public hearings may include mailed notice, published notice, provided via a newspaper of general circulation and posted notice by signs as required by Table 18.2.2 below.

Table 18.2.2: Types of Public Notice for Applications			
Legend: Y means required; "---" means not required			
Proposal	Mailed	Posted	Published
Comprehensive Plan Amendment	Y	Y	Y
Rezoning (Map Amendment)	Y	Y	Y
Modifying Conditions of Approval (Major Modifications for Rezonings and SUPs)	Y	Y	Y
Zoning Text Amendment	--	--	Y
Special Use Permit	Y	Y	Y
Appeals	Y	Y	Y

18.2.3 Content of Mailed, Posted, and Published Notices.

All mailed, posted, and published notices shall include, at a minimum, the information listed below. For Text Amendments, subsections B and C below, related to location and zoning classification, shall not be required, as such amendments are not property-specific. In the adoption of this UDO, for any County-initiated amendment to this UDO and any County-initiated amendments to the zoning map, mailed or posted notice shall not be required, notwithstanding any other provision of this UDO.

A. Public Hearing Location, Time, and Date.
    1. The location, time, date, and purpose of all scheduled public hearings for the application shall be required.
B. Location of the Subject Property.
    1. The location of the property involved by street address, or if there is no street address, by the reference to the closest intersection of public streets.
C. Zoning Classifications.

1. The information provided shall include the zoning district(s) of the property subject to the application. If the application is for a rezoning (map amendment), the proposed zoning district(s) shall also be provided.

18.2.4 Mailed Notices.

A. To Whom Provided. When required as shown on Table 18.2.2, notice shall be mailed to owners, organizations, and associations listed below:
   1. Property Owners. All property owners of the property subject to the application shall be mailed notice of public hearing unless otherwise provided below.
   2. Nearby Property Owners. All property owners whose property boundaries lie within a five hundred (500) feet radius to the boundaries of the subject property by the most direct distance and are located in Rockdale County shall receive notice.

B. Mailing and Postmarking.
   1. How Property Addresses are to be Obtained.
      a. Mailing addresses for property owners shall be obtained from the most recent tax digest available from the office of the Rockdale County Board of Assessors.
      b. The Director of Planning and Development shall prepare the content of the notice and be responsible for its mailing, unless otherwise required by the application process.
   2. Timing of Mailed Notice.
      a. For all applications that require mailed notice, notice shall be mailed and postmarked at least 15 but no more than 45 days prior to the public hearing.

18.2.5 Published Notices.

A. When required, as shown on Table 18.2.2, public notice shall be published in accordance with the standards established in O.C.G.A 36-66-1 et seq., and this UDO.
B. The Director of Planning and Development shall prepare the content of the published notice and be responsible for publishing the notice in the local newspaper of general circulation within the boundaries of the County.
C. Timing of the Published Notice for Public Hearings.
   1. For all applications that require publishing shall be published at least 15 days but not more than 45 days prior to the public hearing.

18.2.6 Posted Notice.

A. Posting of Notice. Posting of property shall comply with the requirements listed below:

1. Responsibility for Posting. Unless otherwise indicated by the Director of Planning and Development, signs shall be posted by the department, except applications initiated by the Board of Commissioners shall be exempt from this requirement.
2. Form of Required Signs. Notice shall be posted on weather resistant signs in a form established by the Director of Planning and Development.
3. Preparation of Signs. Signs shall be prepared by the Director of Planning and Development.

B. Timing of Posted Notice.
1. For all applications that require posted, signs shall be posted not less than 15, but no more than 45 days before the public hearing.

C. Location of Signs.
1. Subject Property. Signs shall be placed in a conspicuous place on the subject property.
2. Installation. Signs shall not be posted onto any tree.

D. Removal. Unless otherwise indicated by the Director of Planning and Development, the department shall remove the sign within 30 days after final action on the application.

18.2.7 Additional Notice Required.

A. When any of the following actions are proposed, reference the Georgia Zoning Procedures Law, O.C.G.A. 36-66-1 et seq., for additional notice requirements.
1. County-initiated rezoning and/or text amendment to revise a zoning classification related to single-family residential uses of property so as to authorize multifamily uses of property pursuant to such classification or definitions, or to grant blanket permission, under certain or all circumstances, for property owners to deviate from the existing zoning requirements of a single-family residential zoning; or,
2. Halfway house, drug rehabilitation center, or other facility for the treatment of drug dependency; or,
3. Annexations.

18.3 Development(s) of Regional Impact.

18.3.1 Applicability.

This section shall apply to any proposed development that meets or exceeds the minimum thresholds established for specified uses or activities as identified by the Rules of the Georgia Department of Community Affairs, §110-12-3 (“Developments of Regional Impact”), as amended. The Planning and Development Department shall serve as the submitting agency on behalf of the applicant.

18.3.2 Project Threshold.

See the Rules of Georgia Department of Community Affairs, §110-12-3 (“Developments of Regional Impact”) for DRI thresholds to determine applicability.

18.3.3 Application of Conditions.

Rockdale County shall be authorized to apply any additional conditions to the subject property based on the DRI Notice of Decision, regardless of whether an application is up for review by a review body.

18.4 Comprehensive Plan Amendment.

18.4.1 Purpose.

An application for a Comprehensive Plan amendment, text, or map, may be initiated by the Board of Commissioners, Director of Planning and Development, or other Director of a relevant department. Any person owning property within the County, or agent for such property owner, may initiate an application for a Comprehensive map amendment to change the Future Land Use Map category for their own property only. Updates to the text or Future Land Use Map of the Comprehensive Plan shall occur every five years based on O.C.G.A. §110-12-1.

18.5 Rezoning (Zoning Map Amendment).

18.5.1 Applicability.

The provisions of this section apply to amendments of the official Zoning Map of Rockdale County.

18.5.2 Initiation of Rezoning.

A. An application for rezoning may be initiated for any property within Rockdale County by any of the following:
    1. The Board of Commissioners.
    2. The Director of Planning and Development or Director of a relevant department.
    3. Any person, or agent for such person, who seeks to rezone their own property.
B. For rezoning applications filed by other than those initiated by Rockdale County governing body or staff, where properties are held in ownership by multiple persons or entities, it shall be the responsibility of the applicant to ensure they have obtained proper consent to the rezoning from all persons or entities with an ownership stake in the rezoning.
C. If the applicant is the agent of the owner, the agent shall file authorization that the agent may file on their behalf. No application shall be accepted which does not meet these requirements.

18.5.3 Application Procedures.

A. Prior to the submittal of an application for rezoning, the applicant shall have participated in the pre-application meeting with Planning and Development staff.
B. Applications shall, at minimum, include the following information:
    1. Application Form
    2. Property Owner Authorization
    3. Contribution Disclosure Forms
    4. Site Plan, showing the proposed concept for redevelopment of the property, if applicable.
    5. Existing Site Resources Map, showing changes in elevation, topographical conditions, and existing structures upon the tract.
    6. Traffic Study for any project as triggered in Section 16.4.
    7. Letter of Intent, which outlines the details of the request, the reason for requesting an amendment to the zoning map, and addresses the criteria in Section 18.5.7, Review Standards for Rezoning Application.
C. The Director of Planning and Development has the authority to waive the need to submit a site plan, existing resource(s) map, traffic study, or community meeting staff report. They may also request supplemental or alternative materials, as needed to process the request.
D. Staff shall notify the Board of Commissioners of all new rezoning applications.

18.5.4 Required Public Notice.

Public notice shall be provided for each public hearing in accordance with procedures in Section 18.2, Public Notices.

18.5.5 Review by Planning Commission.

A. Consideration by Planning Commission. All rezoning applications shall be considered by the Planning Commission at a public meeting prior to a public hearing before the Board of Commissioners. No separate advertising meeting any particular time period is required for Planning Commission.
B. Standards and Criteria. The Planning Commission shall review and make recommendation on the proposed rezoning based upon the standards in Section 18.5.7, Review Standards for Rezoning Applications.
C. Planning Commission Recommendation. A recommendation shall be prepared and forwarded to the Board of Commissioners. The recommendation shall indicate if the proposed rezoning should be:
    1. Approved;
    2. Approved with conditions;
    3. Approved with an alternative zoning district that is lesser intensity than that which was advertised; or
    4. Denied.

18.5.6 Action by Board of Commissioners.

A. Upon receipt of the recommendations from the reviewing bodies, the Director of Planning and Development shall forward the recommendation to the Board of Commissioners for final action.
B. Public Hearing. The Board of Commissioners shall hold a minimum of one (1) public hearing to consider the proposed rezoning after receiving a recommendation from the applicable review body.
C. Standards and Criteria. The Board of Commissioners shall evaluate the proposed rezoning based upon the standards in Section 18.5.7, Review Standards for Rezoning Applications.
D. Actions by the Board of Commissioners. Following the public hearing, the Board of Commissioners shall take one of the following actions:
    1. Approve;
    2. Approve with Conditions;
    3. Approve with Alternative Zoning District;
    4. Deny;
    5. Any other action within the scope of the Board of Commissioners authority as outlined elsewhere in this UDO or State Law.

18.5.7 Review Standards for Rezoning Applications.

The following are the standards which govern the exercise of zoning power by the County:

A. Whether the range of uses permitted by the proposed zoning district is more suitable than the range of uses that is permitted by the current zoning district.
B. Whether the proposed zoning district addresses a specific need in the County.
C. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property;
D. Whether the zoning proposal is compatible with the present zoning pattern and development pattern, conforming uses of nearby properties, and the character of the surrounding area.
E. Whether there 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.
F. Whether the zoning proposal is in conformity with the policy and intent of the Comprehensive Plan and other adopted plans, such as a redevelopment plan or small area plan.
G. Whether the property to be affected by the zoning proposal has a reasonable use as currently zoned.
H. Whether adequate school, public safety and emergency facilities, road, ingress and egress, parks, wastewater treatment, water supply and stormwater drainage facilities

are available for the uses and densities that are permitted in the proposed zoning district.

18.5.8 Successive Applications for Rezoning.

A. If the Board of Commissioners deny an application for the rezoning of property, a successive application shall not be submitted to rezone on any part or all of such property for a period of twelve (12) months from the date of the vote by the Board of Commissioners.
B. The Board of Commissioners are authorized to waive or reduce this 12-month time interval by resolution, except that the time interval between the date of action to deny the application or the date that the application is withdrawn with prejudice and the date of filing of a subsequent application affecting the same property shall not be less than six (6) months.

18.5.9 Rezoning Applications initiated by Rockdale County.

A. One purpose of a rezoning initiated by Rockdale County may be to rezone areas in conformance with the principles of Comprehensive Plan and staged development as reflected by established plans and policies, as well as planned public facilities.
B. The same review criteria shall apply to rezonings initiated by Rockdale County as to all other rezonings as set forth in Section 18.5.7, Review Standards for Rezoning Applications.

18.6 Zoning Text Amendment.

18.6.1 Applicability.

The provisions of this section shall apply to all amendments of the text of this UDO. This section does not pertain to amendments of conditions of zoning approval tied to any specific property. Revisions made through this process affects Rockdale County at large.

18.6.2 Initiation of Text Amendment.

A. An application for a text amendment may be initiated by the following:
    1. The Board of Commissioners;
    2. The Director of Planning and Development; or
    3. Other relevant Director.
B. Because these amendments affect Rockdale County at large, proof of ownership of a specific property is not applicable.

18.6.3 Application Procedures.

A. Applications shall include the following information:
    1. Section of the code to amend;
    2. New text to be added, or text to be removed; and
    3. Reasons for the text amendment.

18.6.4 Required Public Notice.

Public notice shall be provided for each public hearing in accordance with procedures in Section 18.2, Public Notices.

18.6.5 Review by appropriate Review Body.

A. Consideration by Review Body.
    1. Text amendment applications shall be considered by the Planning Commission at a public meeting prior to the scheduled hearing before the Board of Commissioners. No separate advertising meeting any particular time period is required for Planning Commission.
B. Standards and Criteria.
    1. The appropriate review body shall review and make recommendation on the proposed text amendment based upon the standards in Section 18.6.8, Review Standards for Text Amendment.
C. Review Body Recommendation.
    1. A recommendation shall be prepared and forwarded to the Board of Commissioners. The recommendation shall indicate if the proposed text amendment should be:
        a. Approved;
        b. Approved with modifications; or
        c. Denied.

18.6.6 Action by the Board of Commissioners.

A. After consideration of the review standards set forth in Section 18.6.8, Review Standards for Text Amendment, the Board of Commissioners shall:
    1. Approve and adopt the proposed text amendment as submitted by staff;
    2. Approve and adopt the proposed text amendment as recommended by the applicable review authority;
    3. Approve and adopt the proposed text amendment with modifications;
    4. Return the proposed text amendment to the review authority for further study and recommendation; or
    5. Deny the proposed text amendment.

18.6.7 Additional Hearings Required.

A. When any of the following actions are proposed, reference the Georgia Zoning Procedures Law, O.C.G.A. § 36-66-1 et seq., for additional hearing requirements:
    1. County-initiated rezoning and/or text amendment to revise a zoning classification related to single-family residential uses of property so as to authorize multifamily uses of property pursuant to such classification or definitions, or to grant blanket permission, under certain or all circumstances,

for property owners to deviate from the existing zoning requirements of a single-family residential zoning;

2. Halfway house, drug rehabilitation center, or other facility for the treatment of drug dependency; or
3. Annexations.

18.6.8 Review Standards for Text Amendment.

A. When reviewing an application for a text amendment, all of the criteria listed below shall be considered:
    1. The extent to which the proposed text amendment is consistent with the remainder of the UDO, including any purpose and intent statements.
    2. The extent to which the proposed text amendment represents a new idea not considered in the existing UDO or represents a revision necessitated by changing circumstances over time.
    3. Whether or not the proposed text amendment corrects an error in the UDO, or otherwise improves upon existing requirements or standards.
    4. Whether or not the proposed text amendment revises the UDO to comply with state or federal statutes.

18.7 Special Use Permits.

18.7.1 Applicability.

All applications for a special use permit approval shall comply with the requirements of this Section.

18.7.2 General Provisions.

A. Special Uses within each zoning district are uses that would not be appropriate generally or without restriction but which, if controlled as to number, area, location or relation to other uses, may be appropriate in a particular zoning district.
B. A Special Use permit shall be required for all special uses (identified with an "SUP" designation) as set forth in the permitted use table in Section 5.2 and Section 6.2, or as part of a use condition.
C. Supplemental use standards may be applicable to the approved special use.
D. Any use or activity on the property not specifically permitted by Section 5.2 or Section 6.2, or the special use permit, as modified, shall be deemed unlawful and subject to Article 19, Enforcement and Penalties.

18.7.3 Review by the Planning Commission.

A. Consideration by Planning Commission.
    1. An application for a special use permit shall be considered by the Planning Commission at a public hearing prior to a public hearing before the Board of Commissioners.

B. Standards and Criteria.
    1. The Planning Commission shall evaluate the proposed special use permit based upon the standards in Section 18.7.6, Review Standards for Special Use Permit.
C. Planning Commission Recommendation.
    1. A recommendation shall be prepared and forwarded to the Board of Commissioners after consideration of the review criteria required by Section 18.7.6, Review Standards for Special Use Permit. The recommendation which shall indicate if the Special Use Permit should be:
        a. Approved as submitted by the applicant;
        b. Approved as recommended by the Director of Planning and Development;
        c. Approved with modifications and/or conditions; or
        d. Denied.

18.7.4 Action by the Board of Commissioners.

A. Upon receipt of the recommendations from the reviewing bodies, the Director of Planning and Development shall forward the recommendation to the Board of Commissioners for final action.
B. Public Hearing.
    1. The Board of Commissioners shall hold a minimum of one (1) hearing to consider the proposed special use permit after receiving the Planning Commission recommendation.
C. Standards and Criteria.
    1. The Board of Commissioners shall evaluate the proposed special use permit based on the standards in Section 18.7.6, Review Standards for Special Use Permit.
D. Actions by the Board of Commissioners.
    1. After consideration of the review criteria required by Section 18.7.6, Review Standards for Special Use Permit, the Board of Commissioners shall make one of the following decisions:
        a. Approve Special Use Permit as submitted by the applicant;
        b. Approve Special Use Permit as recommended by the Planning Commission;
        c. Approve Special Use Permit with modifications and/or conditions; or
        d. Deny the Special Use Permit.

18.7.5 Additional Hearings Required.

A. When any of the following actions are proposed, reference the Georgia Zoning Procedures Law, O.C.G.A. § 36-66-1 et seq., for additional hearing requirements:

1. County-initiated rezoning and/or text amendment to revise a zoning classification related to single-family residential uses of property so as to authorize multifamily uses of property pursuant to such classification or definitions, or to grant blanket permission, under certain or all circumstances, for property owners to deviate from the existing zoning requirements of a single-family residential zoning;
2. Halfway house, drug rehabilitation center, or other facility for the treatment of drug dependency; or
3. Annexations.

18.7.6 Review Standards for Special Use Permit.

A. When reviewing an application for a Special use permit, all of the criteria listed below shall be considered:
    1. Whether the subject property is adequate in shape and size to accommodate the special use.
    2. Whether adequate public facilities are available to serve the proposed use, including, but not limited to: water; sanitary sewer; stormwater drainage facilities; public safety and emergency facilities; roadway capacity; vehicular ingress and egress; or, that the applicant will provide adequately for such services and for placement in an appropriate location.
    3. Whether supplemental use standards for the special use, if any, as provided in Article 9, Supplemental Use Standards, can be achieved.
    4. Whether the special use will result in the destruction, loss, or damage of any feature determined by the review authority to be of natural, cultural, scenic or historic importance.
    5. Whether the special use is consistent with the intent, goals, strategies, policies, guiding principles and programs of the Comprehensive Plan and other adopted plans.
    6. Whether the special use is detrimental to the public interest, health, safety, welfare, function, and appearance of the adjacent uses or general vicinity by reason of any one or more of the following: the number, area, location, height, orientation, intensity (such as traffic, noise, odor, hours of operation), or relation to the neighborhood or adjacent uses.

18.7.7 Successive Applications for Special Use Permit.

A. If the Board of Commissioners deny an application for a special use permit, a successive application shall not be submitted for the same property for a period of twelve (12) months from the date of the decision by the Board of Commissioners.
B. The Board of Commissioners are authorized to waive or reduce this 12-month time interval by resolution, except that the time interval between the date of action to deny the application or the date that the application is withdrawn with prejudice and the

date of filing of a subsequent application affecting the same property shall not be less than six (6) months.

18.8 Variances.

18.8.1 Purpose.

Certain requirements of this UDO that will not be contrary to the public interest may be varied by the applicable review authority, where, owing to special conditions, a literal enforcement of such requirements will, in an individual case, result in practical difficulty or unnecessary hardship.

18.8.2 Applicability.

A. Certain requirements may be achieved through alternative compliance. Where alternative compliance is possible, it is specified elsewhere in this UDO.
B. Certain requirements shall not be variable. Such requirements are specified in this Section and may be specified elsewhere in this UDO. Any application for a variance that is not permitted by this UDO shall not be processed.

18.8.3 Public Notice Required.

Once the application has been determined complete, the Director of Planning and Development shall schedule a public hearing, as applicable, and give public notice in accordance with Section 18.2, Public Notices.

18.8.4 Burden of Proof.

The applicant seeking the variance shall have the burden of presenting evidence sufficient to allow an informed decision to be made as regards the request.

18.8.5 Action by Board of Adjustment.

A. The Board of Adjustment shall hold a public hearing on the proposed variance and has the authority to take final action on the variance petition.
B. In granting any variance, the Board of Adjustment may prescribe reasonable and appropriate conditions and safeguards.

18.8.6 Limitations on Power to Grant Variances.

A. No variance shall be granted that would allow a use not permitted by this UDO or not permitted in the zoning district in which the property affected by the variance is located.
B. No variance shall be granted to permit a lot area that is less than the minimum lot area permitted by the zoning district in which the property affected by the variance is located.
C. No variance shall be granted to permit a height greater than the maximum height established by the zoning district in which the property affected by the variance is located.

D. No variance shall be granted to any condition of approval that has been set upon a property by another review process.

18.8.7 Power to Grant Variances.

Variances may be granted for Article 5, Agricultural and Residential Districts; Article 6, Non-Residential and Mixed-Use Districts; Article 14, Environmental Protection; Article 10, General Development Regulations Site Standards; and Article 20, Sign Code.

18.8.8 Criteria for Variances.

A. The Director of Planning and Development and Board of Adjustment shall consider and find in the affirmative that all the criteria below are met in determining whether a variance shall be approved.
B. The variance shall be consistent with the intent of this UDO and the Comprehensive Plan and shall not be injurious to the neighborhood or otherwise detrimental to the public health, safety or welfare.
C. Special conditions and/or circumstances exist which are peculiar to the land, buildings or structures involved and which are not applicable to other lands, buildings or structures in the same zoning district.
D. The special conditions and/or circumstances do not result from the actions of the applicant.
E. The special conditions and/or circumstances are not purely financial in nature so as to allow the applicant to use the land, buildings or structures involved more profitably or to save money.
F. Literal interpretation of the provisions of the regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Ordinance and would result in unnecessary and undue hardship on the applicant.
G. The variance, if granted, is the minimum variance necessary to make possible the reasonable use of land, buildings or structures.
H. The variance would not confer on the applicant any special privilege that is denied by this Ordinance to other lands, buildings or structures in the same zoning district.

18.8.9 Time Limits for Variances.

Approval of a variance pursuant to the provisions of this UDO shall run with property.

18.8.10 Successive Applications for Variance.

A. If the Board of Commissioners deny an application for a variance request, a successive application shall not be submitted for the same previously requested variance on any part of all such property for a period of twelve (12) months from the date of the decision by Board of Commissioners.
B. The Board of Commissioners are authorized to waive or reduce this 12-month time interval by resolution, except that the time interval between the date of action to deny

the application or the date that the application is withdrawn with prejudice and the date of filing of a subsequent application affecting the same property shall not be less than six (6) months.

18.8.11 Appeals.

Final action on a variance may be appealed in accordance with Section 18.10, Appeals.

18.9 Administrative Variance.

18.9.1 Authority.

A. The Director of Planning and Development may authorize administrative variances for the following:
    1. To extend hours of operation for certain uses where hours are limited;
    2. To provide alternative buffering and/or screening for certain uses when either is required;
    3. To decrease or increase any required setback by up to five (5) feet or 10 percent (10%), whichever is less;
    4. To decrease or increase any required buffer by up to ten (10) feet or 10 percent (10%), whichever is less ,where adjacent a preserved stream buffer or other conservation area;
    5. To decrease or increase the total number of required off-street parking spaces by up to 20 spaces;
    6. To decrease or increase the total number of required loading spaces by up to 10 percent (10%) of the requirement.
B. No administrative relief shall be granted which shall eliminate the required standard all together. The purpose of administrative relief is to provide the applicant the minimum amount of relief necessary to address the challenge at hand.

18.9.2 Review Process.

A. Applications for administrative variances shall be filed by the property owner or authorized owner's representative for the property being affected by the requested relief.
B. All forms and fees required by the Director of Planning and Development to process the administrative variance request shall be received before Director of Planning and Development takes final action upon the request.

18.9.3 Administrative Variance Criteria.

The Director of Planning and Development shall approve an administrative variance only upon finding all of the criteria in Section 18.8.8, Criteria for Variances are met.

18.9.4 Denied Application.

If the Director of Planning and Development denies the request, the applicant may file an appeal in accordance with Section 18.10, Appeals.

18.9.5 Approved Application.

An administrative variance runs with the land and remains valid in perpetuity, until such time as the property is redeveloped.

18.10 Appeals.

18.10.1 Application Requirements.

A. An appeal shall be filed within thirty (30) calendar days of a final decision.
B. An appeal shall be made by filing a written notice of appeal specifying the grounds for the appeal with the Director of Planning and Development.
C. A notice of appeal shall be considered filed when a complete notice of appeal is delivered to the Director of Planning and Development.

18.10.2 Effect of an Appeal.

A. The filing of a complete notice of appeal stays all proceedings in furtherance of the action appealed.
B. Proceedings shall not be stayed if it is determined that a stay would cause imminent peril to life or property, or that the violation is transitory in nature, or that a stay would interfere with the enforcement of this UDO or other related ordinances.
C. An appeal shall stay only those proceedings that involve the subject of the appeal.
D. The filing on an appeal does not stop the accruing of assessed civil penalties, if any.

18.10.3 Record of Decision.

Upon receipt of a notice of appeal, the administrative official, commission or board whose final decision is being appealed shall transmit to the Director of Planning and Development all records, including all documents and electronic data, constituting the entire record of the proceedings from which the appeal is taken.

18.10.4 Public Notice Requirements.

Mailed, published, and posted notice shall be required in accordance with the procedures in Section 18.2, Public Notices. Mailed notice sent to the appellant and the owner of the affected site (if different).

18.10.5 Action by the Board of Adjustment.

A. An appeal shall be sustained only upon a finding by the Board of Adjustment that the administrative official, commission, or board whose final decision is being appealed was based on an erroneous finding of a material fact or that they acted in an arbitrary manner.
B. The Board of Adjustment may reverse or affirm (wholly or in part) or may modify the final decision appealed and shall make a final decision that in its opinion ought to be made in the case before it unless otherwise specified by this UDO. To this end, the Board of Adjustment shall have all of the powers of the administrative official, commission or board from whom the appeal is taken.

C. A motion to reverse, affirm or modify the final decision appealed shall include a statement of the specific reasons including the proposed findings of fact that support the decision. The findings of fact shall be based on the same evidence received by the first decision maker.
D. If a motion to reverse or modify is not made, or such motion fails to receive the affirmative vote of a majority of the members present, then the appeal shall be denied.
E. The appellant shall have the burden of proof.

18.10.6 Appeal of Final Action Taken by the Board of Adjustment.

A. An appeal of the final decision of the Board of Adjustment under this Section may be taken by the applicable processes as provided by Georgia Law.
B. If an appeal is being made by way of petition for review to the superior court where the property lies, in accordance with both O.C.G.A. § 36-66-1 et seq and as provided for in Chapter 4, Title 5 of the Official Code of Georgia Annotated, any petition may be served through Director of Planning and Development on behalf of the lower judiciary body being appealed. The Director of Planning and Development may be served with the petition on behalf of the County.

18.11 Modifying Conditions of Approval.

Conditions attached to previously approved rezonings, special use permits, variances, and any other zoning or quasi-judicial decisions may be modified in accordance with the following:

18.11.1 Minor Modifications.

A. Modification of any of the following site plan characteristics, if attached as a condition of approval, constitutes a “minor modification” for purposes of interpreting this Section. For the purposes of this Section, a minor modification means a slight alteration or change in layout, such as, but not limited to, small shifts in the location of buildings, streets, driveways, sidewalks, trails, utilities, easements or other similar features that do not increase the degree of relief (for variances), negatively impact adjacent property, the public health and safety, the quality of materials, the appearance of the project, or the health and quality of the natural environment, including:
    1. The movement of any building or structure within the site, provided the movement of the structure is not closer to a property line or into a required buffer, landscape zone, sidewalk zone, or streetscape;
    2. Any increase in the minimum size of residential units;
    3. Any increase in the size of a required buffer or sidewalk;
    4. Any decrease in building or structure height;
    5. Any change in the proportion of floor space devoted to different authorized uses by less than 10 percent;

6. Any decrease in the land area of the subject property or project, provided it does not impact other approved conditions; or
7. Any relocation of site features that do not exceed any other minor site modification thresholds.

B. The Director of Planning and Development is authorized to approve minor modifications.
C. Any request for a minor modification shall be made in writing to the Director of Planning and Development. If an approved site plan exists, the request for minor modification shall be accompanied by a copy of the revised site plan.
D. Modification of conditions not classified as a minor modification constitute a "major modification" for purposes of interpreting this Section.

18.11.2 Major Modifications.

A. Any modification request that exceeds the thresholds for a minor modification, any variation to an approved phasing plan in timing or sequencing, or any other modification the Director of Planning and Development determines to be substantial enough to require Board of Commissioners review, is considered a major modification.
B. Any major modification shall be processed as a new amendment application in accordance with the procedures of this Article, including the requirement for fees, notices, and hearings.
C. Any future alterations of conditions shall be processed as a new amendment application in accordance with the procedures of this Article, including the requirement for fees, notices, and hearings.

Article 19: Enforcement and Penalties.

19.1 Violations.

It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building or structure or use of any land in the county, or cause the same to be done, contrary to or in violation of the provisions of the UDO. The provisions of the UDO shall be administered and enforced in accordance with table 1.7, Duties Matrix. The duties of this article may be contracted out in full to a third party entity as permitted by state law.

19.2 Inspections.

19.2.1 Inspections and right of entry.

Upon presentation of County identification to the developer, contractor, owner, owner's agent, operator or occupants, Code Enforcement, or other County employees authorized by Director of Planning and Development may enter during all reasonable hours, or outside reasonable hours in

the event of an emergency threatening life or property, any property for the purpose of making inspections to determine compliance with the provisions of the UDO.

19.2.2 Inspection warrants.

The Director of Planning and Development, in consultation with the Director of Government Affairs, in addition to other procedures provided, may obtain an inspection warrant under the conditions specified in this section. The warrant shall authorize said individuals, or their authorized representatives, to conduct a search or inspection of property, either with or without the consent of the person whose property is to be searched or inspected, as follows:

A. Inspection warrants may be issued by the superior court or other court having jurisdictional authority, when the issuing judge is satisfied that all of the following conditions are met:
    1. The person seeking the warrant must establish under oath or affirmation that the property to be inspected is to be inspected as a part of a legally authorized program of inspection which includes that property or that there is probable cause for believing that there is a condition, object, activity, or circumstance related to specific requirements of the UDO which legally justifies such an inspection of that property.
    2. The issuing judge determines that the issuance of the warrant is authorized by this section.
B. The inspection warrant shall be issued validly only if it meets all of the following requirements:
    1. The warrant is attached to the affidavit required to be made in order to obtain the warrant.
    2. The warrant describes, either directly or by reference to the affidavit, the property upon which the inspection is to occur and is sufficiently accurate that the executor of the warrant and the owner or possessor of the property can reasonably determine from it the property for which the warrant authorizes an inspection.
    3. The warrant indicates the conditions, objects, activities, or circumstances related to requirements of the UDO which the inspection is intended to check or reveal.
    4. The warrant refers, in general terms, to the UDO provisions sought to be enforced.

19.2.3 Corrections Notice.

A. Whenever the Director of Planning and Development and/or their designee is made aware that any violation of the UDO is taking place, or that a condition of rezoning, special use permit, variance, or other permit or administrative approvals are not complied with, said director or their designee may present to the owner, owner's

agent, occupier or party responsible for such use or activity, a notice of violation, and order the use or activity to cease immediately.

B. The notice of violation shall:
    1. Be in writing.
    2. Include a brief description of the property sufficient to identify where the violation has occurred.
    3. List the provisions of the UDO or other ordinance of Rockdale County that has been violated.
    4. State the deadline for correction.
C. If the violation has not been corrected within a reasonable length of time, which shall not exceed five days, the owner of the property on which such violation has occurred or the agent, occupier or other party responsible for the violation shall be subject to the penalties set forth in this article, provided that Director of Planning and Development, or their designee, may extend the time for compliance with any such notice.
D. The Director of Planning and Development, or their designee, also shall have the authority to issue a warning notice prior to issuance of a notice of violation for any violation set forth in Section 19.1, Violations. A warning notice shall be discretionary when circumstances warrant such action in the opinion of said director and shall under no circumstances be required prior to issuance of a notice of violation or other enforcement action. If issued, a warning notice shall include all of the requirements set forth in subsection B. If a warning notice has not resulted in corrective action within the time specified in the notice, or within any time limit as extended by said director, said director may proceed with a notice of violation or other authorized enforcement action.

19.3 Enforcement, Revocations, and Penalties.

19.3.1 Stop work orders and revocations.

Whenever any building, structure, or premises is being developed, demolished, expanded, renovated, constructed, used, or occupied contrary to the provisions of the UDO, or the public interest is otherwise threatened in a manner requiring immediate action, the Director of Planning and Development, or their designee, may order the work stopped and said stop work order shall be posted on the property and delivered or mailed to the owner or person performing said unlawful work. The Director of Planning and Development may also revoke any permit or certificate of occupancy for any land, building or structure that is being constructed, used or occupied in violation of any provision of the UDO to protect the health, safety and general welfare of the residents of the county.

19.3.2 Other enforcement and penalties.

Enforcement and penalty provisions set forth elsewhere in any chapter of the UDO or any code adopted by reference shall be applicable as therein provided and such enforcement and penalties may be applied in addition to those enforcement and penalty provisions available in this Article.

19.3.3 Penalties for violations.

A. In case any building or structure is, or is proposed to be erected, constructed, reconstructed, altered, converted, or maintained, or any building, structure, or land is or is proposed to be used in violation of any provision of the UDO, the county may, after due notice to the owner of the violation, issue a citation requiring the violator to appear in the Magistrate Court of Rockdale County.
B. The owner of any buildings or premises or parts thereof, where anything in violation of this title exists, and any architect, builder, contractor or any other agent of the owner, or any tenant, who commits or assists in the commission of any violation, shall be guilty of a separate offense.
C. Penalties.
    1. Whenever in this Code or in any ordinance, rule, regulation or order of the county any act is prohibited or is made or declared to be unlawful, or whenever in the Code or any ordinance, rule, regulation or order the doing of any act is required or the failure to do any act is declared to be unlawful, the violation of that provision of the Code or any ordinance, rule, regulation or order may be punished by the Magistrate Court of Rockdale County, for each single violation, by a fine of not more than $1,000.00, or by imprisonment for not more than 60 days, or both.
    2. Each day any violation of any provision of this Code shall continue shall constitute a separate offense.
    3. Notwithstanding all other provisions previously established for punishment of violations of this Code, this provision shall prevail.

19.3.4 Other remedies and penalties.

In addition to all other actions and penalties authorized in this section and elsewhere in the UDO, the county may also:

A. Institute injunctive abatement or other appropriate judicial action or administrative proceedings to prevent, enjoin, abate, or remove any violations of the UDO.
B. Where a violation exists with respect to a structure or land, require that public utility service be withheld therefrom until such time as the structure or premises is no longer in violation of the UDO.
C. Revoke the business license of any entity found guilty of violating the UDO for a period of time not to exceed five (5) years, except to the extent prohibited by law.

19.4 Legal Nonconformities.

19.4.1 Purpose and intent.

A. Purpose. Within the districts established by this ordinance, or in other UDO provisions or amendments, there exist lots, uses of land, uses of land and buildings, uses of land and structures, and characteristics of buildings and structures that were lawful before the UDO was adopted or amended, but that would be prohibited under the terms of the UDO or future amendment. Such nonconforming situations are hereby declared to be incompatible with authorized and permitted uses and regulations within the district(s) involved.

B. Intent.
    1. It is the intent of the county to require the cessation of certain of these nonconformities, and to allow others to continue, on a limited basis, until they are otherwise removed or cease.
    2. It is further the county's intent that nonconformities not be used as grounds for adding other buildings, structures, or uses of land prohibited by the UDO, and that no such building, structure, or use of land shall be enlarged, expanded, moved, or otherwise altered in any manner that increases the degree of non-conformity.

C. Right-of-way dedications.
    1. A lot, building, structure, or characteristic that becomes nonconforming solely as a result of the acquisition or dedication of right-of-way for a public purpose shall be deemed conforming for the purposes of this UDO.

19.4.2 Nonconforming use of land.

A. The nonconforming use of land may be continued, but no such nonconforming use of land which has been discontinued for a continuous period of 12 months shall be reestablished unless such cessation is a direct result of governmental action impeding access to the property. Such nonconforming use of land shall not be enlarged, expanded, moved, or otherwise altered in any manner that increases the degree of nonconformity.

B. Evidence that may be considered in determining whether a nonconforming use of land has been lawfully established or continuously maintained may include, but is not limited to, the following:
    1. Business licenses, occupational tax certificates, or similar authorizations;
    2. Utility service records;
    3. Tax records, assessments, or filings;
    4. Lease agreements or contracts;
    5. Invoices, receipts, or other business records;
    6. Aerial photographs or site photographs;
    7. Affidavits or sworn statements; or

8. Other documentation deemed relevant by the Director of Planning and Development.

C. In evaluating whether a nonconforming use of land has been continuously maintained, the Director of Planning and Development shall consider the totality of the evidence presented, the nature and characteristics of the use, and whether the use has been conducted in a manner reasonably consistent with its historic operation.

D. The production of any single item listed above shall not, by itself, be deemed conclusive evidence of the lawful establishment or continuous operation of a nonconforming use, nor shall the absence of any particular item be deemed conclusive evidence of abandonment.

E. A determination regarding the continuation or abandonment of a nonconforming use of land shall be made in writing and shall be based on substantial evidence in the record.

19.4.3 Nonconforming lot of record.

A. A nonconforming lot of record in a residential district that was lawfully created prior to the adoption of this UDO or applicable amendment may be used for one (1) single-family dwelling, provided that all other applicable regulations of this UDO are met to the maximum extent practicable.

B. No nonconforming lot of record shall be combined, reduced, or reconfigured in a manner that increases the degree of nonconformity.

C. Where two (2) or more contiguous nonconforming lots of record are under common ownership, they shall be considered a single lot for the purposes of development if such combination would reduce or eliminate nonconformity.

19.4.4 Nonconforming use of land and buildings in combination and nonconforming use of land and structures in combination.

A. The following regulations apply to the nonconforming use of land and building(s) in combination and the nonconforming use of land and structure(s) in combination:

1. Such uses of land and buildings or land and structures may be continued, but no such use which has been discontinued for a continuous period of 12 months shall be reestablished unless such cessation is a direct result of governmental action impeding access to the property.
2. Such uses of land and buildings or land and structures, or any such building or structure, shall not be enlarged, expanded, moved, or otherwise altered in any manner that increases the degree of nonconformity.
3. A nonconforming use of a building may be extended into those interior parts of a building which were manifestly designed for such use prior to the enactment of this chapter.

19.4.5 Nonconforming characteristics of buildings and structures.

A. No building or structure with nonconforming characteristics that is occupied by a conforming use shall be enlarged, expanded, reconstructed, moved, or otherwise altered in any manner that increases the degree of nonconformity or introduces new nonconforming characteristics.
B. An increase in the degree of nonconformity includes, but is not limited to:
    1. Expansion of a building footprint further into a required setback;
    2. Increase in height where height is a nonconforming characteristic;
    3. Increase in lot coverage or impervious surface beyond that lawfully existing;
    4. Reduction of required buffers, yards, or separation distances; or
    5. Alterations that create additional nonconforming features not previously present.
C. Maintenance, repair, or interior alteration that does not increase the degree of nonconformity or create new nonconforming characteristics shall be permitted.

19.4.6 Nonconforming uses requiring special use permit.

A. No nonconforming use, building or structure requiring a special use permit under the terms of this UDO, including any use, building or structure that was authorized as of right prior to the adoption of this chapter but would require a special use permit upon the adoption of the UDO, shall be enlarged, expanded, moved, or otherwise altered in any manner except after application for and approval of the now-required special use permit.
B. Normal repair and maintenance of buildings and structures is authorized without the need for a special use permit.
C. No such use, building, or structure that has been discontinued for a continuous period of 12 months shall be reestablished unless such cessation is a direct result of governmental action impeding access to the property.

19.4.7 Reconstruction.

A. Any building or structure constituting a nonconforming use of land and building(s), nonconforming use of land and structure(s), or building or structure with nonconforming characteristics that has been damaged by fire or other cause, may be reconstructed to its previous nonconforming characteristics and used as it was prior to damage if said reconstruction is completed within one year of the date of the damage, except that if said building or structure has been declared by the Director of Planning and Development to have been damaged to an extent exceeding 60 percent of its fair market value at the time of destruction, then any repair, reconstruction or new construction shall conform to all of the requirements of the district in which said building or structure is located.
B. Provided, however, a building which housed or houses a detached or attached single-family residential nonconforming use may be reoccupied by the same use after it has

been damaged to the extent of 60 percent or more of the total fair market value of the building only as a matter of right in all zoning districts.

C. Where a building or structure is deemed conforming pursuant to Section 19.4.1.C, reconstruction following damage or destruction shall be permitted in accordance with the standards applicable to conforming development, notwithstanding any dimensional nonconformity created by the right-of-way acquisition.

19.4.8 Buildings and structures.

Nothing in this article shall prevent the strengthening or restoration to a safe condition of any part of any building or structure declared unsafe by the Director of Planning and Development.

19.4.9 Reversions and changes.

A. Any nonconforming use, use of land or building in combination, use of land and structure in combination, nonconforming lot of record, or nonconforming characteristic ("Nonconforming situations") that is changed to a conforming state shall not be permitted to revert to a nonconforming situation.
B. No nonconforming situation shall be changed to another nonconforming situation.

19.4.10 Area extensions prohibited.

A nonconforming use, or building or structure in combination with a use, or building or structure with nonconforming characteristics, shall not be extended or enlarged beyond the area of use or beyond the conforming size, height, or other dimensions or characteristics of the building or structure as it existed on the date of adoption of the UDO or amendments applicable thereto.

19.4.11 Sign provisions.

Nonconforming situations relating to signs shall be governed by Article 20 of this Code of Rockdale County, Georgia, as amended.

Article 20: Sign Code

20.1 General.

20.1.1 Purpose.

Rockdale County finds that the number, size, design characteristics, and locations of signs in the county directly affect the public health, safety, and general welfare. The county finds that many signs are distracting and dangerous to motorists and pedestrians, are confusing to the public, and can substantially detract from the beauty and appearance of the county. The county finds that there is a substantial need directly related to the public health, safety and welfare to comprehensively address those concerns through the adoption of the following regulations. The purpose and intent of the governing authority of Rockdale County in enacting this article are as follows:

A. To protect the health, safety and general welfare of the citizens of Rockdale County and to implement the policies and objectives of the Comprehensive Plan through the enactment of a comprehensive set of regulations governing signs in Rockdale County.
B. To regulate the placement of signs within Rockdale County in order to provide safe operating conditions for pedestrian and vehicular traffic without unnecessary and unsafe distraction to drivers or pedestrians.
C. To regulate the placement of signs in windows to allow emergency services and the public in general to see inside an establishment.
D. To maintain an aesthetically attractive county in which signs are compatible with the use patterns of established zoning districts.
E. To preserve the value of property on which signs are located and from which signs may be viewed.
F. To establish comprehensive sign regulations which effectively balance legitimate business and development needs with a safe and aesthetically attractive environment for residents, workers and visitors of the county.
G. To provide fair and reasonable opportunities for the identification of legitimate businesses which are located in Rockdale County, and to provide for the identification of the availability of products, goods or services so as to promote the economic vitality of businesses and industries which are located within the county.
H. To ensure the protection of free speech and property rights under the Georgia and United States Constitutions.
I. To establish a permit system to allow specific types of signs in zoning districts consistent with the uses, intent and aesthetic characteristics of those districts.
J. To address the needs of certain uses that are specific and do not apply to other uses.
K. To allow certain signs that are small, safe, unobtrusive or incidental to the principal use of the respective lot on which they are located, subject to the substantive requirements of this chapter but exempt from permitting.
L. To provide fair and reasonable regulations in governing the time, place and manner in which signs are permissible.
M. To reflect changes in the practices and the availability of new technologies in the sign industry.

20.1.2 Effect of provision and administration.

This sign article shall be a part of the Unified Development Ordinance and shall be administered and enforced by the Director of Planning and Development. The enforcing officer's duties shall include issuing permits required by this article for signs that meet the requirements of this article and are otherwise lawful.

20.1.3 Applicability.

A. This article shall apply to all properties within the unincorporated areas of Rockdale County. Signs that are not visible from a public right-of-way and are not intended to be viewed from a public right-of-way are not regulated.
B. Any alteration or modification of a sign structure, with the exception of minor repair and regular maintenance, shall require a permit. A change in the copy of a sign shall not constitute an alteration.
C. Businesses shall obtain a county business license before applying for a sign permit. Nonprofit organizations shall register with the county before applying for a sign permit. Applications shall not be processed until this requirement is fulfilled.
D. The standards and requirements of overlay districts, as set forth in Article 8, Overlay Districts, shall govern and supersede the standards and requirements of this article.
E. No new sign shall be allowed or permitted on a nonconforming lot of record, for a nonconforming use, or on a nonconforming building or structure.

20.2 Sign Permits.

20.2.1 Permit Application.

A. Applications for sign permits shall be submitted by the sign owner or their agent upon official forms furnished by the county.
B. It is the duty of the applicant to provide all the information listed below to process the application.
C. Applications shall be complete and shall include at a minimum the following:
    1. The street address of the property where the sign will be located. In the absence of a street address, a method of location acceptable to the department shall be used;
    2. The name, address, phone number and email address of the business owner(s) requesting the sign;
    3. The name, address, phone number and email address of the owner(s) of the real property upon which the sign is to be located;
    4. Written consent of the property owner, or their agent, granting permission for the placement and/or maintenance of subject sign;
    5. The name, address, phone number and email address of the sign installation contractor. A legible copy of the valid business and professional license of the contractor;
    6. The type of sign(s) requested;
    7. The sign area of each sign and the aggregate sign area for the whole property, including existing and requested signs, as described in the computation section of this article;
    8. Construction details, including dimensions, materials and structure;

9. For existing buildings: Drawings or photographs with dimensions of all existing signs on the lot, including signs of other tenants, if any;
10. For new multi-tenant buildings, new planned centers, subdivisions and gasoline stations: A sign master plan, as defined in this article;
11. For ground signs: A site plan drawn to scale, showing the proposed location of all sign(s) on the lot. The site plan shall include, at a minimum, a survey of the property which shows the buildable area of the property, gross acreage, the proposed sign location, street right-of-way lines, public or private easements, driveway locations and parking spaces;
12. For wall signs: A set of building elevations, showing the proposed location of all signs and anchoring method;
13. For signs 50 square feet or larger and/or for signs 15 feet tall or higher: Plans shall comply with the requirements of the International Building Code. The plans shall be certified and stamped by a Georgia registered professional engineer.

20.2.2 Sign Permit Fees.

A sign permit shall not be issued until a complete application has been submitted and non-refundable fees have been paid in full, as established in the most recent fee schedule adopted by the Rockdale County Board of Commissioners.

20.2.3 Permit approval, denial or revocation.

A. Procedure.
    1. The Planning and Development Department shall process all sign permit applications within thirty (30) days of the County's actual receipt of a completed application for a sign permit.
        a. The Director of Planning and Development shall reject any application as incomplete that does not include all items required for a sign permit application as set forth under this article.
        b. The Director of Planning and Development shall reject any application containing any material false statements or material omissions.
        c. Any rejected application later resubmitted shall be deemed to have been resubmitted on the date of resubmission instead of the original date of submission.
    2. Within 30 days of receipt of a completed application, the Director of Planning and Development shall:
        a. Issue the permit upon determination that the application fully complies with the provisions of this Article, building codes adopted by the County, and all other applicable laws, regulations, and ordinances of the County; or

b. Inform the applicant, in writing, of denial of the permit, stating the reasons why the permit cannot be issued.

3. If the Planning and Development Department does not process an application for a sign permit within 30 days as set forth in this article, then the application shall be considered approved; provided this approval shall not authorize the violation of any standards of the Unified Development Ordinance regulating such sign and vests no rights in the owner of a sign erected or constructed in violation of the UDO. Any such sign in violation of the UDO shall be treated identically to a sign affirmatively approved in error by the County, vesting no rights in the sign and subject to revocation of the permit by the County under the provisions of this article.
4. Should it be determined that a sign permit was issued pursuant to an application containing a material false statement, Director of Planning and Development shall revoke the subject sign permit in accordance with Article 19, Enforcement and Penalties, and the subject sign shall be removed.

B. Appeal. A person whose permit application has been denied or whose permit has been revoked may appeal the decision of the Director of Planning and Development to the Board of Adjustment pursuant to Section 18.10, Appeals.

20.2.4 Permit Expiration.

A sign permit shall expire if the sign has not been erected, installed and completed within six (6) months after the date of permit issuance. A six-month extension of the permit may be granted once, if requested in writing to the Director of Planning and Development prior to the expiration date of the initial permit. After expiration of the permit, a new application shall be processed and another fee paid in accordance with the current fee schedule.

20.3 Measurements and Computations.

The following principles shall control the computation of the sign area and the measurement of the sign height:

A. Individual sign area.
   1. The area of a sign is computed as the surface of the smallest square, rectangle, circle, triangle or combination thereof that will encompass entirely the writing, representation, emblem or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed, such as a cabinet.
   2. Individual sign areas shall be rounded to the nearest half square foot.
   3. Minor appendages to a particular shape, as determined by the Director of Planning and Development, may be excluded from the computation. Such appendage shall not occupy more than ten percent of the individual sign area.

B. Double and multi-faced signs. The sign area of double and multi-faced signs is the sum of the area of all faces of the sign, excluding the area of the smallest face.
C. Aggregate sign area. The aggregate sign area is the sum of the individual sign area of each sign in a particular sign category on a single parcel.
D. Sign height.
    1. The height of a sign is the vertical distance between the normal ground level at the base of the sign structure to the highest point of the sign structure. For signs placed on a graded mound, the normal ground level shall be considered same as the grade of the nearest pavement.
    2. The height of a sign mounted flush to a building - such as a wall sign - or other structure used for a purpose different than signage is equal to the height of its face.
E. Associated façade. The length of a façade shall be measured from the centerline of the party walls.

20.4 Construction and Maintenance of Signs.

A. Materials. All signs, either permanent or temporary, shall be made of wood, metal, plastic or other durable and weatherproof material, and built and installed in a professional manner. Signs on lots used for residential purposes may be made of paper.
B. Repair. All signs shall be maintained in good condition, so as to present a neat and orderly appearance. Neglected or dilapidated signs may exhibit any of the following: unintended rust or holes on surfaces, broken, missing, loose or bent parts, faded or flaking paint, non-operative or partially non-operative illumination.

20.5 Illumination.

A. No sign shall give off light which glares, blinds or has any other potential adverse effect on traffic or adjacent properties. The light from an illuminated sign shall be established in such a way that adjacent properties and roadways are not adversely affected and that no direct light is cast upon adjacent properties and roadways.
B. Signs located within any residential zoning district may be illuminated externally only. Light fixtures shall be aimed downward, with the exception of primary ground signs located at the entrance of subdivisions or multi-family properties.
C. If the department finds an illuminated sign to cause glare, to impair the vision of a user of the road or to interfere in any manner with the safety of the public, the owner of the sign shall adjust the intensity of the fixture within 24 hours after notice from the Director of Planning and Development. Maximum brightness levels for illuminated signs shall not exceed 0.3 footcandles over ambient light conditions. Footcandles shall be measured at a height of five (5) feet and viewing the display

head-on (directly at a 90-degree angle) from the nearest adjacent property line or 100 feet, whichever is closest to the sign.

20.6 Sign Types.

20.6.1 Electronic signs.

A. Electronic signs shall be permitted on properties abutting an arterial or collector road (as defined by the Rockdale County Department of Transportation).
B. No electronic sign shall include any illumination which is flashing, intermittent, scrolling or moving. For purposes of this article, sign faces which remain still for a minimum of ten seconds will not be considered intermittent.
C. Electronic signs shall have automatic dimming capability to adjust the brightness of the fixture to the ambient light at all times of day and night. If the Department of Planning Development finds an electronic sign to cause glare, to impair the vision of a user of the road or interferes in any manner with the safety of the public, the owner of the sign shall adjust the intensity of the fixture within 24 hours after notice from the Director of Planning and Development.
D. The area of a digital message shall not exceed 30 percent of the permitted maximum individual sign area as provided in the sign table of this article.
E. Each digital message shall remain fixed for at least ten seconds. When a message is changed, it shall be accomplished in two seconds or less.
F. No electronic sign shall emit or utilize in any manner any sound capable of being detected on the main traveled way by a person with normal hearing.
G. Electronic signs shall contain a default design that will freeze the sign in a fixed position if a malfunction occurs.
H. Maximum brightness levels for electronic or digital LED signs shall not exceed 5,000 nits during the daylight hours or 100 nits between sunset and sunrise, as those times are determined by the National Weather Service, or 0.3 footcandles over ambient light conditions, whichever is brighter. Nits shall be measured from the computer control system or directly from the sign's face. Footcandles shall be measured at a height of five feet and viewing the display head-on (directly at a 90-degree angle) from the nearest adjacent property line or 100 feet, whichever is closest to the sign.

20.6.2 Vehicle signs.

A. Vehicle signs or advertising devices attached to any vehicle or trailer parked so as to be visible from a public right-of-way for the main purpose of providing advertisement of products, services, or events or directing people to a business or activity, except for a common carrier or other vehicle as described in subsection B of this section, are prohibited.
B. Any vehicle or common carrier with a sign attached to its operational structure may park in a legal parking space associated to the business. The vehicle shall be used

regularly for transportation relating to the activity advertised and shall display a valid license plate.

C. Permissible vehicle signs include: paint, magnets, decals and vinyl wrap. Banners, A-frame and other temporary fixtures are prohibited.

20.6.3 Temporary signs.

A. Permit.
   1. Applications for a temporary sign permit shall be submitted by the sign owner or their agent upon official forms furnished by the department.
   2. Temporary signs or devices shall be permitted only by issuance of a temporary sign permit. The temporary sign may be displayed for a maximum of 60 consecutive days and then shall be removed. A subsequent temporary sign permit may be issued for the same premises no earlier than 90 consecutive days after expiration of the permit, and no more than three times per calendar year.
   3. No more than two temporary signs shall be permitted at once for the same premises.

B. Temporary Sign Types. Types of temporary signs permitted are limited to banners, self-supported signs, promotional banner-flags, air or gas filled devices as detailed in Table 20.6.3.B.

Table 20.6.3.B: Temporary Sign Types

Type of sign	Max. height	Max. sign area	Additional requirements
Banner	Same as supporting structure	32 sq. ft.	One (1) banner per tenant, per public street frontage
Freestanding	8 feet	32 sq. ft.	One (1) sign per public street frontage, per lot
Promotional banner-flag	12 feet	36 sq. ft.	Maximum width of 3 ft.
Air or gas filled device	12 feet	N/A	No dimension to exceed 12 ft. Air filled devices designed for motion known as "air dancers", "wacky men", "fly guys" and similar are prohibited.

C. Support.
   1. Banners shall be individually attached to a building façade and shall not extend above the façade or roofline. No banner shall be attached to a light pole, freestanding pole, utility pole or similar structure.
   2. Freestanding signs shall be supported by an integrated frame, and completely independent from any additional structure.

3. Promotional banner-flags shall be displayed on purpose-built, professionally fabricated pole, anchored to the ground with a spike, with brackets or with another stabilizing device.
4. Air filled devices shall be securely attached to the ground and shall not be placed on the roof of a building.

D. Specifications. Temporary signs shall be built and installed in a professional manner, with durable and weatherproof materials. All temporary signs must be maintained in good condition.
E. Location. Signs shall be located at least ten feet from the right-of-way, on private property with the explicit consent of the owner. At intersections, the setback shall be 15 feet.
F. Illumination. Illumination of temporary signs shall conform to the regulations set forth by this article.

20.6.4 Flags.

A. Flags shall be displayed on purpose-built, professionally fabricated flagpoles, which may be vertical or mast-arm flagpoles. No permit is necessary for the erection of a flagpole.
B. In nonresidential districts, flagpoles shall not exceed the allowed height for a structure or building in the applicable zoning district, or 50 feet, whichever is higher.
C. In residential districts, flagpoles shall not exceed 25 feet in height or the height of the existing primary structure on the lot, whichever is less.
D. The maximum dimensions of any flag shall be proportional to the flagpole height. The hoist side of the flag shall not exceed 20 percent of the vertical height of the flagpole. In addition, flags are subject to the following limitations:

Table 20.6.4.D: Flag Sign Limitations	
Pole height or length	Maximum flag area
Up to 30 feet	30 square feet
30 to 50 feet	60 square feet
50 feet or greater	150 square feet

E. Each lot is allowed a maximum of two (2) flagpoles and a maximum of three (3) flags per flagpole.
F. A vertical flagpole shall be set back from all property boundaries by a distance which is at least equal to the height of the flagpole.
G. Flags and flagpoles shall be maintained in good repair and shall be in compliance with the building code. Flagpoles with broken halyards shall not be used and flags which are torn or frayed shall not be displayed.
H. Flags not meeting the definition of a flag contained herein shall conform to the remainder of this article.

20.6.5 Signs for specific uses.

A. Gasoline stations. In addition to signs otherwise allowed in this article, gasoline service stations with pump islands may have signage subject to the following limitations:
    1. One pump island canopy sign per public street frontage, each sign not to exceed six (6) square feet;
    2. Two signs affixed to each pump, each sign not to exceed two (2) square feet. All other portable signs shall be prohibited, including signs installed on poles and A-frame signs;
    3. If a separate drive-through carwash building is on site, one wall sign on carwash building, not to exceed six (6) square feet;
    4. The property owner shall provide a sign master plan.

B. Signage during construction. Two additional signs shall be allowed during construction of a building on residential or non-residential property. The signs shall not be internally illuminated.
    1. Duration. The signs shall be allowed beginning with the issuance of a land disturbance permit and ending with the issuance of a certificate of occupancy or installation of a permanent sign at a subdivision entrance, whichever comes first.
    2. Size. The signs shall not exceed 12 square feet and six (6) feet in height for residential property, and 32 square feet and six (6) feet in height for nonresidential property.
    3. Location. Construction signs shall be posted within the buildable area of the lot.

C. Family Travel Centers. In addition to signs otherwise allowed in this article, family travel centers may have signage subject to the following limitations:
    1. Notwithstanding the height restrictions below, in the C-2 zoning district, 1 freestanding, pole sign, within one thousand (1,000) feet of the midpoint of an interstate interchange may be erected at a height not to exceed one hundred (100) feet.
    2. The sign area may exceed the maximum sign area shown in Section 20.6.6, however, the applicant shall demonstrate that the proposed sign area for the freestanding, pole sign is appropriate based on contemporary best practices for interstate adjacent signage.

20.6.6 Permanent Signs.

A. Signs shall be permitted and regulated in accordance with the sign table in this section, unless otherwise regulated, prohibited or exempted as set forth in this article.

B. Location. All signs shall be entirely located a minimum of ten feet from the public right-of-way, on private property with the explicit consent of the owner. At intersections, the setback shall be 15 feet.
C. Ground signs shall include a masonry base constructed of brick, stone, or other approved masonry material.
D. Non-residential subdivisions may be considered as planned center or as a collection of individual buildings for signage planning purposes.
    1. A subdivision with common parking area between two buildings or more will be automatically considered a planned center.
    2. If the subdivision is treated as a planned center, all the buildings and tenants shall share primary ground signs.
    3. If the subdivision is treated as a collection of individual buildings, each building may obtain primary ground signs, but the subdivision shall not have a shared "entrance" sign.
    4. The initial property owner shall present a master plan reflecting the preferred option.

<table>
<tr><th colspan="6">Permanent Signs for Nonresidential Districts</th></tr>
<tr><td>Type of sign</td><td>Max. sign height</td><td colspan="3">Maximum sign area</td><td>Additional requirements</td></tr>
<tr><td rowspan="5">1. Ground signs for multi-tenant buildings and planned centers</td><td rowspan="5">20 feet</td><td>GFA (sq. ft.)</td><td>Max. aggregate sign area of all ground signs</td><td>Max. sign area per face</td><td rowspan="5">a) Max. one (1) ground sign per public road frontage, per lot.</td></tr>
<tr><td>0—10,000</td><td>200 sq. ft.</td><td>50 sq. ft.</td></tr>
<tr><td>10,001—50,000</td><td>250 sq. ft.</td><td>50 sq. ft.</td></tr>
<tr><td>50,001—100,000</td><td>300 sq. ft.</td><td>100 sq. ft.</td></tr>
<tr><td>Greater than 100,000</td><td>400 sq. ft.</td><td>150 sq. ft.</td></tr>
<tr><td>2. Ground sign for single-tenant buildings</td><td>20 feet</td><td colspan="3">Max. aggregate area of all ground signs: 200 sq. ft.
Max. individual ground sign area: 50 sq. ft.</td><td>a) Max. one (1) ground sign per public road access.</td></tr>
<tr><td>3. Interior directional signs in planned centers</td><td>4 feet</td><td colspan="3">4 sq. ft. per sign face</td><td>a) Located at least 100 ft. from any public road access.</td></tr>
</table>

4. Wall signs	N/A	Max. aggregate wall sign area per tenant: 2 sq. ft. of sign per linear ft. of associated facade; Max. individual wall sign area: 100 sq. ft.			
5. Drive-through board	8 feet	32 sq. ft. per sign face			a) Max. (1) one board per drive-through lane; b) Included in max. aggregate sign area.
6. Window signs	N/A	Max. aggregate area of all window signs per building elevation: 20% coverage of window area			a) Aggregate area includes all permanent and temporary signs. b) No permit required, but subject to enforcement and penalties.
7. Miscellaneous signs	8 feet	Lot acreage	Max. aggregate sign area of all misc. signs	Max. sign area per face	a) No permit required, but subject to enforcement and penalties
		Less than 5 acres	16 sq. ft.	16 sq. ft.	
		5—10 acres	24 sq. ft.	16 sq. ft.	
		Greater than 10 acres	32 sq. ft.	16 sq. ft.	

Permanent Signs for Residential Districts			
Type of sign	Max. sign height	Maximum sign area	Additional requirements
1. Ground sign for subdivisions or multi-family properties	8 feet	Max. aggregate area of ground signs per entrance: 64 sq. ft. Max. sign area per face: 32 sq. ft.	a) Max. two (2) ground signs per public road access.
2. Ground signs on single-family lots	4 feet	4 sq. ft. per sign face	a) Max. one (1) ground sign per public road access.

3. Interior directional signs in subdivisions	4 feet	4 sq. ft. per sign face			a) Shall be located at least 100 ft. from any public road access
4. Window and wall signs	N/A	4 sq. ft. per sign face			a) Max. one (1) window or one (1) wall sign per public road frontage b) No permit required, but subject to enforcement and penalties
5. Miscellaneous signs	4 feet	Lot acreage	Max. aggregate sign area of all misc. signs	Max. sign area per face	a) No permit required, but subject to enforcement and penalties
		Less than 3 acres	16 sq. feet	6 sq. ft.	
		3—5 acres	16 sq. feet	9 sq. ft.	
		Greater than 10 acres	16 sq. feet	12 sq. ft.	

20.6.7 Nonconforming and obsolete signs.

A. Nonconforming signs.

1. Findings. Rockdale County finds that nonconforming signs may adversely affect the public health, safety, and welfare. Such signs may adversely affect the aesthetic characteristics of Rockdale County and may adversely affect public safety due to the visual impact of these signs on motorists and pedestrians. Furthermore, nonconforming signs frustrate the purpose of adoption of this chapter as expressed in Section 20.1.
2. Continuation of nonconforming signs. A nonconforming sign that is permanently affixed to the ground or to a building may continue to be used, except that the nonconforming sign:
    a. Shall not be enlarged or altered except in conformance with this chapter, but it may be repaired to the extent necessary to maintain it in a safe condition;
    b. Shall not be expanded, modified or replaced by another non-conforming sign;
    c. Shall not be allowed to be increased in height, size or relocated on the property, but may be decreased in height or size; or

d. Shall not be repaired or restored after having been damaged to the extent of more than percent of its value immediately prior to the event causing the damage or destruction.

B. To the extent any portion of this chapter conflicts with O.C.G.A. § 32-6-83 or Ga. Const. Art. 3 § 6, ¶ 4(a) in application, this section shall be deemed to provide affected parties the minimum protections provided by O.C.G.A. § 32-6-83 or Ga. Const. Art. 3 § 6, ¶ 4(a), as amended from time to time. In no event is it the County's intent to obligate itself to pay any compensation related to the removal of any nonconforming sign.

C. The owner of the real property shall be responsible for assuming the burden of proof and present sufficient facts and evidence to demonstrate the nonconforming status of the sign in question.

20.6.8 Signs exempt from permitting.

A. Signs exempt from permitting shall abide by all other applicable dimensional and maintenance requirements included in this article.

B. The following types of signs are exempt from obtaining a sign permit but are not exempt from compliance with the provisions of this ordinance:

1. Signs less than 4 square feet in area.
2. Miscellaneous signs.
3. Signs not visible from public thoroughfares.
4. Signs inside a building or totally enclosed area, including window signs.
5. Flags, as further described in this article.

20.7 Prohibited Signs and Sign Devices.

A. The following types of signs or advertising devices are prohibited in all zoning districts:

1. Roof signs.
2. Portable signs, except if allowed as a temporary sign, WES or miscellaneous sign.
3. Vehicle signs.
4. Air or gas filled devices, balloons, inflatables, and banners, except if permitted as a temporary sign, as provided by this article.
5. Animated signs, except if permitted as multiple message billboards and electronic signs as provided by this article, and except traditional barber poles.
6. Signs made of cardboard, paper or other nondurable material except window signs or signs located in residential zoning districts.
7. Signs placed within the public right-of-way, except publicly maintained signs.
8. Signs erected by painting, nailing, fastening or affixing the sign in any manner to any fence, tree, rock, post, curb, utility pole, natural feature, official street

sign or marker, traffic control sign or device, or other structure except as provided in this article.

9. Signs posing a hazard to people or building due to structural deficiencies.
10. Signs simulating an official traffic control device, warning sign, or regulatory sign or which hide from view any traffic control device, signal, or public service sign.
11. Signs which emit or utilize in any manner any sound capable of being detected on any traveled road or highway by a person with normal hearing abilities.
12. Signs interfering with road or highway visibility or obstruct or otherwise interfere with the safe and orderly movement of traffic.
13. Signs obstructing any fire escape, any means of egress or ventilation or preventing free passage from one part of a roof to another part thereof.
14. Signs which contain words, pictures, or statements which are obscene, as defined by O.C.G.A. § 16-12-80.

20.8 Enforcement and Penalties.

A. The sign provisions of this article shall be administered and enforced by the Director of Planning and Development.

B. Removal of signs. The Director of Planning and Development may inspect signs regulated by this chapter at any time necessary to ensure compliance with the requirements of this chapter. In case any sign is installed, erected or constructed in violation of any of the terms of this chapter, is unsafe, is abandoned, or is obsolete, the Director of Planning and Development shall notify by certified mail or written notice served personally, the owner or lessee thereof to correct the deficiencies or remove the sign. If such order is not completed within ten working days from the time of notice being received, the Director of Planning and Development may have the sign removed at the expense of the owner. If the identity of the sign owner cannot be determined, the real property owner will be responsible for correction of the deficiencies or removal of the delinquent sign.

C. The Director of Planning and Development may issue a citation for violation of this article by any person, including, if applicable, the owner, manager, or tenant of the lot on which a sign is located; for a sign erected, altered, maintained, converted, or used in violation of this article; or in violation of any other applicable ordinance, including, but not limited to, building or electrical codes.

D. Any person violating any provision of this article shall be guilty of an offense, and upon conviction by a court of competent jurisdiction, shall be subject to a penalty of not less than $25.00 and no more than $1,000.00, or by confinement for a total time not to exceed 180 days, or both. Each day in which a sign is in violation of this chapter shall be a separate and distinct offense and shall be punishable as such.

E. Failure to comply with the requirements of this chapter may result in the loss of business license pursuant to Chapter 86 - Taxation.
F. The County may seek affirmative equitable relief in a court of competent jurisdiction to cause the removal or repair of any sign in violation of this article.
G. The Director of Planning and Development may remove any sign or structure illegally placed upon a public right-of-way without any notice and may dispose of said sign or structure. Such removal and disposal of illegally placed signs shall not preclude the prosecution of any person for illegally placing such signs in the public right-of-way.
H. A violation of any provision of this article will be grounds for terminating a permit granted by the County for the erection of a sign.

20.9 Variances.

A. Where a literal application of this ordinance would result in an unusual hardship, as distinguished from a mere inconvenience, a variance may be reviewed by the Board of Adjustments pursuant to Section 18.8, Variances. In reaching a decision, the Board of Adjustments shall consider the following criteria:
    1. Exceptional physical conditions of the property where the sign is to be located as a result of its size, shape, or topography, which are not applicable to other lands or structures in the area;
    2. Without a variance, the applicant would be deprived of rights that are commonly enjoyed by others similarly situated;
    3. Granting the variance would not confer on the applicant any significant privileges which are denied to others similarly situated;
    4. The exceptional circumstances are not the result of action by the applicant;
    5. The requested variance is the minimum variance necessary to allow the applicant to enjoy the rights commonly enjoyed by others similarly situated;
    6. Granting the variance would not result in allowing a sign that interferes with road or highway visibility or obstruct or otherwise interfere with the safe and orderly movement of traffic.
B. No variance shall be granted from non-dimensional requirements, such as illumination, material, or number of signs.

20.10 Severability.

In the event any section, subsection, sentence, or word of this article is declared and adjudged to be invalidated or unconstitutional, such declaration or adjudication shall not affect the remaining portions of this chapter, which shall remain in full force and effect as if such portion so declared or adjudged unconstitutional were not originally part of this chapter, even if the surviving parts of the ordinance result in greater restrictions after any unconstitutional provisions are stricken. The Board of Commissioners declares that it would have enacted the remaining parts of this

chapter if it had known that such portion thereof would be declared or adjudged invalid or unconstitutional. The Board of Commissioners declares its intent that should this article be declared invalid in part or in whole, signs are to be subject to regulations applicable to structures contained in other ordinances, including the zoning resolution.