

**A RESOLUTION OF THE NEWTON COUNTY BOARD OF COMMISSIONERS  
EXTENDING UNTIL SEPTEMBER 21, 2021, AN EXISTING MORATORIUM ON THE  
ACCEPTANCE OF APPLICATIONS OF ZONING PETITIONS AND PRELIMINARY  
PLAT/CONCEPT PLAN PETITIONS FOR NEW RESIDENTIAL DEVELOPMENT**

**WHEREAS**, Article 2 – Base District Regulations, Article 3 – C.O.R.D. – Community Oriented Residential Development, and Article 4 – Overlay District Regulations of the Newton County Unified Development Ordinance, Chapter 2 entitled the Newton County Zoning Ordinance (“Zoning Ordinance”), that residential development is permitted in applicable zoning and overlay districts; and

**WHEREAS**, these sections contain various regulations and restrictions with respect to residential development, including allowed densities, lot size, accessory uses, accessory uses permitted upon the issuance of a conditional use permit, and other development conditions and standards; and

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

**WHEREAS**, the Board has directed the Development Services Department to evaluate possible revisions to the Unified Development Ordinance including Chapter 1, Zoning Ordinance, and Chapter 2, Development Regulations with respect new planned residential development; and

**WHEREAS**, the Development Services Department is in the process of reviewing current status and preparing possible amendments to the Unified Development Ordinance; 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**, on January 19, 2021, the Board adopted an emergency, temporary moratorium barring through and until February 19, 2021 and extended until July 20, 2021, the acceptance of applications of Zoning Petitions and Preliminary Plat/Concept Plan Petitions for New Residential Development; and,

**WHEREAS**, the Board will conduct a properly noticed public hearing on February 16, 2021, to consider the possible extension of the Existing Moratorium;


**WHEREAS**, the Board finds to further extend a moratorium barring until September 21, 2021, the acceptance of applications of Zoning Petitions and Preliminary Plat/Concept Plan Petitions for New Residential Development 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, BE IT RESOLVED**, by the Board of Commissioners of Newton County, Georgia as follows:

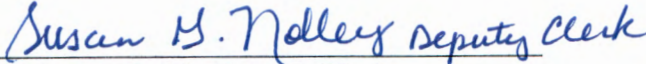
1. The Newton County Board of Commissioners does hereby enact a moratorium barring until September 21, 2021, the acceptance of applications of Zoning Petitions and Preliminary Plat/Concept Plan Petitions for New Residential Development.
2. The moratorium imposed by this Resolution shall terminate on the earliest date of (1) September 21, 2021; (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 Unified Development Ordinance.
3. This Resolution shall be effective upon a majority vote by the Board of Commissioners.

So resolved this 20<sup>th</sup> day of July 2021, the public's health, safety and welfare demanding it.

**NEWTON COUNTY BOARD OF COMMISSIONERS**

  
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Marcello Banes, Chairman

Attest:

  
for Jackie B. Smith, County Clerk