RESOLUTION NO. 2016-12-129

STATE OF GEORGIA
COUNTY OF FULTON

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANDY SPRINGS, GEORGIA, AUTHORIZING A TEMPORARY MORATORIUM ON THE ACCEPTANCE OF LAND USE PETITIONS AND DEVELOPMENT PERMIT APPLICATIONS FOR ANY CONVENIENCE STORE OR SERVICE STATION IN THE CITY OF SANDY SPRINGS

WHEREAS, City Council desires to reduce traffic congestion, promote the health and general welfare, facilitate desirable living conditions, protect property against blight and depreciation, and encourage the most appropriate use of land within the City of Sandy Springs ("City"); and

WHEREAS, City Council has had a demonstrated longstanding interest in the redevelopment and revitalization of the Roswell Road corridor; and

WHEREAS, upon incorporation, City Council adopted Article 12B, Sandy Springs Overlay District, of the Sandy Springs Zoning Ordinance on December 27, 2005, which provided development and design standards for properties located along the Roswell Road corridor; and

WHEREAS, following an 18-month process which began in early 2006, the City of Sandy Springs City Council adopted the 2027 Comprehensive Plan on November 20, 2007, which includes specific development policies for various within the City as shown on the Future Land Use Map and the Character Area Map; and

WHEREAS, the Zoning Ordinance defines *Convenience Stores* as "A use offering a limited variety of groceries, household goods, and personal care items, always in association with the dispensing of motor fuels as an accessory use, but in all cases excluding motor vehicle service, maintenance and repair;" and

WHEREAS, the Zoning Ordinance defines *Service Station* as "A use which provides for the sale of motor vehicle fuels and automotive accessories, and which may provide minor repair and maintenance services. A service station shall be limited to four (4) or fewer bays excluding no more than one (1) attached or detached bay for washing cars;" and

WHEREAS, there appears to be an increase in development inquiries that are inconsistent with the policies found in the 2027 Comprehensive Plan related to the Roswell Road corridor as well as other areas of the City; and

WHEREAS, in order to preserve the status quo, the City Council finds that it is necessary to temporarily limit the development of Convenience Stores and Service Stations in the City to allow staff time to draft amendments to the Zoning Ordinance to address inconsistencies with policies adopted in the 2027 Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SANDY SPRINGS, GEORGIA, AND IT IS RESOLVED BY THE AUTHORITY OF SAID COUNCIL THAT:

1. The City of Sandy Springs Mayor and City Council hereby enact a temporary moratorium of one hundred and twenty (120) days on the acceptance of land use petitions and development permit applications for developments including a Convenience Store or a Service Station, based upon the recent increase in inquiries from the development community regarding development of Convenience Stores and Service

Stations inconsistent with planning initiatives of the City as set forth in City planning documents including, but not limited to, the 2027 Comprehensive Plan policies.

2. The City of Sandy Springs Mayor and City Council hereby direct City staff to review existing zoning and development standards of the City as applicable with the 2027 Comprehensive Plan, and to prepare proposed changes and recommendations to City Council which will go through the regular review process of the City. In the event a revised ordinance is adopted less than one hundred twenty (120) days from adoption of this Moratorium that addresses the concerns of this Moratorium, then the Moratorium shall be repealed by adoption of such ordinance; otherwise the Moratorium shall stand repealed one hundred twenty (120) days from its date of adoption, unless extended by City Council.

RESOLVED this the 6th day of December, 2016.

Approved:

Russell K. Paul, Mayor

Attest:

Michael D. Casey, City Clerk

(Seal)