

MORATORIUM ON NON-TRADITIONAL
DEVELOPMENT AND BUILDING PROJECTS

BE IT ORDAINED by the Board of Commissioners of Rabun County, Georgia, CHAPTER 56 of Rabun County's CODE OF ORDINANCES titled "ZONING" is hereby amended as follows:

WHEREAS, the Rabun County Board of Commissioners originally adopted a comprehensive Zoning and Subdivision Regulations Ordinance on March 4, 1974; and

WHEREAS, the Rabun County Board of Commissioners have periodically amended said Zoning and Subdivision Regulation Ordinance; and

WHEREAS, the Rabun County Planning and Zoning Office has been inundated with unprecedented request for permits for non-traditional and unanticipated styles of building and development projects; and

WHEREAS, the Rabun County Board of Commissioners believe it to be in the best interests of Rabun County to impose a short term moratorium on any development/building projects that are non-traditional and not specifically provided for in the current Code of Ordinances.

NOW THEREFORE, the 2007 Rabun County Official Zoning Ordinance and Subdivision Regulations is hereby amended as follows:

Section 1: The Rabun County Board of Commissioners does hereby exercise the powers and authority to establish moratoria for any development approval required by law within its territorial jurisdiction.

Section 2: The purpose of this Ordinance is to impose a short term moratorium on any development/building projects that are non-traditional and not specifically provided for in the current Code of Ordinances for any development activity

requiring approval by Rabun County. It is the intent of this Ordinance to promote the public health, safety, and welfare through the adoption of development moratoria as determined by the Board of Commissioners.

Section 3: This Ordinance shall apply within all of Rabun County outside of the incorporated municipalities and their extraterritorial jurisdiction.

Section 4: This Ordinance shall apply to any land development ordinance or regulation including but not limited to The Rabun County Zoning Ordinance, Subdivision Regulations, Mobile Home Ordinance, Communications Tower Ordinance, Junk Yard Control Ordinance, Compact Communities Ordinance, and Off-Premise Sign Ordinance.

Section 5: Should any section or clause of this ordinance be held invalid or unconstitutional, such decision shall not affect, impair or invalidate the validity of the remaining parts of this Ordinance that can be given effect without the invalid provision.

Section 6: The duration of this moratorium shall be for twelve (12) months, which Rabun County believes is reasonable in light of the specific conditions that warrant imposition of the moratorium and does not exceed the period of time necessary to correct, modify, or resolve such conditions.

Section 7: Exemptions to this Ordinance absent an imminent threat to public health or safety, a development moratorium adopted pursuant to this Ordinance shall not apply to any project for which a valid building permit is outstanding, to any project for which a complete conditional use permit application has been submitted by the

application deadline, to development set forth in a site specific or phased development plan to development for which substantial expenditures have already been made in good faith reliance on a prior valid administrative or quasi-judicial permit or approval, or to preliminary or final subdivision plats for which a complete application packet has been submitted by the application deadline to the County, prior to scheduling of a public hearing by the Board of Commissioners to adopt the moratorium. Any complete preliminary subdivision plat application packet that has been submitted by the application deadline, prior to scheduling of a public hearing by the Board of Commissioners to consider adoption of the moratorium, if subsequently approved, shall be allowed to proceed to final plat review without being subject to the moratorium, contingent on the continued validity of the prior approval.

Section 8: This moratorium may be subsequently renewed or extended for any additional period the County deems to be necessary.

Section 9: This moratorium specifically prohibits any development/building projects that are non-traditional and not specifically provided for in the current Code of Ordinances during the term of this moratorium.

Section 10: Non-traditional development/building projects shall include but not be limited to tent communities, yurts, Quonset huts, container homes, tiny homes, park model homes, tree houses, solar farms, wineries, distilleries, wedding venues, glamping facilities, etc.

Section 11: This Ordinance shall be in full force and effect from and after the 26th day of January, 2022.

PLACED ON FIRST READING AT THE REGULAR MEETING ON THE 21st DAY OF DECEMBER, 2021.

PLACED ON FINAL HEARING AND ADOPTION ON THE 25th DAY OF JANUARY, 2022.

Any ordinance in conflict with said ordinance amendment is specifically repealed. This ordinance shall become effective immediately upon adoption, after the second reading by the County.

RABUN COUNTY, by and through its Board of Commissioners

RABUN COUNTY BOARD OF COMMISSIONERS:

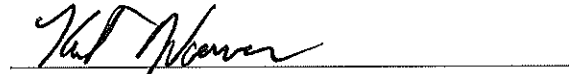


Greg James, Chairman

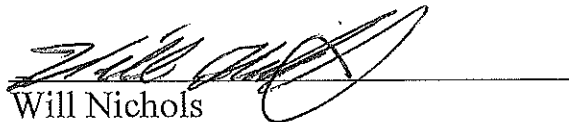


Tom Garrison

Scott Crane

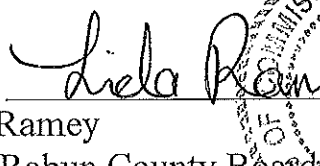


Kent Woerner



Will Nichols

This is to certify that the above Ordinance was adopted at a regular meeting of the Rabun County Board of Commissioners as provided by law. This 25th day of January, 2022.

Attest: 

Linda Ramey
Clerk, Rabun County Board
of Commissioners

