

**A RESOLUTION OF NEWTON COUNTY, GEORGIA ENACTING A LIMITED TEMPORARY MORATORIUM FOR 60 DAYS ON THE ACCEPTANCE OF APPLICATIONS FOR LAND DISTURBANCE PERMITS, AND BUILDING PERMITS FOR PROPERTY TO BE USED FOR MULTI-FAMILY RESIDENTIAL PURPOSES ON PROPERTY THAT IS NOT LOCATED IN AN OVERLAY DISTRICT**

**WHEREAS**, recent development trends in the County suggest that current trends for multi-family residential use may not be adequately addressed by the current Zoning Ordinance; and

**WHEREAS**, the Board has directed the Development Services Department ("Department") to evaluate possible revisions to the 2009 Newton County Zoning Ordinance and 2003 Development Regulations with respect to the regulation of multi-family residential development so as to address current development trends; and

**WHEREAS**, the Development Services Department is in the process of reviewing current status and preparing possible amendments to the Zoning Ordinance and Development Regulations; and

**WHEREAS**, on November 6, 2018, the Board of Commissioners previously adopted a limited temporary (90 day) moratorium on the acceptance of applications for land disturbance permits, and building permits for property to be used for multi-family residential purposes on property that is not located in an overlay district; and

**WHEREAS** the Department expects consideration of the revisions to the Zoning Ordinance and Development Regulations by the Board of Commissioners within the next 45 days; and

**WHEREAS**, the Supreme Court has held that a moratorium with respect to application of a Zoning Ordinance may be put in place for a reasonable period of time without the necessity of complying with notice requirements of the Georgia Zoning Procedures Law ("ZPL"); and

**WHEREAS**, the Board finds an additional limited, temporary moratorium barring for 60 days, the acceptance of applications for land disturbance permits, and building permits for property to be used for multi-family residential purposes on property that is not located in an overlay district to be reasonably necessary, the least restrictive means available, a reasonable exercise of the County's police power, and in the best interest of the public health, safety and welfare; and

**NOW, THEREFORE IT IS HEREBY RESOLVED BY THE BOARD OF COMMISSIONERS OF NEWTON COUNTY, GEORGIA** that:

1. The Newton County Board of Commissioners does hereby enact a limited, temporary moratorium barring for 60 days, the acceptance of applications for land disturbance permits, and building permits for property to be used for multi-family residential purposes for property not located in an overlay district.

2. The moratorium imposed by this Resolution shall terminate on the earliest date of (1) the date that is 60 days from the date of this Resolution; (2) approval by the Newton County Board of Commissioners of an additional moratorium after a public hearing; or (3) the adoption of an amendment to the current language of the 2009 Newton County Zoning Ordinance and 2003 Development Regulations related to regulation of multi-family residential development.
3. This Resolution shall be effective upon a majority vote by the Board of Commissioners.

**SO RESOLVED**, the public's health, safety, and welfare demanding it, this 5th day of February, 2019.

  
Marcello Banes, Chairman

Attest:

  
Jackie Smith, County Clerk

