

A RESOLUTION OF FORSYTH COUNTY, GEORGIA EXTENDING AN EXISTING MORATORIUM ON THE ACCEPTANCE OF APPLICATIONS FOR LAND DISTURBANCE PERMITS FOR USES IDENTIFIED IN CHAPTER 12 OF THE UNIFIED DEVELOPMENT CODE AND COMMERCIAL COMPONENTS WITHIN AN MPD ON PROPERTY LOCATED IN THE COAL MOUNTAIN AREA OF THE COUNTY

WHEREAS, the Unified Development Code of Forsyth County (“UDC”) regulates zoning and the use of property throughout the unincorporated areas of Forsyth County, Georgia (“County”); and

WHEREAS, commercial development in the Coal Mountain area of the County has recently increased and shows signs of further increasing in the very near future; and

WHEREAS, the Forsyth County Board of Commissioners (“Board”) desires to ensure that additional architectural and design regulations are incorporated into commercial development in the Coal Mountain area of the County; and

WHEREAS, there are currently efforts underway to prepare and adopt a Coal Mountain Overlay; and

WHEREAS, on December 20, 2016, the Board adopted an emergency, temporary moratorium barring for 30 days the acceptance of applications for land disturbance permits for uses identified in Chapter 12 of the Unified Development Code and commercial components within an MPD on property located in the Coal Mountain area of the County (“Existing Temporary Moratorium”); and

WHEREAS, on January 5, 2017 the Board modified the overlay to include a few additional parcels – but did not otherwise extend the duration of the initial moratorium, which would end on or about January 19, 2017;

WHEREAS, for purposes of this Resolution, the “Coal Mountain area of the County” is defined as those parcels outlined in blue identified in the maps attached hereto as Exhibit “A;” and

WHEREAS, on January 19, 2017, the Board voted to extend the Existing Temporary Moratorium until March 20, 2017; and

WHEREAS, the Board conducted a properly noticed public hearing on March 20, 2017, to consider the possible extension of the Existing Moratorium; and

WHEREAS, the Board finds extending the Existing Temporary Moratorium until June 18, 2017, to be reasonably necessary, the least restrictive means available, and a legitimate and reasonable exercise of the County’s police power, and in the best interests of the public health, safety, and welfare of Forsyth County citizens;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF FORSYTH COUNTY, GEORGIA, AS FOLLOWS:

1. The Forsyth County Board of Commissioners does hereby extend until June 18, 2017, the existing moratorium on the acceptance of applications for land disturbance permits for uses identified in Chapter 12 of the Unified Development Code and commercial components within an MPD on property in the Coal Mountain area of the County as depicted in the map attached hereto as Exhibit "A."
2. The moratorium imposed by this Resolution shall terminate on the earliest date of (1) June 18, 2017; (2) approval by the Forsyth County Board of Commissioners of an extended moratorium after a public hearing; (3) adoption of an amendment to the UDC adding a Coal Mountain Overlay District; or (4) affirmative action by the Forsyth County Board of Commissioners terminating the moratorium.
3. This Resolution shall be effective upon a majority vote by the Board of Commissioners.
4. In no event shall this moratorium disturb or hinder development of those properties wherein development rights have vested; nor shall this moratorium impact land disturbance permit applications that were submitted to the County prior to December 20, 2016.

SO RESOLVED this 20th day of March, 2017, the public's health, safety, and welfare demanding it.

FORSYTH COUNTY BOARD OF COMMISSIONERS



Todd Levent, Chairman



Rick Swope, Vice Chairman



Laura Semanson, Secretary



Ralph J. Amos, Member


Cindy J. Mills, Member

Attest:


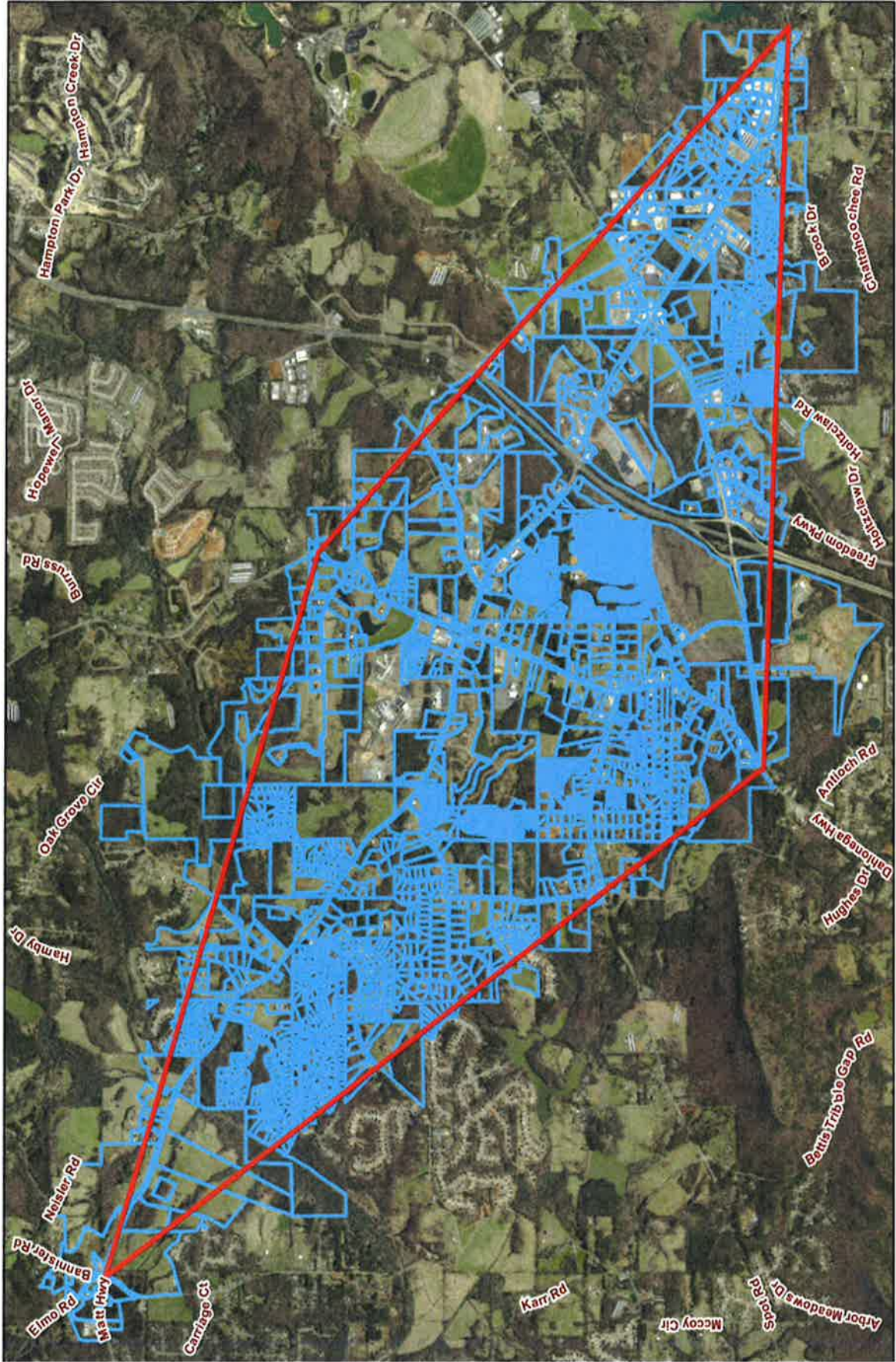

Clerk to the Board

Exhibit A



Moratorium