

**ORDINANCE NO. 1078**

**AN ORDINANCE AMENDING CHAPTER 7 OF TITLE 8 OF THE CODE OF ORDINANCES OF THE CITY OF CONYERS TO CHANGE THE COMPREHENSIVE LAND USE PLAN FOR CERTAIN REAL PROPERTY LOCATED AT 2175 MILLERS CHAPEL ROAD FROM THE ROCKDALE COUNTY COMPREHENSIVE LAND USE OFFICE-PROFESSIONAL TO THE CITY OF CONYERS COMPREHENSIVE LAND USE SPECIAL MIXED USE ACTIVITY CENTER; TO REZONE SAID REAL PROPERTY FROM THE ROCKDALE COUNTY ZONING DISTRICT A-R (AGRICULTURAL-RESIDENTIAL) TO THE CITY OF CONYERS ZONING DISTRICT RS-14 (RESIDENTIAL SINGLE-FAMILY) / MXVOD (MIXED USE VILLAGE OVERLAY DISTRICT) TIER 1; TO PROVIDE FOR AN AMENDMENT TO THE COMPREHENSIVE LAND USE MAP AND TO THE OFFICIAL ZONING MAP FOR THE CITY OF CONYERS TO REFLECT SAID CHANGES; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

**WHEREAS**, Title 8 of the Code of Ordinances of the City of Conyers, Georgia constitutes the Zoning Ordinances of the City of Conyers, Georgia;

**WHEREAS**, an owner of real property located within the municipal boundaries of the City of Conyers has filed an application to amend the zoning classification of [his/her/their/its] real property;

**WHEREAS**, said real property is located at 2175 Millers Chapel Road, and currently has a Rockdale County Comprehensive Land Use Designation of Office-Professional;

**WHEREAS**, said real property currently has a Rockdale County zoning classification of A-R, Agricultural-Residential District;

**WHEREAS**, said owner has requested that the Comprehensive Land Use Plan designation for said real property be amended to the City of Conyers Comprehensive Land Use Special Mixed Use Activity Center;

**WHEREAS**, said owner has further requested that said real property be rezoned to the City of Conyers zoning district RS-14, Residential Single-family / MxVOD, Mixed Use Village Overlay District Tier 1;

**WHEREAS**, said Comprehensive Land Use Plan amendment and rezoning application was reviewed by staff and was reviewed by the City of Conyers/ Rockdale County Planning Commission in a public hearing following public notice;

**WHEREAS**, said Comprehensive Land Use Plan amendment and rezoning application was reviewed by the Mayor and City Council of the City of Conyers after conducting a public hearing following public notice;

**WHEREAS**, all other requirements of the Zoning Procedures Law of the State of Georgia, which can be found in O.C.G.A. §36-66-1 *et seq.*, were followed;

**WHEREAS**, said zoning amendment shall amend the Conyers Comprehensive Land Use Plan, the Zoning Ordinance and the Official Zoning District Map for the City of Conyers; and

**WHEREAS**, the Mayor and City Council of the City of Conyers, after careful consideration of the request to amend the Official Zoning District Map for the City of Conyers and the Comprehensive Land Use Plan, deem the amendment to be in the best interests of the citizens of Conyers.

**NOW, THEREFORE**, be it ordained by the Mayor and the City Council of Conyers, Georgia, and it is hereby ordained by the authority of the same as follows:

**SECTION 1.** The zoning classification of the real property located at 2175 Millers Chapel Road, which is more particularly described in the legal description and/or survey attached hereto as “Exhibit A”, which exhibit is hereby incorporated by reference as if fully set forth herein, is hereby amended so as to amend the Comprehensive Land Use Map from the Rockdale County Comprehensive Land Use Office-Professional to the City of Conyers Comprehensive Land Use Special Mixed Use Activity Center; and to rezone said real property from the Rockdale County zoning district A-R, Agricultural-Residential to the City of Conyers zoning district RS-14, Residential Single-family / MxVOD, Mixed Use Village Overlay District Tier 1.

**SECTION 2.** The Official Zoning District Map for the City of Conyers, as incorporated by reference into Section 8-7-6 of the Code of Ordinances of the City of Conyers, Georgia, shall be amended to reflect the change to the zoning classification of said real property as set forth hereinabove in Section 1.

**SECTION 3.** The Comprehensive Land Use Plan designation for said real property shall be amended from the Rockdale County Comprehensive Land Use Office-Professional to the City of Conyers Comprehensive Land Use Special Mixed Use Activity Center.


**SECTION 4.** All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed to the extent of such conflict.

**SECTION 5.** If any section, subsection, provisions, or clause of any part of this Ordinance shall be declared invalid or unconstitutional or, if the provisions of any part of this Ordinance as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the portions of this Ordinance not so held to be invalid, or the application of this Ordinance to other


circumstances not so held to be invalid. It is hereby declared as the intent of the City Council that this Ordinance would have been adopted in its current form without the invalid or unconstitutional provision contained therein.

**SECTION 6.** Pursuant to Section 2-402(a)(4) of the Charter of the City of Conyers, Georgia, the second reading of this Ordinance is hereby waived in order to permit this Ordinance to become effective upon its adoption by the City Council and upon its execution by the Mayor.


**ADOPTED AND APPROVED** by the City Council of Conyers, Georgia this 21<sup>st</sup> day of June, 2017.

  
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Randal S. Mills, Mayor  
Vince Evans, Mayor Pro Tem

ATTEST:

  
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Christina Heyman, City Clerk

Approved by:

  
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Michael S. Waldrop, City Attorney

**Exhibit A**  
(Ordinance No. 1078)

