

A RESOLUTION OF THE FORSYTH COUNTY BOARD OF COMMISSIONERS EXTENDING AND/OR ENACTING A MORATORIUM ON THE ACCEPTANCE OF LAND DISTURBANCE PERMIT APPLICATIONS ON PROPERTIES ZONED RES6

WHEREAS, the Forsyth County Board of Commissioners (“Board”) desires to modify the Forsyth County Unified Development Code (“UDC”) to ensure Res6 and Res4 developments are subject to the certain architectural design standards; and

WHEREAS, on January 9, 2020, the Board of Commissioners adopted a temporary moratorium on the acceptance of land disturbance permit applications for Res6-zoned properties while modifications were made to the County’s UDC;

WHEREAS, the January 9, 2020 moratorium was intended to extend up to and including January 14, 2020;

WHEREAS, when adopting the January 9, 2020 moratorium, the Board discussed returning the short-term Res6 moratorium back the January 14, 2020 work session for further discussion and possible readoption/extension;

WHEREAS, at the January 14, 2020, the Board discussed both Res6 zoned properties and also Res4 zoned properties, and enacted a Moratorium on the acceptance of LDP(s) on Res4 and Res6-zoned properties until February 21, 2020;

WHEREAS, there currently exist in Forsyth County various Res6-zoned properties that are not presently subject to the recently effective architectural design standards contained in UDC, section 11-9.1, et. seq.;

WHEREAS, the Board is concerned that if the architectural design standards are not applicable to Res6 zoned properties, that the aesthetics of such developments will be negatively impacted;

WHEREAS, the Board of Commissioners is appropriately concerned that if the Board authorizes modifications to the UDC such that those architectural design standards in UDC section 11-9.1, et. seq., apply to Res6 developments, that owners or developers of Res6 properties will seek to pull development permits while such UDC modifications are pending – such that they may become vested to avoid the design standards;

WHEREAS, the Board of Commissioners believes that there exists time-sensitive urgency to ensure that the architectural design standards in the UDC 11-9.1, apply to Res6 developments;

WHEREAS, if this moratorium is not put into effect, the Board of Commissioners believes the public health, safety, and welfare will be negatively impacted – as the architectural design standards in UDC Chapter 11 directly and materially advance the aesthetics of the County, and allowing any future Res6 subdivision to avoid the design standards will denigrate the look and feel of the Forsyth County community -and therefore the public health and welfare will suffer;

WHEREAS, as such, the Board finds that imposing a moratorium barring until May 22, 2020, the acceptance of Land Disturbance Permit applications on properties zoned Res6 to be reasonably necessary, the least restrictive means available, a reasonable exercise of the County’s police power, and in the best interests of the public health, safety, and welfare;

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

1. The statements and objectives in the preamble of this Resolution are hereby adopted;
2. The Forsyth County Board of Commissioners does hereby ratify, extend, and otherwise enact a moratorium barring until May 22, 2020 the acceptance Land Disturbance Permit applications on properties zoned Res6.

3. The moratorium imposed by this Resolution shall terminate on the earliest date of (1) May 22, 2020; (2) approval by the Forsyth County Board of Commissioners of an additional or extended moratorium after a public hearing; (3) the adoption of an amendment to the Unified Development Code to ensure Res6 developments are subject to those architectural design standards in UDC 11-9.1 et. seq.; or (4) Board action otherwise terminating the moratorium.
4. This Resolution shall be effective upon a majority vote by the Board of Commissioners.

SO RESOLVED this 20th day of February, 2020, the public's health, safety, and welfare demanding it.

FORSYTH COUNTY BOARD OF COMMISSIONERS:

Laura Semanson, Chairman

Cindy J, Mills, Vice-Chair

Molly Cooper, Secretary

Todd Levent, Member

Dennis Brown, Member

Attest:

Clerk to the Board