A RESOLUTION BY THE BOARD OF COMMISSIONERS OF FLOYD COUNTY, GEORGIA

WHEREAS, Floyd County, Georgia is presently analyzing its zoning and related codes in order to revise said codes to meet the needs of the citizens and the County; and

WHEREAS, Floyd County, Georgia is reviewing the codes pertaining to the permitting of gas stations, convenience stores, and food marts, and considering additional regulations related to the same; and

WHEREAS, this review is being conducted based on a number of factors, but especially because these businesses offer products that, if not distributed correctly, are inherently dangerous for minors, such as alcohol products, smoking-related products, and paraphernalia; and

WHEREAS, this review is being conducted because the number of applications and probable applications for gas stations and convenience stores has increased significantly in the last year and has raised concerns among County residents, County staff, and County elected officials.

WHEREAS, this review is being conducted to review the location and proximity to other establishments of such shops that engage in the retail sale of low THC oil, tobacco products, tobacco related objects, alternative nicotine products, vapor products, cannabidiol (CBD) or products containing CBD; and

WHEREAS, gas stations and convenience stores are eligible to apply for the right to house coin operated amusement machines ("COAM"), and the County has adopted an Ordinance to address certain aspects of locations with the COAMs within the County; and

WHEREAS, over 40 locations in unincorporated Floyd County, and over 70 locations within the City limits of Rome, have been licensed by the Georgia Lottery Commission, and met the requirements of Floyd County, Georgia or Rome City COAM Ordinance, which is limited by State law; and

WHEREAS, national statistics show that one convenience store is located per capita for every 2200 to 2235 people, and that gas stations and convenience stores are much more prolific in the City of Rome and Floyd County than national statistics; and

WHEREAS, many jurisdictions restrict the location and number of gas stations and convenient stores; and

WHEREAS, a gas station minimart is defined as a facility associated with the sale of gasoline products that also offers for sale prepackaged food items and tangible consumer goods, primarily for self-service by the consumer. Hot beverages, fountain-type beverages, and pastries may be included in the food items offered for sale;

WHEREAS, a convenient store is defined as a retail business with primary emphasis placed on providing the public a convenient location to quickly purchase from a wide array of consumable products with such product lines usually consisting of staple groceries, beer, cigarettes, snacks, tobacco, software, soft drinks, dairy products, gasoline and some nonfood items and services; and

WHEREAS, the proliferation of these stores has increased traffic, affected traffic patterns, lead to light pollution due to late-night operations, increased litter from cigarette butts and pre-packaged foods, violate best practices of the Environmental Protection Agency by placing underground tanks in environmentally sensitive areas (flood plains, wetlands, etc…); and

WHEREAS, a proposed ordinance regulating gas stations and convenience stores was presented to the Planning Commission at its meeting on November 6, 2025, and a Public Hearing was held on the proposed ordinance, with significant participation from owners/proprietors of convenience stores stations in Rome and Floyd County; and

WHEREAS, following the Public Hearing, the Planning Commission voted to table its consideration of the proposed ordinance in order to have additional time to consider the ordinance as members continue to determine the best methods to regulate such activity in the County, and

WHEREAS, the Planning Commission and the County Commission need further time to research and review where, how many, and under what terms, gas stations and convenience stores are most appropriate within the County; and

WHEREAS, due to the above and to the upcoming holiday schedule, the County needs an appropriate additional amount of time to conduct such review and necessary public hearings, and desires to continue its moratorium for such time period in the best interest of its citizens; and

WHEREAS, the County has the right under Georgia law to issue a moratorium for a reasonable amount of time without the necessity of complying with the Georgia Zoning Procedures Act.

NOW, THEREFORE, be it resolved by the Board of Commissioners for Floyd County, Georgia, and it is resolved by the Board of Commissioners for Floyd County, Georgia as follows:

Section 1:

The County does hereby resolve that, effective as of the date of the adoption hereof, an extension of the moratorium on the issuance of permits for any gas station or convenience store, as defined above is necessary for the welfare, safety, health concerns, and goodwill of the citizens of Floyd County, Georgia. Such moratorium shall remain in effect until the end of the business day on April 1, 2026, unless the same ends earlier by the affirmative action of the County Commission.

IT IS SO RESOLVED, this 25 day of November, 2025.

FLOYD COUNTY BOARD OF COMMISSIONERS

BY: _____
~~ALLISON WATTERS, Chairman~~
Rhonda Wallace, Vice Chair

ATTEST: _____
LAUREN CHUMBLER, Clerk

Approved by:

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JAMIE A. MCCORD, County Manager

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CHRISTOPHER R. JACKSON, County Attorney