

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF LOGANVILLE, GEORGIA, TO IMPOSE A TEMPORARY MORATORIUM ON ALL REZONE APPLICATIONS AND ANNEXATION APPLICATIONS FOR ALL PROPERTIES LOCATED IN THE CITY LIMITS OF THE CITY OF LOGANVILLE OR THOSE SEEKING TO BE INCLUDED IN THE CITY LIMITS, UNTIL SUCH TIME AS THE CITY CAN REVIEW AND APPROVE AN UPDATED ZONING ORDINANCE FOR THE CITY**

**THE COUNCIL OF THE CITY OF LOGANVILLE HEREBY ORDAIN AS FOLLOWS:**

**WHEREAS**, the City of Loganville, Georgia (the “City”) has been vested with substantial power to regulate the use of property within the City for the purposes of maintaining the health, morals, safety, security, peace, and general welfare of the City; and,

**WHEREAS**, the City has the legislative power to adopt reasonable ordinances or regulations relating to property within the City for which no provision has been made by general law and which are not inconsistent with the Constitution of the State of Georgia or any charter provision applicable thereto; and,

**WHEREAS**, Georgia law recognizes that local governments may impose temporary moratoria on zoning decisions, building permits, and other development approvals for the purpose of city planning and implementation of new city regulations and ordinances (See, City of Roswell v. Outdoor Sys., Inc., 274 Ga. 130 (2001); and,

**WHEREAS**, the Mayor and City Council, as a part of its planning, building, zoning and growth management efforts have been in review of the City’s estimates and projections regarding the anticipated type of residential, commercial, and industrial developments, and growth patterns inside the City’s limits; and,

**WHEREAS**, on June 16, 2022, the Mayor and City Council adopted the City’s Comprehensive Plan; and,

**WHEREAS**, the Comprehensive Plan projects continued population growth inside the City’s limits; and,

**WHEREAS**, the United States Census Bureau also shows continued population growth estimates at a rate of 16.2% inside the City’s limits from 2020 to 2023 (<https://www.census.gov/data/tables/time-series/demo/popest/2020s-total-cities-and-towns.html>); and,

**WHEREAS**, the Mayor and City Council are vested with the duty and responsibility to implement legislation for the general health, safety, and welfare of the City’s citizens, including modifications to City regulations necessitated in part by population growth; and,

**WHEREAS**, City staff has reported to the Mayor and City Council that substantial changes are required to the City's Zoning Ordinance to properly implement appropriate land planning practices and encourage appropriate community development patterns taking into account the expected continued population growth inside the City; and,

**WHEREAS**, the Mayor and City Council agree that certain changes are necessary to the City's Zoning Ordinance to continue appropriate land planning practices and community development patterns taking into account the expected continued population growth inside the City; and,

**WHEREAS**, based on City staff's recommendations, the Mayor and City Council have instructed City staff to review the City's Zoning Ordinance for the purpose of improving the City's Zoning Ordinance concerning the rezoning and annexation of real property inside the City's limits; and,

**WHEREAS**, City staff is working to provide the Mayor and City Council with staff recommendations regarding updates that are needed to the City's Zoning Ordinance to improve land development inside the City; and,

**WHEREAS**, revising and updating the City's Zoning Ordinance requires substantial research and manpower by City staff and outside professionals to provide the Mayor and City Council recommendations that are consistent with the Comprehensive Plan, the needs of the City and the continued population growth of the City; and,

**WHEREAS**, the City is limited in its resources and in the number of City employees that specialize in city planning and development; and,

**WHEREAS**, the Mayor and City Council desire to provide City staff with adequate time and resources to implement updates to the City's Zoning Ordinance; and,

**WHEREAS**, the Mayor and City Council desire for City staff to pursue third-party consulting experts to assist in updating the City's Zoning Ordinance; and,

**WHEREAS**, the Mayor and City Council hold a strong belief in updating and developing a cohesive and coherent Zoning Ordinance for land use for properties located in the City, and intend to promote quality community development through stable, balanced growth for the prosperity of the City as a whole; and,

**WHEREAS**, the Mayor and City Council do not intend to frustrate vested interests that have already been established with property owners and applicants as a result of pending rezone or annexation applications for properties located inside the City's limits or petitioned to be included in the City's limits, as the case may be, as of the date of this Ordinance; and,

**WHEREAS**, the Mayor and City Council do not intend to frustrate vested interests in property rights of its citizens, property owners and other interested parties any more than is reasonably necessary to effectuate the needed updates to the City's Zoning Ordinance, and, as such, want to ensure that City staff continue to accept minor improvement applications, major variance applications, sign permit applications, land disturbance permit applications, building permit applications, certificate of occupancy applications, preliminary plat approval applications, final plat approval applications, and all other similar application types that are not applications for rezoning or annexation; and,

**WHEREAS**, the Mayor and City Council are concerned about the health and well-being of the citizens of the City that could be negatively impacted by continued population growth and uncontrolled land development inside the City's limits without a comprehensive update to the City's Zoning Ordinance; and,

**WHEREAS**, the Mayor and City Council hold a strong interest in growth management so as to promote the traditional police power goals of health, safety, morals, aesthetics, and the general welfare of the City; and,

**WHEREAS**, the Mayor and City Council hold a strong belief in maintaining public objectives of aesthetics, conservation of the value of existing lands and buildings within the City, making the most appropriate use of land and other resources, enhancing and protecting the economic well-being of the community, facilitating adequate provisions of public services, and preserving resources of the City; and,

**WHEREAS**, the Mayor and City Council have determined it is in the best interests of the City for the protection of the health and public safety that there be implemented a temporary moratorium on the submission and acceptance of all rezone applications and annexation applications for all properties inside the City's limits or petitioned to be included in the City's limits, as the case may be; and,

**WHEREAS**, a temporary moratorium on the acceptance of rezone applications and annexation applications for all properties located inside the City's limits or petitioned to be included in the City's limits, as the case may be, is a proper exercise of the City's police powers while the above-referenced Zoning Ordinance updates are finalized by the City staff and adopted by the Mayor and City Council.

**NOW, THEREFORE, BE IT ORDAINED**, that the Mayor and City Council of Loganville do hereby declare and adopt a moratorium on the submission and acceptance of rezone applications and annexation applications for all properties located inside the City's limits or those that petition to be included in the City's limits as follows:

1. The preamble of this Ordinance shall be considered to be, and is hereby incorporated by reference as if fully set out herein; and,
2. No submissions of rezone applications or annexation applications for all properties inside the City's limits or requested to be included in the City's limits, shall be accepted by the City or City staff, effective immediately upon the adoption of this Ordinance until, through and including September 10, 2025; and,
3. This moratorium shall have no impact on any complete and pending rezone or annexation applications that have previously been submitted to City staff and are pending approval by the City at the time of the adoption of this Ordinance; and,
4. This moratorium shall in no way affect the submission of minor improvement applications, major variance applications, sign permit applications, land disturbance permit applications, building permit applications, certificate of occupancy applications, preliminary plat approval applications, final plat approval applications and all other similar application types to the City that are not applications for rezoning or annexation; and,
5. During the term of this moratorium, the City staff shall study the current mix of land use, growth patterns, and the impacts of the same on the City's resources, and the City shall make all reasonable and diligent efforts to finalize and adopt updates to the City's Zoning Ordinance to further the City's interests in growth management, so as to promote the traditional police power goals of health, safety, morals, aesthetics, and the general welfare of the City; and,
6. Further, City staff shall within 30 days from the adoption of this Ordinance, publish a request for qualifications for third-party consulting services to assist the City with the comprehensive planning, implementation, and updating of the City's Zoning Ordinance; and,
7. This moratorium shall become effective upon its adoption.

**READ AND ADOPTED, this 10th day of March, 2025.**

**CITY OF LOGANVILLE, GEORGIA**

**By: \_\_\_\_\_ (SEAL)**

**Skip Baliles, Mayor**

**Attest: \_\_\_\_\_ (SEAL)**

**Kristi Ash, Deputy Clerk**