STATE OF GEORGIA

COUNTY OF HALL

RESOLUTION AMENDING TITLE 3 CHAPTER 3.100 DEVELOPMENT IMPACT FEE ORDINANCE OF THE HALL COUNTY CODE OF ORDINANCES

WHEREAS, Hall County has previously adopted a Development Impact Fee Ordinance, which is codified under Title 3, Chapter 3.100 of the Official Code of Hall County (hereinafter the "the Ordinance"); and

WHEREAS, Hall County staff has examined the Ordinance and recommended certain revisions intended to update the Ordinance; and

WHEREAS, the Hall County, Georgia Board of Commissioners has considered certain proposed revisions to the Ordinance; and

NOW, THEREFORE, the Hall County, Georgia Board of Commissioners does hereby amend the Official Code of Hall County, Georgia, specifically Title 3, Chapter 3.100 as follows:

1.

Title 3, Chapter 3.100 of the Official Code of Hall County, Georgia, is hereby amended as follows:

3.100.060. - Definitions.

Section 3.100.060 (A) (26) currently provides as follows:

"26. *Public facilities* mean:
a. Parks, open space, and recreation areas and related facilities;
b. Public safety facilities, including police, fire, emergency medical, and rescue facilities;
c. Libraries and related facilities."

Section 3.100.060 (A)(26) is hereby amended to include the items enumerated under item "d" as public facilities for the purposes of Title 3, Chapter 3.100 and Section 3.100.060 (A)(26) shall now provide as follows:

26. *Public facilities* mean:

a. Parks, open space, and recreation areas and related facilities;

b. Public safety facilities, including police, fire, emergency medical, and rescue facilities;

c. Libraries and related facilities.

d. Highways, roads, streets, avenues, drives, detours or other ways intended for public use.

2.

Title 3, Chapter 3.100 of the Official Code of Hall County, Georgia, is hereby amended as follows:

3.100.110 – Fee schedule

Section 3.100.110(A) currently provides as follows:

> "Payment of a development impact fee pursuant to the fee schedule attached hereto as Attachment A for a property located outside of the City of Gainesville or the fee schedule attached hereto as Attachment B for a property located inside of the City of Gainesville, shall constitute full and complete payment of the project's proportionate share of system improvements and shall be deemed to be in compliance with the requirements of this chapter."

Section 3.100.110(A) is hereby amended to provide as follows:

> Payment of a development impact fee pursuant to the fee schedule attached hereto as Attachment A. Hall County Development Impact Fee Schedule and subject to the provisions of section 3.100.150 Inflation and fee certification. of this chapter shall constitute full and complete payment of the project's proportionate share of system improvements and shall be deemed to be in compliance with the requirements of this chapter.

3.

Title 3, Chapter 3.100 of the Official Code of Hall County, Georgia, is hereby amended as follows:

3.100.090 Grandfathered projects.

"Section 3.100.090 currently provides as follows:

A. Any building for which a valid and complete application for a building permit has been received prior to the effective date of the development impact fee resolution may proceed without payment of fees otherwise imposed by this Chapter, provided that:

   1. All fees and development exactions in effect prior to the effective date of the development impact fee resolution shall be or have been paid in full;

   2. Said construction shall be commenced, pursued and completed within the time established by the building permit, or within 180 days, whichever is later.

B. Notwithstanding any other provision of this chapter, that portion of a project for which a valid building permit or has been issued prior to the effective date of the development impact fee resolution shall not be subject to development impact fees so long as the permit remains valid and construction is commenced and is pursued according to the terms of the permit."

Section 3.100.090 is hereby amended to provide as follows:

3.100.090 Development Impact Fees Owed Based on Time of Submittal.

Any building for which a valid and complete application for a building permit has been received shall be subject to the development impact fees in effect at the time of submittal pursuant to Attachment A. Hall County Development Impact Fee Schedule contained within this chapter and further pursuant to the provisions of section 3.100.150 Inflation and fee certification.

4.

Title 3, Chapter 3.100 of the Official Code of Hall County, Georgia, is hereby amended as follows:

Section 3.100.150 currently provides as follows:

"3.100.150. Fee certification.

Upon application to the Administrator, a developer may receive a certified schedule of development impact fees for categories of development or a certified fee for a particular project, as applicable. Such certified schedule or fee shall establish the development impact fee due for a

period of 180 days from the date of certification, even if new or revised rate schedules are adopted in the interim."

Section 3.100.150 is hereby amended to provide as follows:

3.100.150. Inflation and fee certification.

A. The development impact fees specified by this Chapter in Attachment A. Hall County Development Impact Fee Schedule are subject to change resulting from inflation and in accordance with the Consumer Price Index (CPI). Further, in the event of recession the County reserves the right to evaluate the fee structure to determine what adjustments might best serve the County and its citizenry.

B. Upon application to the Administrator, a developer may receive a certified schedule of development impact fees for categories of development or a certified fee for a particular project, as applicable. Such certified schedule or fee shall establish the development impact fee that would be due if a completed application for a building permit was submitted at the time of certification of the schedule or fee but shall not constitute a guarantee that the certified schedule or fee will remain applicable upon eventual submittal.

5.

Title 3, Chapter 3.100 of the Official Code of Hall County, Georgia, is hereby amended as follows:

Attachment A. Fee Schedule-Hall County Outside of Gainesville and Attachement B. Fee Schedule-Inside City of Gainesville of Title 3, Chapter 3.100 of the Official Code of Hall County, Georgia are hereby repealed in full and shall be replaced by Exhibit "A" to this resolution (Attachment A. Hall County Development Impact Fee Schedule) which is attached hereto and incorporated by reference.

6.

The remaining provisions of Title 3, Chapter 3.100. of the Hall County Code of Ordinances shall remain as codified, unchanged by these amendments.

7.

Any and all provisions of the Official Code of Hall County which directly conflict with this Resolution are hereby repealed.

8.

The amendments to the Hall County Code of Ordinances provided for herein shall become effective as of January 1, 2027.

SO RESOLVED, this the _____ day of _____, 2026.

HALL COUNTY BOARD OF COMMISSIONERS

By: _____
David Gibbs, Chairman

ATTEST:

_____ (SEAL)
Jennifer Rivera, County Clerk

APPROVED AS TO FORM:

_____
Justin Lawhon, County Attorney