

STATE OF GEORGIA

COUNTY OF HALL

RESOLUTION TO AMEND THE HALL COUNTY UNIFIED DEVELOPMENT CODE
WITH REGARD TO ARTICLE 6—SPECIAL AND OVERLAY DISTRICTS
(SECTION 6.1-PLANNED DEVELOPMENT DISTRICTS)

WHEREAS, on November 14, 2024, the Hall County Board of Commissioners adopted the Hall County Unified Development Code ("UDC") to govern zoning, subdivision, stormwater management, and related land development regulations within the unincorporated areas of Hall County; and

WHEREAS, Article 6 of the UDC establishes the Special and Overlay Districts applicable within Hall County, including the Planned Development Districts set forth in Section 6.1; and

WHEREAS, the Hall County Department of Planning and Zoning has reviewed Section 6.1 and recommended revisions to improve, clarify, and modernize the regulations governing Planned Development Districts; and

WHEREAS, during the development of the proposed amendments, Hall County received input from citizens and County staff regarding revisions to Section 6.1; and

WHEREAS, the proposed amendments repeal and replace the existing Planned Development Districts regulations contained in Section 6.1 with a revised regulatory framework establishing updated standards governing the intent, eligibility, review procedures, approval criteria, development standards, amendments, and administration of a new Planned Development District, as set forth in Exhibit "A" attached hereto; and

WHEREAS, the proposed amendments further provide for the continued recognition and administration of previously approved Planned Residential Development (PRD), Planned Commercial Development (PCD), Planned Office Development (POD), Planned Industrial

Development (PID), and Planned Commercial Farm District (PCFD) zoning districts as legacy Planned Development Districts while preserving existing zoning conditions and vested rights; and

WHEREAS, following the public hearings required by law, the Board of Commissioners finds that the proposed amendments are in the best interests of the citizens of Hall County and promote the public health, safety, and general welfare;

NOW, THEREFORE, BE IT RESOLVED by the Hall County Board of Commissioners that the Hall County Unified Development Code is amended as follows:

1.

Section 6.1 of Article 6 of the Hall County Unified Development Code is hereby deleted in its entirety and substituted in lieu thereof with the provisions attached hereto as **Exhibit "A,"** which are incorporated herein by reference. The revised Section 6.1 establishes a comprehensive Planned Development District regulatory framework governing eligibility, approval standards, application procedures, development standards, amendments, administration, and legacy Planned Development Districts.

2.

Except as expressly amended herein, all remaining provisions of Article 6 and the Hall County Unified Development Code shall remain in full force and effect.

3.

This Resolution shall take effect immediately upon its adoption.

SO RESOLVED, this the 27th day of August, 2026.

[SIGNATURES ON FOLLOWING PAGE]

HALL COUNTY BOARD OF COMMISSIONERS

By: _____
David Gibbs, Chairman

By: _____
Kathy L. Cooper, Commissioner District 1

By: _____
Billy Powell, Commissioner District 2

By: _____
Gregg Poole, Commissioner District 3

By: _____
Jeff Stowe, Commissioner District 4

ATTEST:

Jennifer Rivera, County Clerk

(SEAL)

APPROVED AS TO FORM:

Justin R. Lawhon, County Attorney

Sec 6.1. – Planned Development District (PD)

6.1.1 Intent

- A. The Planned Development (PD) District is established to enable innovative, high-quality, and environmentally sensitive development by encouraging creative, coordinated site design; efficient use of land and infrastructure; preservation of natural features; and context sensitive, site specific solutions that support the Comprehensive Plan.
- B. Flexibility within the PD District shall be permitted only as provided in Sec. 6.1.3 (Required Superiority of Design and Public Benefit).
- C. The PD District shall be used only where the applicant demonstrates eligibility and justification as required in Sec. 6.1.2 and Sec. 6.1.3.
- D. The PD District is a floating zoning district and shall be applied sparingly, and only in cases where the proposed development clearly satisfies the intent and standards set forth in this Section.

6.1.2 Eligibility

- A. An application for a PD District shall be accepted only where the proposed development demonstrates at least one of the following:
 - 1. The development consists of an integrated and unified plan incorporating a mix of land uses or coordinated development components;
 - 2. The property constitutes a site of sufficient size, configuration, or strategic importance to warrant master-planned development, generally consisting of five (5) acres or more, unless otherwise justified;
 - 3. The site contains unique physical, environmental, or locational characteristics that render development under conventional zoning impractical or incapable of achieving the objectives of this Section;
 - 4. The proposal involves redevelopment or infill requiring coordinated planning and design flexibility;
 - 5. The applicant demonstrates that the proposal has the potential to meet the Superior Design and Public Benefit Standard of Sec. 6.1.3.; or
 - 6. The development is of a unique or special character that warrants individualized consideration under a unified development plan.
 - B. Notwithstanding the foregoing, an application for a Planned Development District shall not be accepted where the proposed development can be reasonably achieved under a conventional zoning district, including with the use of variances. Applications intended to avoid, reduce, or circumvent the standards or procedures of conventional zoning shall not be accepted.
 - C. The applicant shall submit a written justification demonstrating compliance with the eligibility criteria and the necessity of the PD District.
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6.1.3 Required Superiority of Design and Public Benefit

- A. Approval of a Planned Development District shall require a showing that the proposed development satisfies the “superior design and public benefit” standard established in this Section. Such superiority must be demonstrated through the overall design and performance of the development, including but not limited to:
 - 1. Integrated and efficient site design and layout;
 - 2. Preservation of natural features and provision of functional open space;
 - 3. Compatibility with surrounding land uses and appropriate transitions;
 - 4. Coordinated and efficient infrastructure and public services;
 - 5. High-quality architectural design and cohesive development character; and
 - 6. Provision of meaningful public benefits.
- B. Flexibility from the standards of this Unified Development Code shall be granted only to the extent necessary to achieve such superior design and public benefit.
- C. The burden of proof shall be on the applicant to demonstrate that the PD District is warranted and that the proposed development satisfies the requirements of this Section.

6.1.4 Findings of Fact

- A. The County Commission shall approve a Planned Development District only upon making findings that
 - 1. Complies with the intent, eligibility, and superior design standards set forth in Sections 6.1.1–6.1.3;
 - 2. The proposed development is consistent with the Comprehensive Plan and applicable adopted policies;
 - 3. The proposed development is compatible with surrounding land uses and includes appropriate transitions, buffering, and mitigation of impacts;
 - 4. Adequate public facilities and infrastructure are available to serve the development; and
 - 5. The proposed development is designed and intended to function as a unified and coordinated project.
- B. Notwithstanding the above, the approval of a Planned Development District is a legislative decision of the County Commission and the findings set forth herein are intended to guide the exercise of legislative discretion and shall not be construed to create a quasi-judicial standard of review.

6.1.5 Establishment of Standards and Relationship to Base Zoning

- A. Each Planned Development District shall be governed by the approved development plans, conditions of zoning, and applicable provisions of this Unified Development Code, except as expressly modified through the PD approval.
- B. For purposes of evaluation, the Planning Director or designee shall identify the conventional zoning district or districts most comparable to the proposed development based on land use, density or intensity, and the Comprehensive Plan designation which shall serve as a baseline for evaluating the appropriateness of the proposed PD. Where development standards are not expressly established as part of the PD approval, the standards of the identified comparable zoning district(s) shall apply, as determined by the Planning Director or designee.
- C. In the event of a conflict between an approved PD standard and the provisions of this Unified Development Code, the approved PD standard shall govern only where such deviation has been expressly approved by the County Commission.
- D. Modifications to the standards of the comparable zoning district(s) may be approved only where such modifications are:
 - 1. Clearly identified by the applicant;
 - 2. Fully justified; and
 - 3. Where such modifications are consistent with Sec. 6.1.3.
- E. Under no circumstances shall the PD District be used to grant generalized or excessive deviations from this Unified Development Code.

6.1.6 Application and Review Procedures

- A. General
 - 1. Applications for a Planned Development (PD) District shall be processed as a rezoning request in accordance with Sec. 11.2.
 - 2. A PD application shall not be deemed complete until all required materials have been submitted in accordance with this Section, as determined by the Planning Director or their designee.
 - B. Pre-Application Meeting (Required)
 - 1. A pre-application meeting with Planning and Zoning staff and other applicable departments shall be required prior to submission.
 - 2. The purpose of the meeting is to evaluate eligibility under Sec. 6.1.2, identify the appropriate base zoning district, and review conceptual design and potential issues.
 - 3. Applications that do not demonstrate eligibility for PD following the pre-application meeting may be advised to pursue conventional zoning.
 - C. Application Requirements
 - 1. All applications shall include:
 - a. A Concept or Development Plan
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- i. The site plan must include all required elements outlined on the Application Checklist provided by Staff.
 - b. Phased plan, if applicable
 - c. A Narrative and justification statement, shall include:
 - i. A demonstration of eligibility (Sec. 6.1.2);
 - ii. A demonstration of superiority (Sec. 6.1.3)
 - iii. Proposed uses and development standards; and
 - iv. A description of phasing, if applicable.
 - d. Supporting technical studies (as applicable)
 - e. Application Fee
 - f. Application Form
 - g. Owner Authorization Forms
 - h. Campaign Contribution Forms
 - i. Recorded plat
 - j. Architectural elevations or renderings
 - k. Utility letters
 - l. Traffic study or other specialized study if deemed warranted.
- D. Staff Review
 - 1. Staff shall review the application for completeness, consistency with this Section and consistency with the Comprehensive Plan.
 - 2. Staff may require revisions to ensure compliance prior to scheduling for public hearing.

6.1.7 Amendments, Modifications, and Phasing

- A. General
 - 1. All development within a PD District shall be constructed in accordance with the approved Final Development Plan and conditions of zoning.
 - B. Minor Modifications
 - 1. Minor modifications may be approved administratively by the Planning Director or their designee who shall maintain a written record of all approved minor modifications.
 - 2. Minor modifications include:
 - a. Adjustments to building placement
 - m. Minor changes in lot layout
 - n. Landscaping adjustments not to include the adjustment of width or length.
 - o. Infrastructure alignment changes
 - 3. Such changes shall:
 - a. Not alter overall density or intensity
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- b. Not change permitted uses
 - c. Not reduce required open space or buffers
 - d. Not cumulatively result in a major modification.
- C. Major Modifications
 1. Any modification that substantially alters the approved PD shall require approval by the County Commission through the rezoning process.
 2. Major modifications include:
 - a. Changes in land use
 - b. Increases in density or intensity
 - c. Reduction in open space, required landscape strips or buffers
 - d. Significant changes to circulation patterns
- D. Phasing
 1. A PD may be developed in phases, as approved by the County Commission.
 2. The approved phasing plan shall:
 - a. Identify sequence of development
 - b. Include estimated timelines
 - c. Identify infrastructure delivery

6.1.8 Development Standards

- A. Development standards within a Planned Development District shall address the physical form, functionality, and performance of the project and shall be tailored to the characteristics of the site and surrounding area.
 - B. All development within a PD shall be designed to ensure compatibility with surrounding land uses, provide appropriate transitions, and incorporate adequate buffering, screening, and mitigation measures.
 - A. Open space shall be provided as an integral and functional component of the development and shall be designed for usability, accessibility, and long-term value. The amount and configuration of open space shall be determined during the PD approval process based on the scale, character, and impacts of the proposed development.
 - B. Circulation systems shall provide safe and efficient movement of vehicles, pedestrians, and, where appropriate, bicycles, and shall be coordinated with surrounding networks.
 - C. Infrastructure and utilities shall be provided in a manner that ensures adequate service and shall comply with applicable County standards unless otherwise modified through the PD approval.
 - D. In no case shall the standards established within a Planned Development District result in a development that is inconsistent with the intent of this Section or detrimental to the public health, safety, and welfare.
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6.1.9 Legacy Planned Development Districts

- A. All Planned Development approvals granted on or after August 27, 2026, shall be subject to the provisions of this Section.
 - B. Any property approved before the adoption of this section under a Planned Residential Development (PRD), Planned Commercial Development (PCD), Planned Office Development (POD), Planned Industrial Development (PID), or Planned Commercial Farm District (PCFD) shall be considered a Planned Development (PD) District for purposes of this Ordinance.
 - C. Such legacy developments shall remain governed by their previously approved plans, conditions of zoning, and any vested rights. Nothing in this Section shall be construed to alter, impair, or revoke those rights.
 - D. Any amendment to a legacy Planned Development shall be processed in accordance with this Section and shall be subject to the standards for PD amendments.
 - E. For interpretation and administration, legacy districts shall be treated as PD Districts; however, their previously approved terms and conditions shall continue to control unless formally amended in accordance with this Section.
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