

**A RESOLUTION OF FORSYTH COUNTY ADOPTING  
AND/OR EXTENDING A MORATORIUM BARRING THE  
ACCEPTANCE OF APPLICATIONS FOR SKETCH PLAT  
AND LAND DISTURBANCE PERMITS FOR PROPERTIES  
ZONED TO A RESIDENTIAL ZONING DESIGNATION  
PRIOR TO APRIL 13, 2017**

**WHEREAS**, Forsyth County, Georgia (the “County”) is a duly authorized political subdivision of the State of Georgia;

**WHEREAS**, on May 15, 2025, the Forsyth County, Georgia Board of Commissioners (“Board”) adopted a thirty-six (36) day moratorium barring the acceptance of sketch plat and land disturbance permit applications for residentially zoned properties that were rezoned to a residential zoning designation *prior* to April 13, 2017 (the “Moratorium”);

**WHEREAS**, the Board declared that the objective of the Moratorium was to allow the County sufficient time to identify residential properties that had been rezoned during the fifteen (15) year period prior to April 13, 2017, but never developed. This would allow the County to review and assemble information regarding these older, undeveloped rezonings and make a determination as to whether a County-initiated rezoning consistent with the County’s Comprehensive Plan is appropriate;

**WHEREAS**, the County declares it in the best interest of the public health, welfare, and safety that older, and undeveloped, residential zonings are reviewed to ensure the current zoning designation is in compliance with the County’s Comprehensive Plan and the overall land use vision of the Board;

**WHEREAS**, if the review contemplated herein was undertaken without a moratorium, upon the fifteen-year look back commencing many of the subject property owners would expedite sketch plat or land disturbance permit applications in order to ensure their property is not subject to a possible County-initiated rezoning of their property;

**WHEREAS**, should that occur, the objectives of this Moratorium and underlying public policy initiative will have been undermined;

**WHEREAS**, the County’s Unified Development Code (“UDC”) currently has a mechanism whereby current zonings are returned to the County within eighteen months – for a possible County-initiated rezoning, if no land disturbance permit is tendered within that period (UDC § 8-5.5(I));

**WHEREAS**, the purpose of UDC § 8-8-5(I) is to prevent approved zonings from remaining inactive or overlooked for extended periods, only to reemerge later when they may no longer align with the County’s Comprehensive Plan or the broader land use vision established by the Board;

**WHEREAS**, aligning property usage with current land use trajectories and the up-to-date Comprehensive Plan is the very reason that legal nonconforming uses may be terminated after a reasonable time (Flippen Alliance for Community Empowerment v. Brannan, 267 Ga. App. 134 (2004));

**WHEREAS**, while the original Moratorium was for thirty-six days, the Board believes a longer period of time is required to undertake the review of older residential rezonings contemplated by the Moratorium;

**WHEREAS**, as such, a legal ad was run in the County's legal organ advertising a public hearing on June 19, 2025 to allow the public to comment on an extended moratorium;

**WHEREAS**, the Board wishes to extend the current Moratorium for an additional one-hundred eighty (180) days.

**NOW THEREFORE BE IT RESOLVED AS FOLLOWS:**

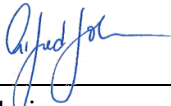
1. The above findings in the Preamble are adopted and made a part of this Resolution as if fully set forth verbatim;
2. There is hereby imposed and/or extended a one-hundred eighty-day moratorium barring County acceptance of any sketch plat or land disturbance permit applications for residentially zoned properties that were rezoned to a residential zoning designation prior to April 13, 2017 (the "Extended Moratorium");
3. This Extended Moratorium is in the best interest of the public health, safety, and welfare of the citizens and residents of the County and is necessary to allow sufficient time for the County to review any residential rezonings that were approved, but undeveloped, during the period fifteen (15) years prior to April 13, 2017;
4. To be "*rezoned to a residential zoning designation prior to April 13, 2017*," means that a final zoning decision regarding a residential zoning occurred on or before April 12, 2017;
5. For purposes of this Extended Moratorium, a *residential zoning designation* means a rezoning to a zoning designation identified in Chapters 11 or 20(B) of the UDC;
6. The Extended Moratorium imposed by this Resolution shall terminate on the earliest of (1) midnight on December 16, 2025; (2) approval by the Board of Commissioners of an extended moratorium following a public hearing; (3) an affirmative act by a majority of a quorum of the Board of Commissioners terminating the moratorium; or (4) the (i) assembly and presentation to the Board of the inventory of residential rezonings approved during the period fifteen (15) years prior to April 13, 2017, and (ii) final action on any County-initiated rezoning of any property or properties that is the product of such fifteen year historic review.

For purposes of subparagraph (4) of paragraph 6, both (i) and (ii) must be satisfied before the Extended Moratorium is terminated.

7. This Extended Moratorium is necessary to maintain the status quo and allow the County time to review any residential rezonings that were approved, but undeveloped, during at least the fifteen-year period prior to April 13, 2017, and to further determine what, if any, action should be taken with any such historic residential rezonings that have not been developed; and,
8. This Extended Moratorium shall have no effect on: (a) property where a particular right to build or develop has vested. This exemption shall only extend to the specific standard or entitlement declared to be vested, and the Extended Moratorium shall otherwise apply with full force and effect to the property to the greatest extent allowed by law (b) conditional use permits or alternate design applications in residential districts, or (c) properties where a residential rezoning occurred prior to April 13, 2017, but where, since that date, the Board has approved (i) a sketch plat, (ii) a variance, or (iii) a zoning condition amendment.
9. This Resolution shall be effective upon a majority vote by the Board of Commissioners.

**SO RESOLVED** this 19th day of June, 2025, the public's health, safety, and welfare demanding it.


**FORSYTH COUNTY BOARD OF COMMISSIONERS**

  
\_\_\_\_\_  
Alfred John, Chair


  
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Kerry Hill, Vice-Chair

  
\_\_\_\_\_  
Mendy Moore, Secretary

  
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Laura Semanson, Member

  
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Todd Levent, Member

Attest:

  
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Clerk to the Board

