

**RESOLUTION  
OF THE BOARD OF COMMISSIONERS OF LEE COUNTY, GEORGIA,  
TO ESTABLISH A TEMPORARY MORATORIUM  
ON THE ZONING, PERMITTING, AND CONSTRUCTION OF MINI WAREHOUSES  
IN THE UNINCORPORATED AREAS OF LEE COUNTY UNTIL JANUARY 20, 2023;  
AND FOR OTHER PURPOSES**

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WHEREAS, in accord with Chapter 70, Article XII, Section 70-383 of the Code of Ordinances of Lee County, Georgia, mini warehouses are authorized to be located in the Commercial (C-2) zoning district in the unincorporated areas of Lee County, subject to the approval of the mini-warehouse as a conditional use; and

WHEREAS, there has been a substantial proliferation of mini-warehouses constructed in the unincorporated area of Lee County recently; and

WHEREAS, given recent developments regarding mini-warehouses, it is evident that the proliferation of mini-warehouses in the unincorporated areas of Lee County will continue for the foreseeable future; and

WHEREAS, because so many mini-warehouses are being constructed in various areas of Lee County, there are concerns regarding the appropriate location or locations, from a zoning standpoint, with respect to such mini-warehouses, and the governing body of Lee County needs time to plan and provide for orderly location of mini-warehouses in geographical areas of the unincorporated areas of Lee County where such mini-warehouses are suitable land uses given the surrounding properties and developments in the vicinity of such mini-warehouses in order to protect the real property values of persons and businesses owning real property adjacent to or in the vicinity of real property where mini-warehouses are being located or could be located under the County's current zoning Code, and in order to deal with potential traffic issues caused by the location of large mini-warehouse facilities; and

WHEREAS, the current growth regarding the construction of mini-warehouses in the unincorporated areas of Lee County was not expected or anticipated by the governing body of Lee County or by Planning and Zoning staff in Lee County; and

WHEREAS, the development of such mini warehouses in the unincorporated areas of Lee County appears to be occurring in locations where mini-warehouses are not suitable, given the surrounding land uses, traffic congestion, and other relevant factors; and

WHEREAS, Lee County needs sufficient time to review and revise its existing Lee County Land Use Plan and the Lee County Code of Ordinances in order for there to be an orderly plan for the development of mini-warehouses in the unincorporated areas of Lee County; and

WHEREAS, mini-warehouses are authorized as conditional uses in the general business district (C-2), but such conditional use requires that there is another authorized primary use on the same lot as the proposed mini-warehouse exists and that the mini-warehouses shall be considered to be subordinate and accessory structures to the principal authorized structure on the property where the mini-warehouses are located or are to be located, and it appears that some of the mini-warehouses which have been granted conditional use approval in Lee County do not meet the accessory structure requirement provided in Section 70-383(a) of the Code of Ordinances of Lee County; and

WHEREAS, in order to have the time necessary to review and revise the County's Land Use Plan and Zoning Code relative to such mini warehouses, the governing body of Lee County deems it appropriate to adopt this temporary moratorium on the zoning and rezoning applicable to such mini warehouses, and on the development, permitting,

and construction of such mini warehouses; and

WHEREAS, this temporary moratorium is adopted pursuant the police powers of the governing body of Lee County for the purpose of protecting the public interest, the property values of residential and commercial property owners in the unincorporated areas of Lee County, and to avoid relatively uncontrolled development of such mini-warehouses in the future, the moratorium is narrowly tailored to meet such purposes, and the moratorium is being established for the shortest reasonably possible duration so that the purposes of the moratorium can be met in a reasonable time period.

NOW, THEREFORE, BE IT RESOLVED by the governing body of Lee County, and it is hereby resolved by authority of the same, as follows:

1. There is hereby imposed in the unincorporated areas of Lee County a temporary moratorium on the zoning, rezoning, development, permitting, and construction of mini-warehouses. Such moratorium shall be in effect within all of the unincorporated areas of Lee County during the term thereof as set out in Paragraph 2 below.

2. This moratorium shall be effective as of the date and time it is adopted by the governing body of Lee County and shall continue in effect until January 20, 2023, at midnight, unless such time period is amended by the governing body of Lee County.

3. During the moratorium period, the Lee County Planning and Zoning staff and the Lee County Board of Commissioners shall seek to establish and adopt appropriate amendments to the Lee County Comprehensive Land Use Plan and the Lee County Code of Ordinances to provide for the orderly zoning, rezoning, development, permitting, and construction of mini-warehouses within the unincorporated areas of Lee County.

4. This moratorium shall not be applicable to any mini-warehouses for which a building permit has been issued by the appropriate Lee County department prior to the effective date hereof.

5. (A) The term "mini-warehouse" shall mean a building with separate lockable storage areas within the building which are rented to persons or businesses for storage of personal property in accord with a short-term or long-term lease or license.

(B) The term "Lee County Land Use Plan" shall mean the Land Use Plan presently in existence in the unincorporated areas of Lee County adopted by the Lee County Board of Commissioners on February 12, 2019.

(C) The term "Lee County Zoning Code" shall mean the Lee County Zoning Code adopted in accord with Article IX, Section II, Paragraph IV of the Constitution of the State of Georgia of 1983, as amended, said Zoning Code being codified in Chapter 70 of the Code of Ordinances of Lee County, Georgia.

BE IT FURTHER RESOLVED that all Resolutions or parts of Resolutions in conflict herewith are hereby rescinded.

BE IT FURTHER RESOLVED that this Resolution shall be effective as of the date and time of its adoption as set out below.

SO RESOLVED this 26 day of September, 2022, at 6 o'clock p.m. by the governing body of Lee County.

**Board of Commissioners  
of Lee County, Georgia**

By: \_\_\_\_\_

**Billy Mathis, Chairman**

Attest: \_\_\_\_\_

**Kaitlyn Sawyer, Clerk**