

City of Byron
Mayor and Council Minutes
May 29, 2025

The City of Byron Mayor and Council met in special session at 3:00 pm in the Office of the Mayor at the Municipal Complex. Mayor Michael Chidester, Council Members James Richardson, Michael Chumbley, Rusty Adams, Chris Hodges, and Alan Dorsey were in attendance. City employees that attended were City Administrator Tiffany Sandefur, City Clerk Telina Allred, Fire Chief Josh Riley, Police Chief Wesley Cannon, and the Assistant to the City Administrator Melanie Bickford. There were no visitors and no representatives from the media at the meeting.

Mayor Pro Tem Michael Chumbley called the meeting to order at 3:00pm.

TEMPORARY MORATORIUM ON LAND DEVELOPMENT SECTION: Council discussed the need for a moratorium in order to review and revise the city's ordinance for land development. Motion made by Alan Dorsey, seconded by Chris Hodges to approve the following Resolution to impose a moratorium with the exceptions of the Early Subdivision Phase Two, tax parcels 045B 025 consisting of 57 plus/minus acres and 045B 112 consisting of 12.47 plus/minus acres in the New Haven Subdivision, and tax parcel 052A 081 of Autumn Cove Subdivision. Unanimous. The moratorium ends on December 31, 2025.

A RESOLUTION PURSUANT TO THE CHARTER AND CODE OF BYRON, ESTABLISHING A TEMPORARY MORATORIUM ON THE ACCEPTANCE AND/OR APPROVAL OF APPLICATIONS FOR ZONING, REZONING, DEVELOPMENT, REDEVELOPMENT, PLATTING, CONSTRUCTION, PERMITTING, LAND USES, LAND DISTURBANCES, AND RELATED MATTERS IN ALL LAND PARCELS ZONED AS A-1 AGRICULTURAL, R-1 LOW DENSITY RESIDENTIAL, R-2 MEDIUM DENSITY RESIDENTIAL, AND R-3 HIGH DENSITY RESIDENTIAL, WITHIN THE TERRITORIAL LIMITS OF THE CITY OF BYRON UNTIL DECEMBER 31, 2025; AND FOR OTHER PURPOSES.

WHEREAS, The City of Byron, a municipality in Peach County, State of Georgia, is lawfully empowered to regulate zoning, construction, development, permitting, and land use standards within its jurisdiction; and

WHEREAS, the current Appendix A - Land Development, Zoning Ordinance And Subdivision Regulation, was adopted September 6, 1994, and has been amended from time to time; and

WHEREAS, since 1994 and, more recently according to the 2020 Census data, the City of Byron has experienced significant population growth which has in turn created significant development, particularly commercial development, which growth creates and presents situations and issues for

the City, its citizens, and businesses, which may be better addressed by the Ordinances and Land Use regulations when reviewed, amended, and revised, from time to time; and

WHEREAS, the City of Byron considers its ability and duty to regulate zoning, rezoning, development, redevelopment, platting, construction, permitting, construction, land uses, land disturbances, and similar matters as valid, substantial, important, and necessary purposes which justify review, regulation, and revision, from time to time; and

WHEREAS, Part IV Zoning Regulations found in the Code of Ordinances of Byron, Appendix A - Land Development, Zoning Ordinance And Subdivision Regulations et. seq. exists as part of the overall land use regulations for the City of Byron; and

WHEREAS, the forementioned Part IV Zoning Regulations is applicable to land zoned, lying, and being within the corporate limits of the City of Byron; and

WHEREAS, Part V Subdivision Regulations found in the Code of Ordinances of Byron, Appendix A - Land Development, Zoning Ordinance And Subdivision Regulations et. seq. exists as part of the overall land use regulations for the City of Byron; and

WHEREAS, the forementioned Part V Subdivision Regulations is applicable to land zoned, lying, and being within the corporate limits of the City of Byron; and

WHEREAS, the Mayor and City Council and its departments and commissions and agents are actively in the process of reviewing those portions of the City Code, including the Appendix A - Land Development, Zoning Ordinance And Subdivision Regulations, including but not limited to Part IV Zoning Regulations and Part V Subdivision Regulations, which relate to zoning, rezoning, development, redevelopment, platting, construction, permits, land uses, land disturbances and related matters within its jurisdiction to ensure that such regulations are properly drawn to both protect the interest of the community as a whole, as well as protect the vested and individual rights of Byron citizens and businesses; and

WHEREAS, a review of the current code and land use regulations is being undertaken promptly but with all deliberate speed, and is estimated to require at least four months to complete; and

WHEREAS, during the period of review, proposal, consideration, hearings, notices, amendments, and adoption of any changes to the Code, the City of Byron desires to maintain the status quo and provide consistent regulations going forward; and

WHEREAS, it has become clear during the Council's review the current Appendix A - Land Development, Zoning Ordinance And Subdivision Regulation that other zoning designations are and will be implicated, should be updated, and amended; and

WHEREAS, in order to have the time necessary to review and revise the City's ordinances, land use regulations, zoning districts for all purposes, the Mayor and Council desire to enact this temporary moratorium to maintain and protect the status quo and allow the governing authority to take those steps necessary, including public comments and hearings, in developing regulations for purposes stated herein; and

WHEREAS, the Mayor and Council define the institution of such a reasonable, temporary moratorium to be substantially related to the public health, safety, morals, and general welfare of the City and its citizens and its businesses, and further funds that the action taken herein is in the interest of the public, generally, as distinguished from those of a particular class, and further that said action is necessary to accomplish the purposes outlined herein and will not be unduly burdensome or oppressive upon citizens and businesses; and

WHEREAS, this temporary moratorium is adopted pursuant to the police powers of the governing body of the City of Byron for the purposes of protecting the public interest and in order to avoid issues relating to the proper designations of zoning and regulation of land uses and permitting, and the moratorium is narrowly tailored to meet such purposes, and the moratorium is established for the shortest reasonably possible duration so that the purpose of the moratorium can be met in a reasonable time; and

NOW, THEREFORE, BE IT RESOLVED by the City Council and Mayor of the City of Byron, Georgia, that:

The City formally establishes and imposes a temporary moratorium on applications, zoning, rezoning, development, redevelopment, platting, construction, permitting, land use, land disturbance, and related matters in those residential zones and portions within in the City of Byron designated as A-1 Agricultural, R-1 Low Density Residential, R-2 Medium Density Residential, and R-3 High Density Residential. Such moratorium shall be in effect until December 31, 2025, or until such time as the City revokes said moratorium by Resolution, whichever occurs first.

During this moratorium, the status quo shall be preserved. The various departments, commissions, agents, employees, and staff of the City of Byron will not accept, review, approve, or grant new applications for zoning, rezoning, development, redevelopment, platting, construction, permits, land uses, land disturbances, and related matters within areas designated as A-1 Agricultural, R-1 Low Density Residential, R-2 Medium Density Residential, and R-3 High Density Residential.

During this moratorium, the Mayor and City Council, along with Byron's various departments, commissions, agents, employees, and staff of the City of Byron shall seek to review, amend, edit, and revise the City's ordinances, land use regulations, zoning districts for all purposes and to provide for the orderly zoning, rezoning, development, redevelopment, platting, construction, permits, land disturbances, land uses, and related matters within the City of Byron, including but not limited to those areas designated as A-1 Agricultural, R-1 Low Density Residential, R-2

Medium Density Residential, and R-3 High Density Residential.

This moratorium shall not be applicable to any current land uses for which a permit has been issued by the appropriate City of Byron department prior to the effective date hereof and is subject to the following other limited exceptions: Early Subdivision Phase Two which is the subject of a DCA One Georgia infrastructure grant, tax parcels numbered 045B 025 (57 acres +/-) and 045B 112 (12.47 acres+/-) in the New Haven Subdivision, and tax parcel numbered 052A 081 (53.25 acres+/-) of Autumn Cove Subdivision, which may proceed as proposed as of the date of the adoption of this moratorium.

This moratorium is effective as of the date and time of its adoption as set out below.

AND, BE IT FURTHER RESOLVED by the City Council and Mayor of the City of Byron, Georgia, that all Resolutions or parts of Resolutions in conflict herewith are rescinded until such time as this moratorium terminates.

SO RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF BYRON, GEORGIA ON THE 29th DAY OF MAY, 2025.

JUNK CARS: Police Chief Wesley Cannon updated Mayor and Council on actively tagging junk cars in the City of Byron for removal. Citizens with tagged cars have 30 days to remove them or appear in court on July 9th 2025. He stated that there is a public health concern with these cars

including the high grass, snakes, and safety. These cars are usually on blocks with flat tires and have not moved in years. Chief Cannon stated that 62 junk cars were already tagged just in Toomersville alone and this will continue through the next few rounds until complete.

ADJOURNMENT: Motion was made by Chris Hodges, seconded by Michael Chumbley to adjourn the meeting at 3:23pm. Unanimous.

Telina Allred
Clerk of Council

