



**HALL COUNTY BOARD OF COMMISSIONERS
VOTING MEETING MINUTES**

**Hall County Government Center 2nd Floor
2875 Browns Bridge Road
Gainesville, GA 30504**

**Streamed Live on Hall County Government's Website - www.hallcounty.org
Thursday, August 28, 2025 - 06:00 PM**

Call to Order

Chairman Gibbs at 6:00 p.m.

Present:

Chairman David Gibbs, Commissioners Kathy Cooper, Billy Powell and Gregg Poole

Also present were County Administrator Zach Propes, Assistant County Administrator Casey Ramsey, Commission Clerk Jennifer Rivera, and Interim County Attorney Justin Lawhon

Commissioner Stowe was absent.

Approve Agenda

Commissioner Cooper/Commissioner Poole — amend agenda to add item 30 for consideration of a 180 day suspension on the County's acceptance of high-density residential rezoning applications under 'Other Business - County Attorney' — Vote: 3 to 0

Commissioner Cooper — aye

Commissioner Powell — abstained

Chairman Gibbs — aye

Commissioner Poole — aye

Commissioner Stowe — absent

Motion passed.

Commissioner Cooper/Commissioner Poole — approve agenda as amended — Vote: 3 to 0

Commissioner Cooper — aye

Commissioner Powell — abstained

Chairman Gibbs — aye

Commissioner Poole — aye

Commissioner Stowe — absent

Motion passed.

Invocation

- 1 Commissioner Gregg Poole

Pledge

- 2 Commissioner Kathy Cooper

Public Comments

The following people addressed the Board:

- Amy Brigham, 1250 Overland Park Drive, Braselton

Consent Agenda

Commissioner Powell/Commissioner Poole — approve — Vote: 4 to 0

Commissioner Cooper — aye

Commissioner Powell — aye

Chairman Gibbs — aye

Commissioner Poole — aye

Commissioner Stowe — absent

Motion passed.

- 3 Approve the August 14, 2025 Voting Meeting minutes.
- 4 Approve the August 25, 2025 Work Session minutes.
- 5 Approve the August 25, 2025 Executive Session minutes.
- 6 Approve the appointment of Danielle Cuneo to the Department of Family & Children Services (DFACS) Board to serve an unexpired term to December 31, 2026. Commission Districts 1, 2, 3 & 4.
- 7 Approve the annual contract for Planned Pethood Veterinary Services for Animal Services to Planned PETHood of Georgia of Duluth, GA. The estimated annual cost is \$241,800.00.
- 8 Approve the award of Task Order #2026-007 Replace Rooftop Air Conditioning Units at North Hall Community Center for Parks & Leisure Services to J.R. Hobbs Co of Lawrenceville, GA, in the amount of \$122,526.00.
- 9 Approval and authorization for the Chairman to execute a Sponsorship Agreement with Northeast Georgia Health System for Parks & Leisure Services; authorization for the Chairman to take any additional action necessary to effectuate the agreement, subject to review and approval by the County Attorney.
- 10 Approve the award of RFQ/P #46-011 General Contractor for Construction of the East Hall Library for the Hall County Library System and Parks to Carroll Daniel Construction of Gainesville, GA. The estimated cost is \$4,468,000.00.
- 11 Approve the preventative maintenance agreement for ambulance stretchers for Fire Rescue to Stryker Medical of Chicago, IL. The estimated annual cost is \$65,286.00.
- 12 Approve the purchase of two (2) Kubota Tractor Mower RTVs for Road Maintenance to Mason Tractor & Equipment Co., Inc. of Cumming, GA, in the amount of \$64,499.80.
- 13 Approval and authorization for the Chairman to execute a resolution to approve an access easement agreement accepting the grant of an easement from CL Hayes Properties LLC to Hall County and granting an easement to CL Hayes Properties LLC from Hall County, subject to review and approval by the County Attorney.

- 14 Approve the request from the Lake Lanier Association for a waiver of Hall County Landfill tipping fees (the estimated tipping fees are \$1,800.00) for approximately 30 tons of trash to be collected during the Shore Sweep event scheduled for September 20, 2025.
- 15 Approve the release of \$614,732.00 Guaranty Performance/Maintenance Agreement and Acceptance of Streets into Hall County Maintenance in Union Grove Phase 1 Subdivision. Commission District 1.
- 16 Approve the release of \$281,434.00 Guaranty Performance/Maintenance Agreement and Acceptance of Streets into Hall County Maintenance in Union Grove Phase 2 Subdivision. Commission District 1.
- 17 Approve Change Order #1 to Task Order #2026-003 under RFP/Q #42-002 Demand Services for Resurfacing, Paving, and Full Depth Reclamation for the FY 2026 resurfacing program to add 1.847 additional miles of road resurfacing to Allied Paving Contractors, Inc. of Pendergrass, GA, in the amount of \$840,168.75.

Public Hearing to amend Hall County's Zoning Map as follows:

Beth Garmon, Director of Planning and Zoning, addressed the Board.

- 18 **1731 Friendship Road | Rezone** | from Agricultural Residential (AR-1) to Highway Business (H-B) | on a 10.09± acre tract located on the northwest side of Friendship Road approximately 240 feet from its intersection with Reunion Way | Zoned AR-1; Tax Parcel 15041 000190 | **Proposed use: Uses permitted in H-B** | Commission District 1 | **Tim Wilbanks, applicant**

Mr. Lawhon introduced items 18 and 19, which were heard together. Ms. Garmon discussed the items. Mr. Lawhon conducted the Public Hearing.

The following people addressed the Board regarding both items 18 and 19:

Favor:

- *Kent Henderson, 6071 Mount Vernon Road, Murrayville*

Opposition:

- *Gary Hodges, 7316 Grand Reunion Drive, Hoschton*
- *Tom McDermott, 7250 Grand Reunion Drive, Hoschton*
- *Hal Beaver, 7247 Grand Reunion Drive, Hoschton*

Commissioner Cooper/Commissioner Powell — approve with the six (6) conditions listed below — Vote: 3 to 0

Commissioner Cooper — aye

Commissioner Powell — aye

Commissioner Poole — aye

Commissioner Stowe — absent

Motion passed.

Conditions:

- 1. The property shall be developed in accordance with the site plan dated August 18, 2025, and as described in the project narrative dated July 28, 2025, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval. The siteplan shall be approved by the Planning & Zoning Director prior to submission of the application for a land disturbance permit (LDP) application.*
- 2. Access to the property shall be approved by the Georgia Department of Transportation. The developer shall be responsible for all costs associated with improvements necessary for access to the development.*
- 3. The following statement regarding the potential impacts of agricultural operations in the area shall be made a part of any plat recorded on the property: "Owners, occupants, and users of property shown on this plat are hereby informed of the impacts associated with normal farming practices which may take place on adjacent and nearby property including, but not limited to, noise, odors, dust, the operation of machinery of any kind, the storage and disposal of manure, and the application of fertilizers, herbicides, and pesticides. Therefore, owners, occupants, and users of the property shown on this plat should be prepared to expect the effects of such practices."*
- 4. No variances or development exceptions are granted as part of this request that are not explicitly granted by board approval. The development shall be compliant with the Unified Development Code of Hall County, as well as any other agencies or reviewing departments, including Hall County Engineering for driveway placement and compliance.*
- 5. All conditions of zoning shall be made a part of any plats or construction plans created for the property.*
- 6. There shall be a berm with a 6 foot high fence (solid wood or PVC material) with landscaping installed within the 50 foot buffer along the property line that borders Reunion as shown on siteplan.*

19

1731 Friendship Road | Variance From Section 6.2 | GCOD development standards | on a 10.09± acre tract located on the northwest side of Friendship Road approximately 240 feet from its intersection with Reunion Way | Zoned AR-1; Tax Parcel 15041 000190 | **Proposed use: Uses permitted in H-B |** Commission District 1 | **Tim Wilbanks, applicant**

Items 18 and 19 were heard together. See item 18 for public hearing details.

Commissioner Cooper/Commissioner Powell — approve variance — Vote: 3 to 0

Commissioner Cooper — aye

Commissioner Powell — aye

Commissioner Poole — aye

Commissioner Stowe — absent

Motion passed.

- 20 **3024 Dale Road | Amend Conditions of Zoning |** on a 36.90± acre tract located on the north side of Dale Road at its intersection with Candler Road | Zoned I-1 (GCOD); Tax Parcel 15025 000006 | **Proposed Use: Outdoor storage** | Commission District 3 | **Rochester | DCCM, applicant** Note: Tabled at the August 14, 2025 Voting Meeting until the August 28, 2025 Voting Meeting.

Mr. Lawhon introduced the item. Ms. Garmon discussed the item.

Commissioner Poole/Commissioner Cooper — approve removing item 20 from the table — Vote: 4 to 0

Commissioner Cooper — aye

Commissioner Powell — aye

Chairman Gibbs — aye

Commissioner Poole — aye

Commissioner Stowe — absent

Motion passed.

Commissioner Poole thanked the neighbors for taking time to meet with him.

Commissioner Poole/Commissioner Cooper — deny — Vote: 3 to 0

Commissioner Cooper — aye

Commissioner Powell — abstained

Chairman Gibbs — aye

Commissioner Poole — aye

Commissioner Stowe — absent

Motion passed.

- 21 **5674 Bark Camp Road | Special Use** | for a group home | on a 0.72± acre tract located on the northwest side of Bark Camp Road, approximately 1,362 feet from its intersection with Bark Camp Drive | Zoned AR-1; Tax Parcel 11083 002001 | **Proposed use: Group home** | Commission District 2 | **Lean On Me Recovery Residences, applicant**

Mr. Lawhon introduced the item. Ms. Garmon discussed the item.

*Commissioner Powell/Commissioner Poole — approve withdrawal of item 21 —
Vote: 4 to 0*

Commissioner Cooper — aye

Commissioner Powell — aye

Chairman Gibbs — aye

Commissioner Poole — aye

Commissioner Stowe — absent

Motion passed.

- 22 **4965 Bryant Quarter Road | Rezone** | from Planned Commercial Development (PCD) to Agricultural Residential 1 (AR-1) | on a 3.30± acre portion of a tract located on the northwest side of Bryant Quarter Road, approximately 2,030 feet from its intersection with Emory Griffin Road | Zoned PCD; Tax Parcel 15003 000015G(pt) | **Proposed use: Uses permitted in AR-1** | Commission District 3 | **John Clouse, applicant**

Mr. Lawhon introduced the item. Ms. Garmon discussed the item. Mr. Lawhon conducted the Public Hearing.

The following people addressed the Board:

Favor:

- *John Clouse, 5693 Hensley Road, Lula*

Commissioner Poole/Commissioner Cooper — approve — Vote: 3 to 0

Commissioner Cooper — aye

Commissioner Powell — aye

Commissioner Poole — aye

Commissioner Stowe — absent

Motion passed.

5979 New Bethany Road | Rezone | from Planned Residential Development (PRD) to Agricultural Residential 1 (AR-1) | on a 5.56± acre portion of a tract located on the south east of Beards Road approximately 1,096 feet from its intersection with New Bethany Road | Zoned PRD; Tax Parcel 07328 004003(pt) | **Proposed Use: Single-family residence** | Commission District 2 | **The Travis and Herman Brown Family Limited Partnership, applicant**

Mr. Lawhon introduced the item. Ms. Garmon discussed the item. Mr. Lawhon conducted the Public Hearing.

The following people addressed the Board:

Favor:

- *Tyler Lasser, 299 South Main Street, Alpharetta*
- *Sean Baumgartner, 2972 Beards Road, Buford*

Commissioner Powell/Commissioner Cooper — approve with the four (4) conditions listed below — Vote: 3 to 0

Commissioner Cooper — aye

Commissioner Powell — aye

Commissioner Poole — aye

Commissioner Stowe — absent

Motion passed.

Conditions:

- 1. The property shall be developed in accordance with the site plan dated May 7, 2025, and as described in the project narrative dated May 15, 2025, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.*
- 2. The following statement regarding the potential impacts of agricultural operations in the area shall be made a part of any plat recorded on the property: "Owners, occupants, and users of property shown on this plat are hereby informed of the impacts associated with normal farming practices which may take place on adjacent and nearby property including, but not limited to, noise, odors, dust, the operation of machinery of any kind, the storage and disposal of manure, and the application of fertilizers, herbicides, and pesticides. Therefore, owners, occupants, and users of the property shown on this plat should be prepared to expect the effects of such practices."*
- 3. No variances or development exceptions are granted as part of this request that are not explicitly granted by board approval.*
- 4. All conditions of zoning shall be made part of any plat or plans created for the property.*

5970 Cleveland Highway | Rezone | from Agricultural Residential 1 (AR-1) to Highway Business (H-B, GCOD) | on a 2.22± acre tract located on the southeast side of Cleveland Highway at its intersection with Hulsey Road | Zoned AR-1; Tax Parcel 12064 000012 | **Proposed use: Indoor recreation facility** | Commission District 3 | **Academy P1 Building, LLC, applicant**

Mr. Lawhon introduced the item. Ms. Garmon discussed the item. Mr. Lawhon conducted the Public Hearing.

The following people addressed the Board:

Favor:

- *Eric Johansen, 3938 Oak Crossing Drive, Suwanee*
- *Jill Cooper, 5125 Old Winder Highway, Braselton*
- *Jack Campbell, 6020 Cleveland Highway, Clermont*

Commissioner Poole/Commissioner Powell — approve with the twelve (12) conditions listed below — Vote: 3 to 0

Commissioner Cooper — aye

Commissioner Powell — aye

Commissioner Poole — aye

Commissioner Stowe — absent

Motion passed.

Conditions:

1. *The property shall be developed in accordance with the site plan and narrative dated no later than August 4, 2025, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval with the exception of the following*
 - a. *The development shall provide a maximum of 40 parking spaces.*
 - b. *The transitional buffer shall be increased to 25 feet on all sides except the right-of-way and include a 6 foot opaque privacy fence*
2. *Access to the development shall be approved by Georgia Department of Transportation (GDOT) and all traffic engineering standards shall be met. The developer shall be responsible for all associated costs with improvements necessary for the development.*
3. *No variances or development exceptions are granted as part of this request that are not explicitly granted by board approval. The development shall be compliant with the Unified Development Code of Hall County, as well as any other agencies or reviewing departments, including, but not limited to the Fire Marshal, and Hall County Engineering except when noted in these conditions.*
4. *All conditions of zoning shall be made a part of any plats created for the property.*
5. *The following statement regarding the potential impacts of agricultural operations in the area shall be made a part of any plat recorded on the property: "Owners, occupants, and users of property shown on this plat are*

hereby informed of the impacts associated with normal farming practices which may take place on adjacent and nearby property including, but not limited to, noise, odors, dust, the operation of machinery of any kind, the storage and disposal of manure, and the application of fertilizers, herbicides, and pesticides. Therefore, owners, occupants, and users of the property shown on this plat should be prepared to expect the effects of such practices."

6. *Hours of operation are restricted to Monday — Saturday 8:00 am to 8:00 pm. No Sunday operations.*
7. *All training activities shall take place inside the facility.*
8. *All signage shall comply with GCOD standards.*
9. *The following uses, typically allowed in H-B zoning, shall be prohibited:*
 - a. *Day care centers*
 - b. *Commercial amusement, indoor*
 - c. *Concert hall - auditorium*
 - d. *Theater*
 - e. *Hotel/Motel*
 - f. *Animal Care, Indoor & Outdoor*
 - g. *Funeral home*
 - h. *Laundry & dry cleaning*
 - i. *Boat & recreational vehicle sales, rental, or service*
 - j. *Car wash*
 - k. *Vehicle sales, rental or auction*
 - l. *Vehicle repair, minor*
 - m. *Outdoor storage*
 - n. *Swimming pool, hot tub, spa*
 - o. *Radio, film, recording, and television studios and stations*
 - p. *Indoor shooting range*
10. *There shall be no alcohol sales on the premises.*
11. *There shall be no live wrestling events or shows on the subject property. Only activities typically associated with an athletic gym and training facility will be allowed.*
12. *There shall be no sidewalks required within the right of way.*

- 25 **5684 Bethel Road | Rezone** | from Planned Residential Development (PRD) to Residential Low Density (R-1-L) | on an 8.30± acre tract located on the northeast side of Bethel Road, approximately 907 feet from its intersection with Avalon Commons Way | Zoned PRD; Tax Parcel 12007 000001 | **Proposed use: Minor subdivision** | Commission District 3 | **Janet Truelove, applicant**

Mr. Lawhon introduced items 25 and 26, which were heard together. Ms. Garmon discussed the items. Mr. Lawhon conducted the Public Hearing.

The following people addressed the Board regarding both items 25 and 26:

Favor:

- *Janet Truelove, 5702 Bethel Road, Clermont*

Opposition:

- *Melissa Lykins, 5731 Avalon Commons Way, Clermont*
- *Jack Leezy, 5750 Avalon Commons Way, Clermont*

Commissioner Poole/Commissioner Powell — approve with the nine (9) conditions listed below — Vote: 4 to 0

Commissioner Cooper — aye

Commissioner Powell — aye

Chairman Gibbs — aye

Commissioner Poole — aye

Commissioner Stowe — absent

Motion passed.

Conditions:

- 1. The property shall be subdivided into a maximum of five (5) single-family residential lots in accordance with the requirements of the Residential Low Density (R-1-L) zoning district.*
- 2. The following statement regarding the potential impacts of agricultural operations in the area shall be made part of any plat recorded on this property: "Owners, occupants, and users of property shown on this plat are hereby informed of the impacts associated with normal farming practices which may take place on adjacent and nearby property, including but not limited to noise, odors, dust, the operation of machinery of any kind, the storage and disposal of manure, and the application of fertilizers, herbicides, and pesticides. Therefore owners, occupants, and users of the property shown on this plat should be prepared to expect the effects of such practices".*
- 3. No variances or development exceptions are granted as part of this request. The development shall be compliant with the Official Code of Hall County, as well as any other agencies or reviewing departments, including Hall County Engineering for driveway placement and compliance.*
- 4. All conditions of zoning shall be made part of any plats created for the property.*
- 5. The future subdivision of the subject property shall comply with the Hall County UDC, with no more than one residence per lot and accessory structures included on a lot with a primary residence. All setbacks must be met in any future configuration.*
- 6. The deeds of the created lots will include a restriction to prohibit manufactured and mobile homes.*
- 7. The heated floor area of all residences will be a minimum of 2,300 square feet.*
- 8. There shall be a 40-foot rear yard setback applied to all properties that adjoin the Avalon Hills community.*
- 9. The keeping of livestock or poultry is prohibited, and general agricultural uses shall not be permitted. Gardening and cutting hay shall be allowed.*

26 **5684 Bethel Road | Special Use |** minor subdivision | on an 8.30± acre tract located on the northeast side of Bethel Road, approximately 907 feet from its intersection with Avalon Commons Way | Zoned PRD; Tax Parcel 12007 000001 | **Proposed use: Minor subdivision** | Commission District 3 | **Janet Truelove, applicant**

Items 25 and 26 were heard together. See item 25 for public hearing details.

Commissioner Poole/Commissioner Powell — approve with the nine (9) conditions listed below and waive application fee — Vote: 4 to 0

Commissioner Cooper — aye

Commissioner Powell — aye

Chairman Gibbs — aye

Commissioner Poole — aye

Commissioner Stowe — absent

Motion passed.

Conditions:

- 1. The property shall be subdivided into a maximum of five (5) single-family residential lots in accordance with the requirements of the Residential Low Density (R-1-L) zoning district.*
- 2. The following statement regarding the potential impacts of agricultural operations in the area shall be made part of any plat recorded on this property: "Owners, occupants, and users of property shown on this plat are hereby informed of the impacts associated with normal farming practices which may take place on adjacent and nearby property, including but not limited to noise, odors, dust, the operation of machinery of any kind, the storage and disposal of manure, and the application of fertilizers, herbicides, and pesticides. Therefore owners, occupants, and users of the property shown on this plat should be prepared to expect the effects of such practices".*
- 3. No variances or development exceptions are granted as part of this request. The development shall be compliant with the Official Code of Hall County, as well as any other agencies or reviewing departments, including Hall County Engineering for driveway placement and compliance.*
- 4. All conditions of zoning shall be made part of any plats created for the property.*
- 5. The future subdivision of the subject property shall comply with the Hall County UDC, with no more than one residence per lot and accessory structures included on a lot with a primary residence. All setbacks must be met in any future configuration.*
- 6. The deeds of the created lots will include a restriction to prohibit manufactured and mobile homes.*
- 7. The heated floor area of all residences will be a minimum of 2,300 square feet.*
- 8. There shall be a 40-foot rear yard setback applied to all properties that adjoin the Avalon Hills community.*
- 9. The keeping of livestock or poultry is prohibited, and general agricultural uses shall not be permitted. Gardening and cutting hay shall be allowed.*

- 27 **1608 Whiting Drive | Rezone** | from Residential 1 (R-1) to Highway Business (H-B) | on a 0.20± acre tract located on the northeast side of Whiting Road, approximately 282 feet from its intersection with Browns Bridge Road | Zoned R-1; Tax Parcel 00123 007015 | **Proposed use: Vehicle repair, major** | Commission District 4 | **Gerardo Vargas, applicant**

Mr. Lawhon introduced items 27, 28 and 29, which were heard together. Ms. Garmon discussed the items. Mr. Lawhon conducted the Public Hearing.

The following people addressed the Board regarding both items 27, 28 and 29:

Favor:

- *James Irvin, 164 Professional Drive, Baldwin*
- *Jodi White, 5166 Whitehall Road, Lula*
- *Gerardo Vargas, 5016 Arthur Avenue, Oakwood*

Opposition:

- *Mark Turner, 1786 Browns Bridge Road, Gainesville*
- *Wes Robinson, 200 E E Butler Parkway, Gainesville*

Commissioner Cooper/Commissioner Powell — deny items 27, 28 & 29 — Vote: 3 to 0

Commissioner Cooper — aye

Commissioner Powell — aye

Chairman Gibbs — aye

Commissioner Poole — abstained

Commissioner Stowe — absent

Motion passed.

- 28 **1604 & 1608 Whiting Drive, & 1790 Browns Bridge Road | Special Use** | on a combined 0.90± acre tract located on the northeast side of Whiting Road at its intersection with Browns Bridge Road | Zoned R-1 & H-B (GCOD); Tax Parcels 00123 007016, 007015 & 007017 | **Proposed use: Vehicle repair, major** | Commission District 4 | **Gerardo Vargas, applicant**

Items 27, 28 and 29 were heard together. See item 27 for public hearing details and motion on application.

- 29 **1604 & 1608 Whiting Drive, & 1790 Browns Bridge Road | Special Use** | for outdoor storage in GCOD | on a combined 0.90± acre tract located on the northeast side of Whiting Road at its intersection with Browns Bridge Road | Zoned R-1 & H-B (GCOD); Tax Parcels 00123 007016, 007015 & 007017 | **Proposed use: Outdoor storage** | Commission District 4 | **Gerardo Vargas, applicant**

Items 27, 28 and 29 were heard together. See item 27 for public hearing details and motion on application.

Other Business - County Attorney

- 30 Consider the resolution on a proposed suspension of acceptance of high density residential rezoning applications for a period of 180 days.

Mr. Lawhon introduced the item and stated the following: "The County's Unified Development Code, which was adopted on November 14th last year, regulates zoning and property uses throughout unincorporated Hall County. Hall County continues to experience unprecedented rapid population growth and there is an increasing strain being placed on the County's services and infrastructure needs as a result. Hall County's current population is estimated to be around 227,000 and at its current trajectory is forecasted to be over 370,000 by 2040 with a majority of that growth occurring in unincorporated Hall County. For these reasons, it our view that our Unified Development Code is in need of review and potential revision to address this growth by changing our high-density residential zoning and development standards and to further explore ways in which Hall County can better manage its high-density residential zoning decisions through a periodic and regular review of those decisions in order to maintain the County's policy objectives of promoting the health, morals, safety, security, peace, and general welfare of its citizens. To that end, and to afford the Board, County staff, and the legal team time to review and consider those potential changes to the Unified Development Code, we believe it is in the best interest of the citizens of Hall County to suspend the acceptance of any high-density residential rezoning applications for a period of 180 days beginning, August 29, 2025, and ending at midnight on February 25, 2026. We believe it could take up to 180 days or longer to fully review and adopt any potential changes to the Code that will address the issues that exist regarding the number and variety of high-density residential uses currently allowed and the county's inability to regulate these developments after approval to ensure they follow the standards that have been approved. Absent a suspension, the Board will be unable to effectively review and make potential changes to its Code, as property owners would be able to institute rezoning actions to high-density residential zoning districts which lock in performance standards or density allowances that may be inconsistent with our changes. Were that to occur the will of the Board will have been thwarted as newly adopted performance standards, density allowances and zoning review procedures would have no impact on these rezoning applications in process prior to the changes. This proposed suspension shall not apply to high-density residential rezoning applications that have been accepted and already heard by the Planning Commission with a recommendation for approval or denial, but it will apply to all new applications and those applications which have not been heard or decided by the Planning Commission with a recommendation. All such high-density residential rezoning applications shall be deemed withdrawn as of the effective date of the suspension and all application fees previously paid will be refunded to the applicants. This suspension shall have no effect on high-density residential properties previously approved by the Board before the effective date of the suspension and the suspension shall have no effect upon applications requesting the amending of conditions of previously approved high-density residential rezonings unless the amending of conditions requests a higher density than previously approved in which case the application will not be accepted. Therefore, for the foregoing reasons, and it being necessary and the least restrictive means available for the County to achieve its objectives of regulating and controlling high-density

residential rezonings and developments in Hall County, we recommend approval of the 180 day suspension and adoption of the proposed resolution."

Commissioner Cooper stated, "I make a motion to approve the resolution before you and for your authorization to sign it on behalf of the Board, subject to review and approval by the County Attorney, in order to impose a 180-day suspension on the County's acceptance of high-density residential rezoning applications, as fully set forth and defined in the resolution. Consideration and adoption of this resolution and the 180-day suspension it imposes has become necessary and a matter of utmost urgency in recent days due to the continuous and unprecedented residential population growth Hall County is experiencing and the high volume of applications we are receiving for large, high-density residential developments that are putting an increase and unsustainable strain on the County's services and infrastructure demands. We need to take this 180-day pause the suspension affords us in not accepting these applications to fully review our current Unified Development Code to see what changes or amendments need to be made to address and regulate future high-density residential growth in Hall County."

Commissioner Powell stated, "In Georgia, the law requires a public hearing for any zoning decision, which includes actions like rezoning, granting variances, or changing land use regulations. However, a pause, which temporarily halts new zoning applications for development approvals is a bit of a legal gray area. It's not always classified as a zoning decision and the same statute. That said, many local governments do hold public hearings before implementing moratorium, especially if it affects property rights or development timelines. This is often done to number one, ensure transparency, allow public input, reduce the risk of legal challenges. In several local governments in Georgia have held public hearings before implementing zoning pauses, especially when those pauses could be interpreted as zoning decisions under the Georgia zoning procedural law. While the law doesn't explicitly require a hearing for every pause, many jurisdictions err on the side of caution to avoid legal challenges and ensure transparency. A few notable examples are Pickens County. Had a pause on conditional use permits. They had a public hearing. City of Atlanta, a pause on development permits. They had a public hearing. Dekalb County, a pause on certain zoning categories, they had a public hearing. City of Brookhaven, multifamily developments, they had a public hearing. Gwinnett County, temporary pauses on rezoning, they had a public hearing. And we know that for Forsyth County, recently implemented a rezoning pause, initially they did not have a public hearing, then they came back and had a public hearing. So I think for anything this major certainly should require a public hearing to allow the public input. I also, take exception to a couple of things in the proposed resolution. It says, this suspension may be extended by the Board prior to its expiration for an additional period of time, not to exceed 180 days from the date of its extension. And there's a House Bill 514, this is a Senate substitute as passed by the Senate. And it says it'll only be valid for a period of 180 days or less. No such pause shall be continued or renewed beyond 180 days. In a new pause, over the same type or types of zoning, decisions or permits, may only be enacted if more than 180 days have elapsed from the termination date of an earlier one. So me, that means you can't extend 180 days without pausing for another 180 days before you implement another pause. Then the limitation on temporary pauses set forth in this subsection and shall not apply to any

temporary pause that is adopted after the local government adopted an ordinance, or resolution, fines the adoption. Therefore, is necessary proper response to a state of emergency, a natural disaster, any set of conditions or circumstances that oppose a danger to the health or safety of any person or property, or the order of any federal state local agency or the local government has engaged a professional third party contractor or in house planner to conduct specific engineering infrastructure, utility, future land use plans, or environmental studies related to public utilities, works or services. I don't see how we fall into any of those categories. Also, I bring attention to item five and six on the resolution. It says, this suspension shall have no effect on high density residential rezoning applications that have already been heard by the Hall County Planning Commission with a recommendation of approval or denial on such rezoning applications will be heard and considered by the Board of Commissioners in due course. Particular attention to item number six, all other applications for high density residential rezoning that fall under the suspended zoning districts defined above, which have been accepted, but have not been heard or decided by the Planning Commission with a recommendation shall be deemed withdrawn, as of the effective date the suspension set forth in this resolution in all application fees previously paid will be refunded to the applicants. I think that is totally unfair. If somebody has gotten their application in, and it's in the queue to be reviewed, and they should not be penalized by us passing a pause that goes into effect tomorrow. I think that's totally unfair and is just not the proper way to do business. Furthermore, I'm totally against this because we have an intense effort to recruit businesses to Hall County. So we're gonna say, 'We want your business, but we want your people to live here.' We all know there's a shortage of housing. And to me, it just does not give a good economic development message to companies that we are trying to recruit. So at the least, I think we need to have public hearing on this issue."

Commissioner Poole stated, "Currently, in Hall County, there's 7,000 to 12,000 approved lots in Hall County. So to think that there is not an adequate supply of these lots buildable is not really the truth. So I want to say that, so we are cognitive of the fact, I think Ms. Cooper, she told me that we're not saying we don't want it, but we are saying that something's going to happen. We have real infrastructure problems in Hall County. We have big time infrastructure problems as far as roads and infrastructure in Hall County. We don't have hardly any funding, and that's a big problem for us."

Chairman Gibbs stated, "Our sewer system is being eaten up by about 90% residential. If anybody thinks that's acceptable, there's a problem. Residential does not make us one dime. It actually costs the taxpayer about 15 cents a square foot. Commercial makes us money because the resources we have to provide for all of the residential homes, our roads, EMS, Fire and schools. So at what point do you say, 'We've got to take a pause and step back and reevaluate? And try to figure out what's arrived for the county.' We need need more industrial, and we need higher paying jobs, cause these kids can't afford to start a home with \$450,000. We need better jobs, and we need higher paying jobs. We're driving our young folks, absolutely in debt. They do not have a chance before they get started. So that's my opinion, and I think I'm pretty close to what people want in Hall County because I'm out there everyday talking to them. I'll be glad to bring in 400-500 folks up here if you want to, but I don't think it's gonna change. So my opinion is, we're not saying we don't like

development. We just want development that we can sustain and take care of the county and the people in this county. My only job and my only focus is to do what's right for the constituents of Hall County. And when I lose that passion, I will resign from this position. It's my only desire - is to try to get the county in the right direction. I'm not a genius. I'm not saying Billy's wrong on things, but I'm not wrong on some things either. Kathy or Jeff or Gregg, we have to come together and figure it out as a team, but we also have to listen to the people in this County."

Chairman Gibbs asked Mr. Lawhon if the Board was within their right to do this action. Mr. Lawhon stated, "There is a decision by the Supreme Court of Georgia. City of Roswell v. Outdoor Systems 274, Georgia 130, 2001 that does allow suspensions of this kind to be imposed without having a public hearing. The House Bill that Mr. Powell did cite is not law."

Commissioner Powell stated, "I think everybody has made good points up here, but those constituents that you mentioned that you like listening to, I think deserve an opportunity for public input into this matter."

Commissioner Cooper/Commissioner Poole — approve — Vote: 3 to 1

Commissioner Cooper — aye

Commissioner Powell — nay

Chairman Gibbs — aye

Commissioner Poole — aye

Commissioner Stowe — absent

Motion passed.

County Administrator

Mr. Propes addressed the Board. He stated the following:

- *Hall County Offices will be closed on Monday, September 1, 2025 in observance of the Labor Day holiday.*

Commission Time

Commissioner Kathy Cooper, District 1, wished everyone a safe holiday.

Commissioner Billy Powell, District 2, acknowledged current members of Leadership Hall. The following members addressed the Board:

- *Heidi Pritchett (Longstreet Clinic)*

Commissioner Gregg Poole, District 3, commented on the pause stating that the pause is a good thing. The County is cash strapped when it comes to funding road projects. The County is at peril with potentially losing SPLOST. The County needs SPLOST like we need oxygen. This is a continuation. It is critical to Hall County. Hall County needs these funds for roads and safety.

Chairman David Gibbs commented on the pause stating that it was not an easy decision. The County needs good sustainable growth and is not anti-growth. There is nothing wrong with stepping back and checking what is being done and if it is being done right.

Adjourn

Commissioner Poole/Commissioner Cooper — adjourn at 8:13 p.m. — Vote: 4 to 0

Commissioner Cooper — aye

Commissioner Powell — aye

Chairman Gibbs — aye

Commissioner Poole — aye

Commissioner Stowe — absent

Motion passed.