

A RESOLUTION ENACTING A 60-DAY MORATORIUM ON ALL DEVELOPMENT PERMITTING, INCLUDING LAND DISTURBANCE AND BUILDING PERMITS, NECESSARY FOR NEW DEVELOPMENT OF ANY GASOLINE STATION OR GASOLINE STATION WITH CONVENIENCE STORE TO BE IN EFFECT FROM THE DATE OF ENACTMENT THROUGH AND INCLUDING NOVEMBER 20, 2020; TO ADOPT AN EFFECTIVE DATE OF THIS RESOLUTION; AND FOR OTHER PURPOSES.

WHEREAS, the Rockdale County Board of Commissioners has been vested with substantial powers, rights, and functions, to generally regulate the practice, conduct, or use of property for the purposes of maintaining the health, morals, safety, security, peace, and the general welfare of the County; and

WHEREAS, Georgia Law recognizes that local governments may impose moratoria on land disturbance, building, and other development permits where exigent circumstances warrant the same; and

WHEREAS, the Board of Commissioners deems it in the County's best interest to enact a moratorium specific solely to development permitting for new construction of a gasoline station and/or a gasoline station with convenience store within the County which shall include all land disturbance, building, and other necessary development permits for such new construction; and

WHEREAS, the term "gasoline stations with convenience store" is defined in Section 106-1 (c) of the County's Uniform Development Code to include any gasoline station that includes a retail store that sells a limited line of groceries and household items; and

WHEREAS, individual building permits not associated with new construction shall be exempt from the moratorium; and

WHEREAS, this moratorium is necessitated by the County's decision to amend the language of its Uniform Development Code relating to gasoline stations, gasoline stations with convenience stores, and/or truck stops.

NOW, THEREFORE, BE IT RESOLVED by the Rockdale County Board of Commissioners that:

1. The County desires to amend the language of its Uniform Development Code relating to gasoline stations, gasoline stations with convenience stores, and/or truck stops.
2. The County cannot amend its Uniform Development Code to address these issues without a Public Hearing and other procedures; therefore, a moratorium is necessary to allow the County sufficient time to conduct a Public Hearing, to fulfill all procedural requirements, and to allow for further study to enact the desired changes to the County's Unified Development Code.
3. The County hereby places a moratorium on development permitting for new construction of gasoline stations and gasoline stations with convenience store within the County which shall include all land disturbance, building, and other necessary development permits for such new

construction. This moratorium shall not affect any project for which a valid permit has been issued and is outstanding, nor will it apply to individual building permits not associated with new construction.

4. The moratorium on new development permitting, including land disturbance permits and building permits solely for gasoline stations and gasoline stations with convenience store will become effective immediately upon enactment by the Board of Commissioners. A moratorium on the issuance of development permits, including land disturbance permits and building permits for new development of gasoline stations and gasoline stations with convenience store for 60 days is necessary to prepare and adopt, following Public Hearing, adequate regulations necessary to ensure the health, safety, welfare, and quality of life for the residents of Rockdale County.
5. Rockdale County will take the following actions during the moratorium to address the problems and conditions which led to the establishment of the moratorium:
 - a. Review its Uniform Development Code provisions relating to gasoline stations, gasoline stations with convenience store, and truck stops,
 - b. Prepare proposed revisions thereto if warranted, and
 - c. Following satisfaction of all procedural requirements conduct any required public hearings and adopt any appropriate revisions to the Uniform Development Code.

BE IT FURTHER RESOLVED, that any resolution in conflict with this resolution is hereby repealed.

BE IT FURTHER RESOLVED, that this resolution shall be in full force and effect from and after its passage and publication according to law and shall remain effective until November 20, 2020, unless further extended or repealed by order of the Board of Commissioners of Rockdale County, Georgia.

SO RESOLVED this 22 day of September, 2020.

Rockdale County, Georgia
Board of Commissioners

By: 

Osborn Nesbitt, Sr., Chairman

By: 

Sherril L. Washington

By: 

Doreen Williams

[SIGNATURES CONTINUED TO NEXT PAGE]

Resolution No. R-2020-12

Attest:



Jennifer Rutledge, County Clerk

Approved as to form:



M. Qader A. Baig, County Attorney