

**COUNTY OF BULLOCH  
STATE OF GEORGIA**

**RESOLUTION NO. 2022-27**

**A RESOLUTION OF THE BULLOCH COUNTY BOARD OF COMMISSIONERS TO  
IMPOSE A MORATORIUM ON SELECTED RESIDENTIAL RE-ZONING APPLICATIONS  
IN SOUTHEAST BULLOCH COUNTY; TO ESTABLISH AN EFFECTIVE DATE; AND  
FOR OTHER PURPOSES.**

**WHEREAS**, Bulloch County is expected to be impacted resulting from the May 2022 announcement of the Hyundai Motor Group's location of a manufacturing facility in bordering Bryan County, Georgia where 8,100 on-site jobs and the potential for up to 9,500 spin-off jobs are to be created by the Year 2025; and

**WHEREAS**, Bulloch County will be an attractive option for workforce housing and spin-off business growth as the Savannah Metropolitan Area continues to saturate; and

**WHEREAS**, Bulloch County's traditionally rural southeast section was already experiencing rapid residential growth that is projected to double by 2030 as the result of the Hyundai impact; and

**WHEREAS**, the Bulloch County Board of Commissioners have been vested with substantial powers, rights and functions to generally regulate the practice, conduct or use of property for the purposes of maintaining health, morals, safety, security, peace, and the general welfare of the unincorporated area of Bulloch County as a whole, and now in particular Southeast Bulloch County; and

**WHEREAS**, Georgia law recognizes that local governments may impose reasonable and limited moratoria on zoning decisions, building permits, and other development approvals where exigent circumstances warrant the same, and in City of Roswell et al v. Outdoor Systems, Inc., 274 Ga. 130, 549 S.E. 2d 90 (2001) the Georgia Supreme Court held that such moratoria may be enacted for a reasonable period of time without the necessity of complying with the notice requirements of the Georgia Zoning Procedures Law; and

**WHEREAS**, the Georgia Supreme Court, in the case of DeKalb County v. Townsend, 243 Ga. 80 (1979), held that to justify a moratorium, "it must appear first, that the interests of the public generally, as distinguished from those of a particular class, require such interference; and second, that the means are reasonably necessary for the accomplishment of the purpose, and not unduly oppressive upon individuals," and the Bulloch County Board of Commissioners have found that the interests of the public necessitate the enactment of a moratorium on certain re-zoning applications in the unincorporated area of Southeast Bulloch County for health, safety, morals and general welfare purposes by means which are reasonable and not unduly oppressive; and

**WHEREAS**, the Bulloch County Board of Commissioners deems it important to integrate all of these concerns and therefore considers this moratorium a proper exercise of their

police powers; and

**WHEREAS**, the Bulloch County Board of Commissioners therefore consider it paramount that land use regulation continues in the most orderly and predictable fashion in the unincorporated area of Southeast Bulloch County and have 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 community; and

**WHEREAS**, the Bulloch County Board of Commissioners' selected stakeholders, including staff, consultants, and the County Attorney, are reviewing the County's Comprehensive Plan, Zoning Ordinance, Subdivision Regulations, and other related policies and ordinances, to evaluate possible revisions to address current and future development trends according to the County's best estimates and projections of the type of development which could be anticipated within the unincorporated area of Southeast Bulloch County; and

**WHEREAS**, the Bulloch County Board of Commissioners has determined, out of public necessity and for the good of the citizens of Bulloch County, that a moratorium on the application for and issuance of specified zoning approvals is needed until the review is completed, along with any revisions to said plans, ordinances, regulations and policies, which is anticipated to take no longer than one hundred eighty (180) calendar days; and

**WHEREAS**, the Bulloch County Board of Commissioners constitutes the governing body of Bulloch County;

**NOW THEREFORE, BE IT RESOLVED** by the Bulloch County Board of Commissioners, and **IT IS HEREBY RESOLVED** by the authority of the same, as follows:

#### **SECTION 1. FINDINGS OF FACT**

The Bulloch County Board of Commissioners hereby make the following findings of fact:

- a. The announcement of Hyundai Motor Group's location in North Bryan County, bordering Bulloch County, will have a significant and immediate impact on population, housing, economic development and infrastructure in Bulloch County as whole, but particularly, Southeast Bulloch County.
- b. The Bulloch County Comprehensive Plan, Zoning Ordinance, Subdivision Regulations and other related policies and ordinances are in the process of being reviewed and revised by the County, due in substantial part to the need to address the anticipated impact of the Hyundai project in Southeast Bulloch County.
- c. The County's ongoing review and revision of these plans, ordinances, regulations and policies requires a limited cessation of the application for and issuance of specified residential re-zoning applications in Southeast Bulloch County.
- d. It is necessary and in the public interest to delay, for a reasonable period of time,

the processing of any applications for such specified residential re-zonings and to ensure that the same are consistent with the long-term planning objectives of the County.

## **SECTION 2. IMPOSITION OF MORATORIUM**

- a. There is hereby imposed a moratorium on the acceptance of residential re-zoning applications in Southeast Bulloch County in the area shown in blue on the map attached hereto (the "Moratorium Area"), which map is incorporated herein and made a part hereof, for the following zoning districts:
  1. R-40 Single-Family Residential
  2. R-25 Single-Family Residential
  3. R-15 Single Family Residential
  4. R-3 Multi-Family-Family Residential
  5. R-2 Two-Family Residential
  6. PUD-1 Planned Residential Development
  7. MHP Manufactured Home Park
- b. The duration of this moratorium shall be one hundred eighty (180) calendar days from its effective date (concluding at the close of business on February 10, 2023), but the Bulloch County Board of Commissioners reserves the privilege to approve one extension for up to an additional one hundred eighty (180) calendar days.
- c. This moratorium shall be effective as of the date of adoption of this Resolution.
- d. This moratorium shall have no effect upon applications for or approvals of building permits, sketch plans, development plans, conceptual site plans, etc. for property in the Moratorium Area when such applications or approvals are based on the existing zoning as of the effective date of this moratorium.
- e. As of the effective date of this moratorium, no applications for re-zoning for any of the zoning districts listed in Section 2.a. will be accepted by any agent, employee or officer of the County with respect to any property in the Moratorium Area. Should any be so accepted for filing, it will be deemed in error, null and void and of no effect whatsoever and shall constitute no assurance whatsoever of any right to engage in any act, and any action in reliance on any such re-zoning application shall be unreasonable.

## **SECTION 3. SEVERABILITY**

It is hereby declared to be the intention of the Bulloch County Board of Commissioners that all sections, paragraphs, sentences, clauses and phrases of this Resolution are and were, upon their enactment, believed by the Bulloch County Board of Commissioners to be fully valid, enforceable and constitutional. It is hereby declared to be the intention of the Bulloch County Board of Commissioners that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Resolution is severable from every other section, paragraph, sentence, clause or phrase therein. It is

hereby further declared to be the intention of the Bulloch County Board of Commissioners that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Resolution is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Resolution. In the event that any phrase, clause, sentence, paragraph or section of this Resolution shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Bulloch County Board of Commissioners that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Resolution and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Resolution shall remain valid, constitutional, enforceable, and of full force and effect.

#### **SECTION 4. REPEALING CLAUSE**

All resolutions, ordinances or parts thereof previously approved and adopted by the Bulloch County Board of Commissioners that are in conflict with any of the provisions contained in this Resolution are, to the extent of such conflict, hereby superseded and repealed.

#### **SECTION 5. PREAMBLE INCORPORATED BY REFERENCE**

The preamble of this Resolution shall be considered to be and is hereby incorporated by reference as if fully set out herein.

#### **SECTION 6. EFFECTIVE DATE**

This Resolution, and the moratorium imposed hereby, shall take effect immediately upon its adoption and shall remain in effect until the expiration of the moratorium imposed hereby, or until it is repealed or superseded by further action of the Bulloch County Board of Commissioners.

RESOLUTION APPROVED AND ADOPTED this 16<sup>th</sup> day of August, 2022.

BOARD OF COMMISSIONERS OF  
BULLOCH COUNTY, GEORGIA

By: Roy Thompson  
Roy Thompson, Chairman

Attest: Olympia Gaines  
Olympia Gaines, Clerk



**Southeast Bulloch  
Zoning Moratorium Area  
for  
Bulloch County, Georgia**



SEB Zoning Moratorium Area

B 0 0.5 1 2 Miles