



**HALL COUNTY BOARD OF COMMISSIONERS
WORK SESSION AGENDA**

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

**Streamed Live on Hall County Government's Website - www.hallcounty.org
Tuesday, November 12, 2024 - 03:00 PM**

Call to Order

Administration

- 1 Approve the 2025 Board of Commissioners Meeting Schedule.

Appointments for Consideration

- 2 Appointment to the Chestatee-Chattahoochee Resource Conservation and Development Council (RC&D) to serve a term from January 1, 2025 to December 31, 2025. Commission Districts 1, 2, 3, and 4.
- 3 Appointment to the Chestatee-Chattahoochee Resource Conservation and Development Council (RC&D) to serve a term from January 1, 2025 to December 31, 2025. Commission Districts 1, 2, 3, and 4.
- 4 Appointment to the Gainesville Hall Development Authority to serve a term from January 1, 2025 to December 31, 2025. Commission Districts 1, 2, 3, and 4.
- 5 Appointment to the Parks & Leisure Services Board to serve a term from January 1, 2025 to December 31, 2025. Commission Districts 1, 2, 3, and 4.
- 6 Appointment to the Parks & Leisure Services Board to serve a term from January 1, 2025 to December 31, 2028. Commission District 2.
- 7 Appointment to the Parks & Leisure Services Board to serve a term from January 1, 2025 to December 31, 2028. Commission District 4.
- 8 Appointment to the Parks & Leisure Services Board to serve a term from January 1, 2025 to December 31, 2028. Chairman's Appointment.

Central Services

- 9 Approve the renewal of the annual contract for RFQ/P #44-008 GPS/AVL Vehicle Tracking Systems for Fleet Maintenance to LB Technology, Inc. of Memphis, TN. The estimated annual cost is \$80,000.00.

Correctional Institution

- 10 Approve the FY 2025 award of the Criminal Justice Coordinating Council's (CJCC) Residential Substance Abuse Treatment (RSAT) Program Grant for the Correctional Institute's treatment program in the amount of \$36,791.00, and appoint the Grants Manager as the Program Designee and authorize the Chairman to execute all related application and award documents. An in-kind match of 25% will be required.

County Attorney

- 11 Approval and authorization for the Chairman to execute an Extension of the Letter of Intent between Hall County and Glade Farm, LLC originally executed on January 15, 2010, and any and all additional documents necessary to effectuate the transaction, subject to review and approval by the County Attorney.

Court Administration

- 12 Approve the ratification of the 2025 Judicial Council American Rescue Plan Act Grant funding application for the Northeastern Judicial Circuit to address case backlogs in the amount of \$1,120,739.00, and if awarded, appoint the Grants Manager as the Program Designee and authorize the Chairman to execute all related application and award documents. No cash or in-kind match is required.

Fire Rescue

- 13 Approve the sole source purchase of two (2) Zoll X Series Monitor/Defibrillators and related accessories for Fire Rescue to Zoll Medical Corporation of Chelmsford, MA, in the amount of \$94,716.56.

Planning & Zoning

- 14 Public Hearing to adopt a minor update to the Hall County Comprehensive Plan.
- 15 Public Hearing to adopt Hall County's Unified Development Code (UDC).
- 16 **5820 McEver Road | Amend Conditions of Zoning |** on a 3.57± acre tract located on the west side of McEver Road at its intersection with Lights Ferry Road | Zoned H-B, Tax Parcel 08119 000003 | **Proposed Use: Gas station and convenience store |** Commission District 2 | **Nabeel Group of Companies, Inc, applicant** NOTE: Tabled at the September 10, 2024 Voting Meeting until the October 10, 2024 Voting Meeting. NOTE: Tabled at the October 10, 2024 Voting Meeting until the November 14, 2024 Voting Meeting.
- 17 **0 & 3454 Gillsville Highway | Rezone |** from Agricultural Residential IV (AR-IV) to Planned Residential Development (PRD) | on a combined 30.78± acre tract located on the south side of Gillsville Highway (GA-323), approximately 370 feet from its intersection with East Hall Road | Zoned AR-IV; Tax Parcels 15016 000158A & 000028C | **Proposed Use: 20-lot residential subdivision |** Commission District 3 | **Sabina Chowdhury, applicant** NOTE: Tabled at the September 10, 2024 Voting Meeting until the October 24, 2024 Voting Meeting. NOTE: Tabled at the October 24, 2024 Voting Meeting until the November 14, 2024 Voting Meeting.

- 18 **2002 Memorial Park Drive | Rezone** | from Residential (R-I) to Highway Business (H-B) on a 0.89± acre tract on the west side of Memorial Park Drive at its intersection with Browns Bridge Road | Zoned R-I; Tax Parcel 08014 005011| **Proposed Use: Retail sales** | Commission District 4 | **Salomon Sancen, applicant**
- 19 **4137 Short Road | Use Subject to County Commission Approval** | on a 4.02± acre tract located on the south side of Short Road approximately 160 feet from its intersection with Sardis Road | Zoned R-I; Tax Parcel 10080 000010 | **Proposed Use: 2-lot subdivision** | Commission District 2 | **Connie Allen, applicant**
- 20 **6147 Dahlonga Highway | Use Subject to County Commission Approval** | on a 19.34± acre tract located on the southwest side of Dahlonga Highway approximately 703 feet from its intersection with Kenimer Road | Zoned AR-IV; Tax Parcel 11003 000002A | **Proposed Use: Commercial kennel** | Commission District 3 | **Rachel Christensen Rich, applicant**
- 21 **1600 Athens Highway, Building C | Amend Conditions of Zoning** | on a 0.64± acre tract located on the south side of Athens Highway approximately 596 feet from its intersection with Athens Street | Zoned I-I (GCOD); Tax Parcel 15032 000050 | **Proposed Use: Automobile repair garage** | Commission District 3 | **Gerado Vargas, applicant**
- 22 **7051 Pony Lake Road | Rezone** | from Agricultural Residential IV (AR-IV) to Planned Residential Development (PRD) | on a 1.74± acre tract located on the west side of Pony Lake Road at its intersection with Old Whelchel Road | Zoned AR-IV; Tax Parcel 11101 000008 | **Proposed Use: Staff residence** | Commission District 3 | **Steve Roys, applicant**
- 23 **7011 & 7051 Pony Lake Road | Amend Conditions of Zoning** | on a 101.74± acre tract located on the west side of Pony Lake Road approximately 498 feet from its intersection with Old Whelchel Road | Zoned PRD & AR-IV; Tax Parcels 11101 000003A & 000008 | **Proposed Use: Staff residence** | Commission District 3 | **Steve Roys, applicant**

Public Works and Utilities

- 24 Approve the sole source purchase of leachate treatment membranes, seals and labor for Public Works & Utilities to Rochem Americas, Inc. of Hermosa Beach, CA, in the amount of \$121,494.00.
- 25 Approve the award of RFQ/P #45-020 Pond Fork Basin Phase 1 Sewer Improvements for Public Works & Utilities to W.L. Griffin Company, LLC of Gillsville, GA, in the amount of \$9,876,126.97.

Sheriff's Office

- 26 Approve the ratification of the application and award for the 2024 State Homeland Security Program grant for the Sheriff's Office EOD K9 Team to purchase supplies, veterinary care, and nutritional needs in the amount of \$3,000.00 and appoint the Grants Manager as the Program Designee and authorize the Chairman to execute all related award documents. No match is required.

- 27 Approve the ratification of the application and award for the 2024 State Homeland Security grant for the Sheriff's Office SWAT Team to purchase necessary equipment in the amount of \$28,815.00, and appoint the Grants Manager as the Program Designee and authorize the Chairman to execute all related award documents. No match is required.

Treatment Services

- 28 Approve the ratification of the application of the Criminal Justice Coordinating Council's (CJCC) Accountability Court Funding FY 2025 Enhancement and Innovation Grant for Treatment Services to provide additional substance use, mental health and ancillary services to program participants in the amount of \$65,015.24, and if awarded, appoint the Grants Manager as the Program Designee and authorize the Chairman to execute all related application and award documents. An in-kind match of \$9,752.28 is required.

County Administrator

Public Comments (PUBLIC HEARING ITEMS (i.e. ZONINGS, ORDINANCE CHANGES, ETC.) WILL ONLY BE RECEIVED AT THE REGULAR SCHEDULED VOTING MEETINGS IN WHICH THE ITEM IS TO BE HEARD) 2 minutes per speaker/20 minutes maximum

Commission Time

Adjourn

Hall County Government welcomes people with disabilities and their trained service animals. For questions about accessibility or to request reasonable accommodations please contact Maria Tuck, Compliance Specialist at 770-531-6712 48 hours prior to the event or as soon as possible.



AGENDA ITEM

Administration

REPORT TO: Work Session (11/12/24)

REPORT TO: Voting Meeting (11/14/24)

ITEM NO: 551/2024

SUBJECT: Approve the 2025 Board of Commissioners Meeting Schedule.

Meetings:

Work Session Date: 11/12/24 **Voting Meeting Date:** 11/14/24

Executive Summary:

Presenter: ZP

Recommendation:
Approval.

Purpose of Request: Approve the 2025 Board of Commissioners Meeting Schedule.

History:

Facts and Issues: **Options:**

Funding Requested \$ 0.00

Are funds within current budget? No

Source of Funds

Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.? No

Has it been reviewed by the County Attorney? Yes

Is there a deadline for this item? 2024-12-31

Approvals:

Approve	Attorney	Administration	Clerk
JR	WLI	CR	JR

Attachments:

Draft 2025 Meeting Schedule



HALL COUNTY BOARD OF COMMISSIONERS
2025 Commission Meeting Schedule
Hall County Government Center 2nd Floor
2875 Browns Bridge Road, Gainesville, GA 30504

<u>WORK SESSIONS</u>	<u>VOTING MEETINGS</u>
Monday, January 6 at 3:00	Thursday, January 9 at 6:00
Tuesday , January 21 at 3:00	Thursday, January 23 at 6:00
Monday, February 10 at 3:00	Thursday, February 13 at 6:00
Monday, February 24 at 3:00	Thursday, February 27 at 6:00
Monday, March 10 at 3:00	Thursday, March 13 at 6:00
Monday, March 24 at 3:00	Thursday, March 27 at 6:00
Monday, April 7 at 3:00	Thursday, April 10 at 6:00
Monday, April 21 at 3:00	Tuesday , April 22 at 6:00
Monday, May 5 at 3:00	Thursday, May 8 at 6:00
Monday, May 19 at 3:00	Thursday, May 22 at 6:00
Monday, June 9 at 3:00	Thursday, June 12 at 6:00
Monday, June 23 at 3:00	Thursday, June 26 at 6:00
Monday, July 7 at 3:00	Thursday, July 10 at 6:00
Monday, July 21 at 3:00	Thursday, July 24 at 6:00
Monday, August 11 at 3:00	Thursday, August 14 at 6:00
Monday, August 25 at 3:00	Thursday, August 28 at 6:00
Monday, September 8 at 3:00	Thursday, September 11 at 6:00
Monday, September 22 at 3:00	Thursday, September 25 at 6:00
Monday, October 6 at 3:00	Thursday, October 9 at 6:00
Monday, October 20 at 3:00	Thursday, October 23 at 6:00
Monday, November 10 at 3:00	Thursday, November 13 at 6:00
Monday, December 8 at 3:00	Thursday, December 11 at 6:00

Work Session Meetings are scheduled for Mondays prior to the 2nd and 4th Thursdays of each month. Voting Meetings are scheduled for the 2nd and 4th Thursdays of each month.

All Meetings are scheduled to be held at the Hall County Government Center (2875 Browns Bridge Road, Gainesville, GA) on the 2nd floor.

Any amendments to the schedule listed above will be noticed to the public as State law requires.

Please direct questions and/or concerns to:

Jennifer Rivera
 Hall County Commission Clerk
 (770) 297-2684
jrivera@hallcounty.org



AGENDA ITEM

Appointments for Consideration

REPORT TO: Work Session (11/12/24)

REPORT TO: Voting Meeting (11/14/24)

ITEM NO: 541/2024

SUBJECT: Appointment to the Chestatee-Chattahoochee Resource Conservation and Development Council (RC&D) to serve a term from January 1, 2025 to December 31, 2025. Commission Districts 1, 2, 3, and 4.

Meetings:

Work Session Date: 11/12/24 **Voting Meeting Date:** 11/14/24

Executive Summary:

Presenter: B

Recommendation:
n/a

Purpose of Request:
Appointment to the Chestatee-Chattahoochee Resource Conservation and Development Council (RC&D) to serve a term from January 1, 2025 to December 31, 2025. Commission Districts 1, 2, 3, and 4.

History:
The current appointment is Commissioner Gregg Poole.

Facts and Issues:
Commissioner Gregg Poole is willing and eligible to serve another term.

Options:

Funding Requested	\$ 0.00
Are funds within current budget?	No
Source of Funds	
Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?	No
Has it been reviewed by the County Attorney?	Yes
Is there a deadline for this item?	2024-12-31

Approvals:

Approve	Clerk
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Approve	Clerk
JR	JR

Attachments:



AGENDA ITEM

Appointments for Consideration

REPORT TO: Work Session (11/12/24)

REPORT TO: Voting Meeting (11/14/24)

ITEM NO: 542/2024

SUBJECT: Appointment to the Chestatee-Chattahoochee Resource Conservation and Development Council (RC&D) to serve a term from January 1, 2025 to December 31, 2025. Commission Districts 1, 2, 3, and 4.

Meetings:

Work Session Date: 11/12/24

Voting Meeting Date: 11/14/24

Executive Summary:

Presenter: B
Recommendation: n/a

Purpose of Request:
 Appointment to the Chestatee-Chattahoochee Resource Conservation and Development Council (RC&D) to serve a term from January 1, 2025 to December 31, 2025. Commission Districts 1, 2, 3, and 4.

History:
 The current appointment is Bill Nash.

Facts and Issues:
 Bill Nash is willing and eligible to serve another term.

Options:

Funding Requested	\$ 0.00
Are funds within current budget?	No
Source of Funds	
Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?	No
Has it been reviewed by the County Attorney?	Yes
Is there a deadline for this item?	2024-12-31

Approvals:

Approve	Clerk
JR	JR

Attachments:



AGENDA ITEM

Appointments for Consideration

REPORT TO: Work Session (11/12/24)

REPORT TO: Voting Meeting (11/14/24)

ITEM NO: 543/2024

SUBJECT: Appointment to the Gainesville Hall Development Authority to serve a term from January 1, 2025 to December 31, 2025. Commission Districts 1, 2, 3, and 4.

Meetings:

Work Session Date: 11/12/24

Voting Meeting Date: 11/14/24

Executive Summary:

Presenter: B
Recommendation: n/a

Purpose of Request:
 Appointment to the Gainesville Hall Development Authority to serve a term from January 1, 2025 to December 31, 2025. Commission Districts 1, 2, 3, and 4.

History:
 Commissioner Billy Powell currently serves as ex-officio.

Facts and Issues:
 Commissioner Billy Powell is willing and eligible to serve another term.

Options:

Funding Requested	\$ 0.00
Are funds within current budget?	No
Source of Funds	
Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?	No
Has it been reviewed by the County Attorney?	Yes
Is there a deadline for this item?	2024-12-31

Approvals:

Approve	Clerk
JR	JR

Attachments:



AGENDA ITEM

Appointments for Consideration

REPORT TO: Work Session (11/12/24)

REPORT TO: Voting Meeting (11/14/24)

ITEM NO: 544/2024

SUBJECT: Appointment to the Parks & Leisure Services Board to serve a term from January 1, 2025 to December 31, 2025. Commission Districts 1, 2, 3, and 4.

Meetings:

Work Session Date: 11/12/24

Voting Meeting Date: 11/14/24

Executive Summary:

Presenter: B
Recommendation: n/a

Purpose of Request: Appointment to the Parks & Leisure Services Board to serve a term from January 1, 2025 to December 31, 2025. Commission Districts 1, 2, 3, and 4.

History: Commissioner Jeff Stowe currently serves as ex-officio.

Facts and Issues: Commissioner Jeff Stowe is willing and eligible to serve another term.

Options:

Funding Requested \$ 0.00
Are funds within current budget? No
Source of Funds
Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.? No
Has it been reviewed by the County Attorney? Yes
Is there a deadline for this item? 2024-12-31

Approvals:

Approve	Clerk
JR	JR

Attachments:



AGENDA ITEM

Appointments for Consideration

REPORT TO: **Work Session (11/12/24)**

REPORT TO: **Voting Meeting (11/14/24)**

ITEM NO: 545/2024

SUBJECT: Appointment to the Parks & Leisure Services Board to serve a term from January 1, 2025 to December 31, 2028. Commission District 2.

Meetings:

Work Session Date: 11/12/24 **Voting Meeting Date:** 11/14/24

Executive Summary:

Presenter: B

Recommendation: n/a

Purpose of Request: Appointment to the Parks & Leisure Services Board to serve a term from January 1, 2025 to December 31, 2028. Commission District 2.

History: Jessica Tullar is the current appointment.

Facts and Issues: Jessica Tullar is willing and eligible to serve another term.

Options:

Funding Requested \$ 0.00

Are funds within current budget? No

Source of Funds

Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.? No

Has it been reviewed by the County Attorney? Yes

Is there a deadline for this item? 2024-12-31

Approvals:

Approve	Clerk
JR	JR

Attachments:



AGENDA ITEM

Appointments for Consideration

REPORT TO: Work Session (11/12/24)

REPORT TO: Voting Meeting (11/14/24)

ITEM NO: 546/2024

SUBJECT: Appointment to the Parks & Leisure Services Board to serve a term from January 1, 2025 to December 31, 2028. Commission District 4.

Meetings:

Work Session Date: 11/12/24

Voting Meeting Date: 11/14/24

Executive Summary:

Presenter: B
Recommendation: n/a

Purpose of Request: Appointment to the Parks & Leisure Services Board to serve a term from January 1, 2025 to December 31, 2028. Commission District 4.

History: Emilie Cisco is the current appointment.

Facts and Issues: Emilie Cisco is willing and eligible to serve another term.

Options:

Funding Requested	\$ 0.00
Are funds within current budget?	No
Source of Funds	
Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?	No
Has it been reviewed by the County Attorney?	Yes
Is there a deadline for this item?	2024-12-31

Approvals:

Approve	Clerk
JR	JR

Attachments:



AGENDA ITEM

Appointments for Consideration

REPORT TO: Work Session (11/12/24)

REPORT TO: Voting Meeting (11/14/24)

ITEM NO: 547/2024

SUBJECT: Appointment to the Parks & Leisure Services Board to serve a term from January 1, 2025 to December 31, 2028. Chairman's Appointment.

Meetings:

Work Session Date: 11/12/24

Voting Meeting Date: 11/14/24

Executive Summary:

Presenter: B
Recommendation: n/a

Purpose of Request:
 Appointment to the Parks & Leisure Services Board to serve a term from January 1, 2025 to December 31, 2028. Chairman's Appointment.

History:
 Mark Dunn is the current appointment.

Facts and Issues:
 Mark Dunn is willing and eligible to serve another term.

Options:

Funding Requested	\$ 0.00
Are funds within current budget?	No
Source of Funds	
Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?	No
Has it been reviewed by the County Attorney?	Yes
Is there a deadline for this item?	2024-12-31

Approvals:

Approve	Clerk
JR	JR

Attachments:



AGENDA ITEM

Central Services

REPORT TO: Work Session (11/12/24)

REPORT TO: Voting Meeting (11/14/24)

ITEM NO: 592/2024

SUBJECT: Approve the renewal of the annual contract for RFQ/P #44-008 GPS/AVL Vehicle Tracking Systems for Fleet Maintenance to LB Technology, Inc. of Memphis, TN. The estimated annual cost is \$80,000.00.

Meetings:

Work Session Date: 11/12/24

Voting Meeting Date: 11/14/24

Executive Summary:

Presenter: KI
Recommendation: Approve.

Purpose of Request: Approve the renewal of the annual contract for RFQ/P #44-008 GPS/AVL Vehicle Tracking Systems for Fleet Maintenance to LB Technology, Inc. of Memphis, TN. The estimated annual cost is \$80,000.00.

History: This is year two (2) of a possible five (5) year contract.

Facts and Issues: The estimated cost includes the current annual software fees of \$64,200.00, plus additional money for new tracking systems and new annual software fees for the next year.

Options:

Funding Requested	\$ 80,000.00
Are funds within current budget?	Yes
Source of Funds	Fleet Maintenance
Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?	Yes
Has it been reviewed by the County Attorney?	Yes
Is there a deadline for this item?	

Approvals:

Buyer	Submit	Approve	Purchasing
MH	ES	KI	AP
Budget	Finance	Attorney	Administration
JM	TS	WLI	CR
Clerk			
JR			

Attachments:

Financial Supplement

Bid Tab

Contract Renewal

Contract Signature Request Sheet



**HALL COUNTY BOARD OF COMMISSIONERS
FINANCIAL SUPPLEMENT REPORT**

AGENDA ITEM 592/2024

Funds Requested: \$ 80,000.00

Request Budgeted: Yes

Proposed Source of Funding:

Budget Transfer Requested:

Fleet Maintenance

No

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
2025	603-FLEET MAINTENANCE FUND	4900-FLEET MAINTENANCE	531600-SMALL FURNITURE & EQUIPMENT	\$80,000.00

Budget Transfer Items:

Additional Information/Comments:

Contact for Questions: KI

Phone: 770-531-6823

RFQ/P #44-008

GPS/AVL Vehicle Tracking System

				LB Technology, Inc.		AT&T	
				Memphis, TN		Alpharetta, GA	
No.	Item Description	Qty	UOM	Unit Price	Ext. Price	Unit Price	Ext. Price
Up-Front Costs for Basic Hardware and Install							
1	Wired AVL Hardware per Vehicle	400	EA	\$0.00	\$0.00	\$0.00	\$0.00
2	Hardware Installation per Vehicle	400	EA	\$0.00	\$0.00	\$0.00	\$0.00
	Total Up Front Costs				\$0.00		\$0.00
3	Monthly Software Fees per Vehicle	400	EA	\$12.50	\$5,000.00	\$19.75	\$7,900.00
	Annual Total Software Fees	1	EA	\$60,000.00	\$60,000.00	\$94,800.00	\$94,800.00
	2-Way Directional Camera (Optional)	150	EA	\$28.00	\$4,200.00	\$194.10	\$29,115.00
Bid Total (Including Optional Cameras):					\$64,200.00		\$123,915.00
			NOTES:	See cost proposal sheet for more details.	See cost proposal sheet for more details.		



Hall County Government
FINANCIAL SERVICES

October 22, 2024

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503
t: 770.535.8270 | f: 770.531.7112
FINANCIAL SERVICES DIRECTOR
Taylor Samples, CPA

LB Technology, Inc.
6991 Appling Farms Parkway
Suite 101
Memphis, TN 38113
Attn: Mike Burkett

**Subject: RFQ/P #44-008, GPS / AVL Vehicle Tracking System:
Fiscal Year 2025 Contract Renewal**

Dear Mr. Burkett,

Attached you will find Contract Renewal #: 001, extending your present contract through September 30, 2025, as per the same terms and conditions of the Bid #44-008.

If you are in agreement with the renewal, please sign, notarize and return a copy of the attached agreement. The County does accept digital signatures. Do not fax documents back. A copy will be returned to you upon execution by Hall County.

I would request that you please respond by Friday, October 25, 2024. Hall County appreciates your cooperation with this process.

Mike Hawkins
Buyer
Hall County Board of Commissioners

Contract Renewal #1

GPS / AVL Vehicle Tracking System

October 22, 2024

Whereas, the County desires to Renew the Contract period for a one year period through September 30, 2025, in accordance with the terms and conditions of Bid #44-008, GPS / AVL Vehicle Tracking System dated September 14, 2023; and

Whereas, the Contractor has agreed to this extension and agrees to provide services and/or materials previously supplied in accordance with the original agreement; and

Whereas, with both parties agreeing to the Renewal as stated and therefore, the above numbered contract is hereby changed as follows:

1. By extending the Contract Term through September 30, 2025,
2. Allow for price adjustments as agreed to and recorded in Attachment A,
3. Change Orders: Any and all change orders requested by the successful bidder on this project must be approved in writing prior to any work being performed. Any work performed outside the contract agreement for which compensation over and above the contract is requested must have an approved Change Order. If work is done before approval of a Change Order, the subsequent Change Order will be rejected.

Therefore, With the above change to the original contract set forth herein, the parties hereto agree that all terms and conditions of the original agreement will remain in full force and effect and legally binding on both parties.

In witness whereof, the parties hereto have set their hands and affixed their seals the day and year first above written.

LB Technology, Inc.

HALL COUNTY, GEORGIA

By: Meloni
Print Name: Chandler Meloni
Title: CFO

By: _____
Richard Higgins
Chairman, Hall County Board of Commissioners

Date: _____

Sworn to and subscribed before me this

24th Day of October, 2024

Approved as to Form

Notary Public: Stephanie Weatherford

Stephanie Weatherford

Notary commission expires: 5-17-26





Hall County Government

FINANCIAL SERVICES

CONTRACT EXECUTION SIGNATURE REQUEST

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.535.8270

DIRECTOR
Taylor Samples, CPA

Date: 10/30/2024

To: Richard Higgins, Chairman, BOC

From: Mike Hawkins, Buyer

Your signature is requested to execute the attached Contract:

Bid/Contract No: RFQ/P #44-008

Bid/Contract Name: GPS/AVL Vehicle Tracking System

Department(s) Requesting Contract: Fleet Maintenance

Award Recipient Name: LBTechnology, Inc.

Contract Description: This software allows staff to track county vehicles and monitor driving habits, using GPS devices and 2-way cameras.

Annual Contract New Renewal

Prior Year's Spend: \$64,200.00

Price Increase Requested Increase Percentage: N/A

Project/Service Contract Estimated Amount: \$80,000.00

Product Contract Estimated Amount:

Comments:

This is year two (2) of a possible five (5) year contract. The estimated amount includes the \$64,200.00 current monthly software fees, plus additional funds for the purchases of new GPS devices, cameras and software fees.



AGENDA ITEM

Corrections and Maintenance

REPORT TO: Work Session (11/12/24)

REPORT TO: Voting Meeting (11/14/24)

ITEM NO: 572/2024

SUBJECT: Approve the FY 2025 award of the Criminal Justice Coordinating Council's (CJCC) Residential Substance Abuse Treatment (RSAT) Program Grant for the Correctional Institute's treatment program in the amount of \$36,791.00, and appoint the Grants Manager as the Program Designee and authorize the Chairman to execute all related application and award documents. An in-kind match of 25% will be required.

Meetings:

Work Session Date: 11/12/24

Voting Meeting Date: 11/14/24

Executive Summary:

Presenter: WD

Recommendation:
Approval

Purpose of Request:

Approve the FY 2025 award of the Criminal Justice Coordinating Council's (CJCC) Residential Substance Abuse Treatment (RSAT) Program Grant for the Correctional Institute's treatment program in the amount of \$36,791.00, and appoint the Grants Manager as the Program Designee and authorize the Chairman to execute all related application and award documents. An in-kind match of 25% will be required.

History:

This grant through CJCC has been renewed for the last seven (7) years and is an important part of the REACT re-entry program.

Facts and Issues:

The goal of the RSAT program is to break the cycle of drugs and violence by reducing the demand for, use, and trafficking of illegal drugs. RSAT enhances the capabilities of states and units of local governments to provide residential substance use disorder treatment for incarcerated individuals, and prepares individuals for their reintegration into the communities from which they came by incorporating reentry planning activities into treatment programs.

Options:

Funding Requested \$ 9,198.00
Are funds within current budget? Yes
Source of Funds General Fund
Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.? No
Has it been reviewed by the County Attorney? Yes
Is there a deadline for this item?

Approvals:

Grants	Submit	Grants	Budget
PS	WD	SG	JM
Finance	Attorney	Administration	Clerk
TS	WLI	CR	JR

Attachments:

Financial Supplement
 FY25 CJCC RSAT Award Letter



**HALL COUNTY BOARD OF COMMISSIONERS
FINANCIAL SUPPLEMENT REPORT**

AGENDA ITEM 572/2024

Funds Requested: \$ 9,198.00

Request Budgeted: Yes

Proposed Source of Funding:

Budget Transfer Requested:

General Fund

No

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
2025	100-GENERAL FUND	3420-CORRECTIONAL INSTITUTE	511100-SALARIES	\$9,198.00
2025	250-MULTIPLE GRANT FUND	3420-CORRECTIONAL INSTITUTE	521000-PROFESSIONAL SERVICES	\$27,593.00
2025	250-MULTIPLE GRANT FUND	3420-CORRECTIONAL INSTITUTE	331150-FEDERALâ€OPERATING INDIRECT	\$-27,593.00

Budget Transfer Items:

Additional Information/Comments:

Contact for Questions: WD

Phone: 678-989-8540

**OFFICE OF THE GOVERNOR
CRIMINAL JUSTICE COORDINATING COUNCIL
State of Georgia**

SUBGRANT AWARD

SUBGRANTEE: Hall County Board of Commissioners

IMPLEMENTING

AGENCY: Hall County BOC

PROJECT NAME: Residential Substance Abuse

SUBGRANT NUMBER: R22-8-004

FEDERAL FUNDS: \$ 27,593

MATCHING FUNDS: \$ 9,198

TOTAL FUNDS: \$ 36,791

GRANT PERIOD: 10/01/24-09/30/25

This Award is hereby made in the amount and for the period shown above for a grant under the Violent Crime Control and Law Enforcement Act of 1994, as amended, Public Law 103-322.

The award is made in accordance with the plan set forth in the application of the subgrantee and subject to any attached special conditions.

The subgrantee has agreed through the executed copy of certified assurances to be subject to all applicable rules, regulations, and conditions of the Violent Crime Control and Law Enforcement Act of 1994, 42 U.S.C. 13701, et seq. This subgrant shall become effective on the beginning date of the grant period, provided that within forty-five (45) days of the award execution date (below) the properly executed original of this "Subgrant Award" is returned to the Criminal Justice Coordinating Council.

AGENCY APPROVAL

SUBGRANTEE APPROVAL



Jay Neal, Director
Criminal Justice Coordinating Council

Signature of Authorized Official Date

Date Executed: 10/01/24

Typed Name & Title of Authorized Official

58-6000836-003

Employer Tax Identification Number (EIN)

INTERNAL USE ONLY

TRANS CD	REFERENCE	ORDER	EFF DATE	TYPE	PAY DATE	INVOICE	CONTRACT #
102	17154	1	10/01/24	9		**	R22-8-004
OVERRIDE	ORGAN	CLASS	PROJECT			VENDOR CODE	
2	46	4	17115				

ITEM CODE	DESCRIPTION 25 CHARACTERS	EXPENSE ACCT	AMOUNT
1	Residential Substance Abuse	624.41	\$ 27,593



AGENDA ITEM

County Attorney

REPORT TO: Work Session (11/12/24)

REPORT TO: Voting Meeting (11/14/24)

ITEM NO: 597/2024

SUBJECT: Approval and authorization for the Chairman to execute an Extension of the Letter of Intent between Hall County and Glade Farm, LLC originally executed on January 15, 2010, and any and all additional documents necessary to effectuate the transaction, subject to review and approval by the County Attorney.

Meetings:

Work Session Date: 11/12/24

Voting Meeting Date: 11/14/24

Executive Summary:

Presenter: WLCA

Recommendation:

Approval

Purpose of Request:

Approval and authorization for the Chairman to execute an Extension of the Letter of Intent between Hall County and Glade Farm, LLC originally executed on January 15, 2010, and any and all additional documents necessary to effectuate the transaction, subject to review and approval by the County Attorney.

History:

The parties signed the first such Agreement, entitled "Glades Reservoir Lease Management Agreement Amendment" on January 15, 2010 and have extended it every year since.

Facts and Issues:

The extension of the Letter of Intent preserves the County's interest in the prior Agreement.

Options:

Approval or denial.

Funding Requested

\$ 0.00

Are funds within current budget?

No

Source of Funds

N/A

Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?

Yes

Has it been reviewed by the County Attorney?

Yes

Is there a deadline for this item?

2024-11-14

Approvals:

Submit	Budget	Attorney	Administration
WLI	JM	WLI	CR

Attachments:

Letter to Attorney

Fourteenth Amendment to Letter of Intent



**HALL COUNTY BOARD OF COMMISSIONERS
FINANCIAL SUPPLEMENT REPORT**

AGENDA ITEM 597/2024

Funds Requested: \$ 0.00

Request Budgeted: No

Proposed Source of Funding:

Budget Transfer Requested:

N/A

No

Funding Source Items:

Budget Transfer Items:

Additional Information/Comments:

Contact for Questions: WLCA

Phone: (770) 297-2686



Hall County Government
LAW DEPARTMENT

November 20, 2024

VIA USPS AND ELECTRONIC MAIL TO
Davis A. Dunaway DDunaway@hullbarrett.com

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.297.2681 | f: 770.531.3972

COUNTY ATTORNEY
William J. Linkous, III

SPECIAL ASSISTANT
COUNTY ATTORNEY
M. Van Stephens, II

SENIOR ASSISTANT
COUNTY ATTORNEY
Justin R. Lawhon

SENIOR ASSISTANT
COUNTY ATTORNEY
Nathaniel R. Anderson

Davis A. Dunaway, Attorney
Hull Barrett, PC
801 Broad Street, 7th Floor
Augusta, Georgia 30901

RE: Fourteenth Extension Letter of Intent of January 15, 2010 As Amended Heretofore

Dear Davis:

Enclosed please find three originals of the Confirmation and Fourteenth Extension of Letter of Intent of January 15, 2010 As Amended Heretofore. The Extension has been approved in open meetings and signed by Hall County and the Gainesville and Hall County Development Authority. Please arrange for Glade Farm, LLC to sign the three originals and return two originals to me at your convenience.

I appreciate your assistance with regard to this matter.

Best Regards,

William J. Linkous, III
County Attorney

CONFIRMATION AND FOURTEENTH EXTENSION OF LETTER OF
INTENT OF JANUARY 15, 2010 AS AMENDED AND EXTENDED HERETOFORE

WHEREAS, Hall County, by and through the Chairman of the Hall County Board of Commissioners, and Glade Farm, LLC, under the authority of its attorney-in-fact, Carl R. Nichols, executed a Letter of Intent dated January 15, 2010, and styled as "Glades Reservoir Lease Management Agreement Amendment" (the Letter of Intent"); and

WHEREAS, The Letter of Intent was further amended by that certain Letter of Agreement between Hall County and Glade Farm, LLC dated September 10, 2010 (the "First Amendment"); and

WHEREAS, Hall County, Glade Farm, LLC, Gainesville and Hall County Development Authority entered into that certain Letter Agreement styled "Agreement to Adopt and Amend the Letter of Intent dated January 15, 2010 as Amended on September 21, 2010, for the purpose of, among other things, extending the date as to finalization of all items set forth in the Letter of Intent to January 31, 2012, and reaffirming the Letter of Intent as amended (the "Second Amendment"); and

WHEREAS, the Letter of Intent was further amended by that certain Extension Agreement between Hall County and Glade Farms, LLC, dated January 26, 2012 (the "Third Amendment") whereby the deadline was extended to the date of July 31, 2013; and

WHEREAS, the Extension Agreement between Hall County and Glade Farm, LLC dated January 26, 2012 ("Third Amendment") was adopted by the Gainesville and Hall County Development Authority on the 3rd day of April; and

WHEREAS, the parties hereto, thereafter, extended the deadline ("Fourth Amendment) for all items set forth in the Letter of Intent to July 31, 2015; and

WHEREAS, the parties hereto entered into a "Confirmation and Fifth Extension of the Letter of Intent of January 15, 2010" which extended the deadline until December 31, 2016; and

WHEREAS, the parties hereto entered into a "Confirmation and Sixth Extension of the Letter of Intent of January 15, 2010" which extended the deadline until December 31, 2017; and

WHEREAS, the parties hereto entered into a "Confirmation and Seventh Extension of the Letter of Intent of January 15, 2010" which extended the deadline until December 31, 2018; and

WHEREAS, the parties hereto entered into a "Confirmation and Eighth Extension of the Letter of Intent of January 15, 2010" which extended the deadline until December 31, 2019; and

WHEREAS, the parties hereto entered into a "Confirmation and Ninth Extension of the Letter of Intent of January 15, 2010" which extended the deadline until December 31, 2020; and

WHEREAS the parties hereto entered into a "Confirmation and Tenth Extension of the Letter of Intent of January 15, 2010" which extended the deadline until December 31, 2021; and

WHEREAS, the parties hereto entered into a "Confirmation and Eleventh Extension of the Letter of Intent of January 15, 2010" which extended the deadline until December 31, 2022; and

WHEREAS, the parties hereto entered into a "Confirmation and Twelfth Extension of the Letter of Intent of January 15, 2010" which extended the deadline until December 31, 2023; and

WHEREAS, the parties hereto entered into a "Confirmation and Thirteenth Extension of the Letter of Intent of January 15, 2010" which extended the deadline until December 31, 2024; and

WHEREAS, on May 28, 2015, the parties' ongoing negotiations have continued with satisfactory progress during the interim period awaiting the approval of the 404 permit; and

WHEREAS, on or about April 15, 2016, Hall County, Georgia requested that the 404 Permit Application under the Clean Water Act be temporarily withdrawn without prejudice for the resumption of consideration to allow the supplementation of the application; and

WHEREAS, the parties hereto believe that this extension will be sufficient to allow for further negotiation and development of information needed to address those items contained in the Letter of Intent as well as to provide sufficient time for the renewal of the Application with additional and supplemental information supporting the Application and approval of the 404 Permit;

NOW, THEREFORE, the undersigned parties hereby agree as follows:

1. The deadline is hereby extended to the date of December 31, 2025.
2. Except as otherwise amended heretofore, the Letter of Intent and the First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, Tenth, Eleventh, Twelfth, and Thirteenth Amendments are hereby ratified and confirmed by the parties hereto.

Executed this ____ day of _____, 2024.

HALL COUNTY, GEORGIA

By: _____

Chairman, Board of Commissioners

GLADE FARM, LCC

By: _____

As its: _____

**GAINESVILLE AND HALL COUNTY
DEVELOPMENT AUTHORITY**

By: _____

By: _____



AGENDA ITEM

Court Administration

REPORT TO: Work Session (11/12/24)

REPORT TO: Voting Meeting (11/14/24)

ITEM NO: 574/2024

SUBJECT: Approve the ratification of the 2025 Judicial Council American Rescue Plan Act Grant funding application for the Northeastern Judicial Circuit to address case backlogs in the amount of \$1,120,739.00, and if awarded, appoint the Grants Manager as the Program Designee and authorize the Chairman to execute all related application and award documents. No cash or in-kind match is required.

Meetings:

Work Session Date: 11/12/24

Voting Meeting Date: 11/14/24

Executive Summary:

Presenter: JS

Recommendation:
Approval.

Purpose of Request:

Approve the ratification of the 2025 Judicial Council American Rescue Plan Act Grant funding application for the Northeastern Judicial Circuit to address case backlogs in the amount of \$1,120,739.00, and if awarded, appoint the Grants Manager as the Program Designee and authorize the Chairman to execute all related application and award documents. No cash or in-kind match is required.

History:

The Northeastern Judicial Circuit was awarded a total of \$1,680,497.00 in 2022; \$2,500,000.00 in 2023; and \$749,692.00 in 2024.

Facts and Issues:

Options:

Governor Brian P. Kemp has allocated up to \$110 million in American Rescue Plan Act funds to address backlogs of court cases, prioritizing cases involving serious violent felonies. The Judicial Council of Georgia and its Administrative Office of the Courts will administer up to \$96 million in grants to authorized classes of court, prosecutors, and related agencies. The Ad Hoc Committee on American Rescue Plan Act Funding will exist from the date of October 28th, 2021 until September 30, 2026, unless otherwise extended. This item ratifies the application submitted by the Northeastern Judicial Circuit on October 16, 2024 seeking funds to be awarded in calendar year 2025. We also have a planned rollover from CY2024 ARPA grant of approximately \$549,681 to cover all personnel expenses for one year as well as other expenses related to the backlog of cases. We are requesting the ARPA grant fund the following positions which are currently paid out of restricted funds: (1) staff accountant, (1) operations coordinator and (1) case manager. We are requesting ARPA continue to fund the following positions *currently* paid out of ARPA grant funds: (1) court reporter, (1) administrative assistant - District Attorney, (1) administrative secretary - Pretrial Services, (5) bailiffs, and (1) case manager. Lastly, we are requesting one net new position be funded by ARPA in 2025 which will increase position control: (1) judicial assistant. We are also requesting three positions for Dawson County.

Funding Requested \$ 1,120,739.00
Are funds within current budget? No
Source of Funds American Rescue Plan
Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.? No
Has it been reviewed by the County Attorney? Yes
Is there a deadline for this item? 2024-12-31

Approvals:

Submit	Approve	Grants	Budget
KM	JS	SG	EW
Finance	Attorney	Administration	Clerk
TS	WLI	CR	AD

Attachments:

- Financial Supplement
- Chief Judge Justification Letter
- Budget Form
- ARPA Application



**HALL COUNTY BOARD OF COMMISSIONERS
FINANCIAL SUPPLEMENT REPORT**

AGENDA ITEM 574/2024

Funds Requested: \$ 1,120,739.00

Request Budgeted: No

Proposed Source of Funding:

Budget Transfer Requested:

American Rescue Plan

No

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
2025	230-AMERICAN RESCUE PLAN ACT FUND	3921-COVID RELIEF	511100-SALARIES	\$387,304.00
2025	230-AMERICAN RESCUE PLAN ACT FUND	3921-COVID RELIEF	511101-PART-TIME SALARIES	\$150,818.00
2025	230-AMERICAN RESCUE PLAN ACT FUND	3921-COVID RELIEF	512100-HEALTH INSURANCE	\$140,147.00
2025	230-AMERICAN RESCUE PLAN ACT FUND	3921-COVID RELIEF	512102-LIFE INSURANCE	\$2,870.00
2025	230-AMERICAN RESCUE PLAN ACT FUND	3921-COVID RELIEF	512200-FICA	\$40,911.00
2025	230-AMERICAN RESCUE PLAN ACT FUND	3921-COVID RELIEF	512400-RETIREMENT	\$31,984.00
2025	230-AMERICAN RESCUE PLAN ACT FUND	3921-COVID RELIEF	521000-PROFESSIONAL SERVICES	\$81,705.00
2025	230-AMERICAN RESCUE PLAN ACT FUND	3921-COVID RELIEF	521300-TECHNICAL SERVICES	\$165,000.00
2025	230-AMERICAN RESCUE PLAN ACT FUND	3921-COVID RELIEF	571000-INTERGOVERNMENTAL PAYMENTS	\$120,000.00
2025	230-AMERICAN RESCUE PLAN ACT FUND	3921-COVID RELIEF	331110-FEDERAL-OPERATING DIRECT	\$-1,120,739.00

Budget Transfer Items:

Additional Information/Comments:

This grant is calendar year. We've split out the funding to account for the crossing of fiscal years. Dawson County will receive approximately \$248,837 in funding from ARPA grant. Intergovernmental Payments, 571000, has been utilized for their reimbursements. We are requesting the ARPA grant fund the following positions which are currently paid out of restricted funds: (1) staff accountant, (1) operations coordinator and (1) case manager. We are requesting ARPA continue to fund the following positions currently paid out of ARPA grant funds: (1) court reporter, (1) administrative assistant - District Attorney, (1) administrative secretary - Pretrial Services, (5) bailiffs, and (1) case manager. Lastly, we are requesting one net new position be funded by ARPA in 2025 which will increase position control: (1) judicial assistant.

Contact for Questions: KAM

Phone:

770-538-5383



Superior Courts
OF THE
Northeastern Judicial Circuit

JASON J. DEAL, CHIEF JUDGE
P.O. BOX 49
GAINESVILLE, GEORGIA 30503
(770) 531-6996
FAX (770) 531-7105

DAWSON AND HALL
COUNTIES

September 19, 2024

Judicial Council of Georgia
ARPA Grant Team
Justice Michael P. Boggs, Chair
via email (ARPA@georgiacourts.gov)

Dear Chief Justice Boggs and ARPA Grant Team,

The Northeastern Judicial Circuit was previously awarded a grant in ARPA funding for the year. We respectfully request an amendment to our current award for CY24/25. The amended request will cover necessary expenses for employees/contractors as well as administrative/indirect costs. The requests are as follows:

Personnel Responding Directly to Case Backlog

Budget Amendments to current awarded funds:

- \$109,117 to Judicial Assistant: \$44,889 from Juror Expenses; \$64,228 from Court Reporter Transcripts.
- \$24,739 to Court Reporter from Intake Specialist.
- \$12,000 to Deputy Sheriff (Dawson County) from Human Services Coordinator.

Additional funding requested to supplement five current awarded positions for CY's 2024-2025:

- Add \$54,466 to Administrative Assistant, District Attorney.
- Add \$72,150 to Deputy Sheriff (Dawson County).
- Add \$90,000 to Bailiffs.
- Add \$8,210 to Superior Court Senior Judge.
- Add \$63,891 to Judicial Assistance (Senior Judges, etc.).

New Requests for CY's 2024-2025:

- Two (2) New Positions: Dawson County Misdemeanor Probation Officers salaried at \$88,000 with a combined total of salary for both positions \$176,000.

Personnel Court-Based Mental Health Diversion

Budget Amendments to current awarded funds:

- \$35,791 from Human Services Coordinator: \$12,000 to Deputy Sheriff (Dawson County); \$23,791 to Case Manager Position.

Personnel Court-Based Substance Use Diversion

Budget Amendments to current awarded funds:

- \$45,965.29 from Intake Specialist: \$24,739 to Court reporter; \$15,965.29 to Case Manager; \$5,261 to Contract- Clinical Supervision.
- \$31,817 to Contract – Clinical Supervision from Intake Specialist.

Additional funding requested to supplement two current awarded positions for CY's 2024-2025:

- Add \$31,817 to Case Manager.
- Add \$24,739 to Contract – Clinical Supervision.

New Requests for CY's 2024-2025:

- New Position: Case Manager salaried at \$76,000.
- New Position: Operations Coordinator salaried at \$85,000.

Administrative Expenses

Budget Amendments to current awarded funds:

- \$44,889 from Juror Expenses to Judicial Assistant.
- \$64,228 from Court Reporter Transcripts to Court Reporter.

NOTE: Current funds were reallocated to fund positions that are a priority to the circuit, if additional funding is not awarded, these positions will be fully funded with the current award.

Additional funding requested to supplement direct/administrative costs to current award for CY's 2024-2025:

- Add \$120,000 to Juror Expenses.
- Add \$165,000 to Court Reporter Transcripts.

New Requests for CY's 2024-2025:

- New Position: Staff Accountant salaried at \$96,500.
- New Administrative Request: Drug Screeners (Dawson County) – Contract at \$56,966.

With the largest Treatment Courts program in the State of Georgia, our agency facilitates nearly 4,000 treatment groups and approximately 6,000 hours of direct clinical services to an average of 600 participants in our circuit. We are grateful for this funding as it has been instrumental to our programs. These amendments will allow for continued assistance in addressing the Northeastern Judicial Circuit's criminal case backlog. Every dollar will continue to be allocated towards the backlog of cases arising from COVID-19 and no additional dollars are being requested.

Respectfully,



Jason J. Deal

JUDICIAL BRANCH ARPA GRANT BUDGET TEMPLATE

Submitted by: (insert circuit name) **Judicial Circuit**
 Please show your last approved budget for CY23 and CY24/25 separately. Total approved awards for CY23 and CY24/25 should not change

Budget Categories	Calendar Year 2023			Calendar Year 2024/2025			Total Circuit Budget
	Current Approved Award	Amendment	Total	Current Approved Award	Amendment	Additional	Total
Personnel Services							
Grant Administration and Clerical (include in application section (E) (6))							
Grants Specialist	\$ 41,719	\$ -	\$ 41,719	\$ -	\$ -	\$ -	\$ 41,719
Staff Accountant (New)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 96,500	\$ 96,500
Total Grant Admin and Clerical Request	\$ 41,719	\$ -	\$ 41,719	\$ -	\$ -	\$ 96,500	\$ 138,219
Personnel Directly Responding to Case Backlog (include in application section (E) (1))							
Juvenile Judge	\$ 196,029	\$ -	\$ 196,029	\$ -	\$ -	\$ -	\$ 196,029
Judicial Assistant	\$ 94,181	\$ 109,117	\$ 203,298	\$ -	\$ -	\$ -	\$ 203,298
Court Reporter	\$ 73,245	\$ -	\$ 73,245	\$ 87,022.00	\$ 24,739	\$ -	\$ 111,761
Deputy Clerk (Clerk of Court)	\$ 45,206	\$ -	\$ 45,206	\$ 43,854.00	\$ -	\$ -	\$ 89,060
Assistant District Attorney	\$ 47,005	\$ -	\$ 47,005	\$ -	\$ -	\$ -	\$ 47,005
Investigator, District Attorney	\$ 123,842	\$ -	\$ 123,842	\$ 82,713.00	\$ -	\$ -	\$ 206,555
Administrative Assistant, District Attorney	\$ 42,919	\$ -	\$ 42,919	\$ 65,421.00	\$ -	\$ 54,466	\$ 162,806
Administrative Secretary, PreTrial	\$ 75,806	\$ -	\$ 75,806	\$ 56,498.00	\$ -	\$ -	\$ 132,304
Associate Probate Judge	\$ 156,237	\$ -	\$ 156,237	\$ -	\$ -	\$ -	\$ 156,237
Solicitor Victims Witness Assistant (part-time to full-time)	\$ 24,000	\$ -	\$ 24,000	\$ -	\$ -	\$ -	\$ 24,000
Deputy Sheriff (Dawson County)	\$ 72,083	\$ -	\$ 72,083	\$ 67,775.00	\$ 12,000	\$ 72,150	\$ 224,008
Bailliffs	\$ 90,000	\$ -	\$ 90,000	\$ -	\$ -	\$ 90,000	\$ 180,000
Superior Court Senior Judge	\$ 12,000	\$ -	\$ 12,000	\$ 7,949.00	\$ -	\$ 8,210	\$ 28,159
Judicial Assistance (Senior Judges, etc.)	\$ 65,654	\$ -	\$ 65,654	\$ 35,262.00	\$ -	\$ 63,891	\$ 164,807
Probation Officer (Dawson County) (2 new positions)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 176,000	\$ 176,000
Total Personnel Directly Responding to Case Backlog	\$ 1,118,207	\$ 109,117	\$ 1,227,324	\$ 446,494	\$ 36,739	\$ 464,717	\$ 2,175,274
Percentage of "Total Personnel Directly Responding to Case Backlog" for CYs 2023-2025 Dedicated to Serious Violent Felonies							
							92%
Personnel Court-Based Mental Health Diversion (include in application section (E) (2))							
Human Services Coordinator	\$ 66,339	\$ -	\$ 66,339	\$ 62,031.00	\$ (35,791)	\$ -	\$ 26,240
Total Personnel Court-Based Mental Health Diversion (include in application section (E) (2))	\$ 66,339	\$ -	\$ 66,339	\$ 62,031	\$ (35,791)	\$ -	\$ 26,240
Personnel Court-Based Substance Use Diversion (include in application section (E) (3))							
Program Counselor (Dawson)	\$ 64,846	\$ -	\$ 64,846.00	\$ 4,556.00	\$ -	\$ -	\$ 69,402
Case Manager	\$ 94,707	\$ -	\$ 94,707.00	\$ 64,645.00	\$ 39,756	\$ 31,817	\$ 230,925
Case Manager (New)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 76,000	\$ 76,000
Operations Coordinator (New)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 85,000	\$ 85,000
Intake Specialist	\$ 92,207	\$ -	\$ 92,207.00	\$ 62,029.00	\$ (45,965)	\$ -	\$ 108,271
Contract - Clinical Supervision	\$ 8,000	\$ -	\$ 8,000.00	\$ 30,000.00	\$ 5,261	\$ 24,739	\$ 60,000
Total Personnel Court-Based Substance Use Diversion (include in application section (E) (3))	\$ 259,760	\$ -	\$ 259,760.00	\$ 161,230	\$ (948)	\$ 217,556	\$ 637,598
Personnel Court-Based Eviction Prevention and Diversion (include in application section (E) (4))							
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Personnel Court-Based Eviction Prevention and Diversion (E) (4)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Personnel Costs:	\$ 1,486,024	\$ 109,117	\$ 1,595,141	\$ 669,755	\$ -	\$ 778,773	\$ 3,043,669
Direct/Administrative Costs:							
	CY23	Amendment	CY23 Total	CY24/25	Amendment	Additional	CY24/25 Total
ARPA-Eligible Administrative Expenses (include in application section (E) (6))							
Equipment < \$5,000 (Computers & Printers for add'l staff)	\$ 4,982	\$ -	\$ 4,982	\$ -	\$ -	\$ -	\$ 4,982
Supplies and Materials	\$ 467	\$ -	\$ 467	\$ -	\$ -	\$ -	\$ 467
Juror Expenses	\$ 118,617	\$ (44,889)	\$ 73,728	\$ -	\$ -	\$ 120,000	\$ 193,728
Court Reporter Transcripts	\$ 222,370	\$ (64,228)	\$ 158,142	\$ 79,937.00	\$ -	\$ 165,000	\$ 403,079
Interpreter	\$ 101,884	\$ -	\$ 101,884	\$ -	\$ -	\$ -	\$ 101,884
Drug Screeners (Dawson)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 56,966	\$ 56,966
Total ARPA-Eligible Administrative Expenses	\$ 448,319	\$ (109,117)	\$ 339,202	\$ 79,937	\$ -	\$ 341,966	\$ 761,105
ARPA-Audio Visual Equipment Modernization (include in application section (E) (7))							
Audio-visual equipment modernization	\$ 565,657	\$ -	\$ 565,657	\$ -	\$ -	\$ -	\$ 565,657
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
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	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total ARPA Audio Visual Equipment Modernization	\$ 565,657	\$ -	\$ 565,657	\$ -	\$ -	\$ -	\$ 565,657
Temporary Facilities or Workspace (include in application section (E) (5))							
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Temporary Facilities or Workspace	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Direct/Administrative Costs:	\$ 1,013,976	\$ (109,117)	\$ 904,859	\$ 79,937	\$ -	\$ 341,966	\$ 1,326,762
TOTAL OVERALL BUDGET	\$ 2,500,000	\$ -	\$ 2,500,000	\$ 749,692	\$ -	\$ 1,120,739	\$ 4,370,431

NOTES

No longer funded.

New request.

No longer funded.

Transferring funds by category in order to fund 1/1/25. This is priority 1. Receive \$44,889 from jury expenses and \$64,228

Transferring funds by category in order to fund 1/1/25. This is priority 2. Receive \$24,739 from intake specialist position.

No longer funded eff. 1/1/2025.

No longer funded eff. 1/1/2025.

No longer funded eff. 1/1/2025.

Additional funding requested.

No longer funded eff. 1/1/2025.

No longer funded.

Additional funding requested. Reclass add'l \$12k funding from human services coordinator position.

Additional funding requested.

Additional funding requested.

Additional funding requested.

New request.

No longer funded. Move \$12k to Deputy Sheriff - Dawson. Move \$23,791 to case manager position.

No longer funded.

Receive \$23,791 from human svcs. Coordinator position. Receive \$15,965.29 from intake specialist position.

New request. CJCC grant did not fund this year.

New request.

No longer funded. Move \$24,739 to court reporter position. Move \$15,965.29 to case manager position. Move \$5,261 to co

Receive \$5,261 from intake specialist.

NOTE: Amendment and additional funds to existing awards for CYs 2023-2025, and new awards, are being accepted during this application period

JUDICIAL COUNCIL ARPA GRANT APPLICATION BASIC INSTRUCTIONS

Please read the **Overview and Instructions** posted under Quick Links at <https://jcaoc.georgiacourts.gov/arpa/> for full details beyond the Basic Instructions presented below.

(B) CASE BACKLOGS REQUIRED TO JUSTIFY ARPA FUNDS

All applicants must objectively demonstrate that case backlogs exist to qualify for ARPA grant funds or continued funding. *All expenditures requested in this application must be “reasonably proportional” to the applicant’s objectively demonstrated need to address case backlogs, with priority given to serious violent felonies (as defined in OCGA § 17-10-6.1 (a)).* 87 Fed. Reg. 4,344; 4,388 (Jan. 27, 2022). When calculating the need for additional resources to respond to case backlogs, a court may provide statistics comparing its case volume from a “normal” pre-pandemic year (e.g., case volume in 2019) to its current case volume. Applicants should also identify what portion of case backlogs are serious violent felony cases, as defined in OCGA § 17-10-6.1 (a).

(D) ARPA GRANT FUNDS REQUESTED OR RECEIVED FROM OTHER SOURCES TO ADDRESS CASE BACKLOGS

Applicants (except appellate courts) must also request ARPA funds from their respective county governments. For ARPA grant funds requested or received by any court or other entity included in this application from any other sources (including a county, municipality (to include a “nonentitlement unit of local government”), or an eligible non-profit entity), attach documentation explaining how requested, received, expended, or obligated funds have been or will be used, including whether such funds have been or will be used to address the backlog of serious violent felonies, as defined in OCGA § 17-10-6.1 (a). *Also attach any correspondence to and from each county from which ARPA funds were requested.*

(E) ARPA FUNDS BY EXPENDITURE CATEGORY (EC)

(E) (1) Payroll-Public Sector Staff Responding to Case Backlogs (EC 3.1)

More than 50 percent of total personnel costs awarded each calendar year under this EC must be dedicated to responding to serious violent felonies, as defined in OCGA § 17-10-6.1 (a). As used in (E) (1) (c), “total personnel costs” means the subtotal of funds requested under section (E) (1) only, as stated in (E) (1) (a). To get the percentage used in (E) (1) (c), divide the amount provided under (E) (1) (b) by the amount provided in (E) (1) (a).

New or existing staff may be used to respond to case backlogs, with priority given to serious violent felony cases (as defined in OCGA § 17-10-6.1 (a)). *However, only payroll for time spent actually responding to case backlogs may be reimbursed with ARPA grant funds.* 87 Fed. Reg. 4,341; 4,388 (Jan. 27, 2022) (Eligible use must “respond to the identified negative economic impact” of the pandemic, “e.g., backlogs in court systems”). This includes payroll of new personnel hired to backfill existing personnel responding to case backlogs (prioritizing cases involving serious violent felonies). Therefore, time spent responding to case backlogs (or backfilling others so they can respond) must be tracked and documented for reimbursement and auditing purposes.

Per U.S. Treasury Compliance and Reporting Guidance, federal “EC 3.1” is reserved for “Public Sector Workforce” payroll and benefits, so (E) (1) must exclude contractors, which fall under federal administrative ECs “3.5” and “7.1.” 31 CFR § 35.6 (b) (3) (ii) (E) (1). To categorize contractors correctly under federal guidance, request contractors responding to case backlogs generally (i.e., not performing mental health, substance use, or eviction prevention diversion services) under (E) (6), which corresponds to federal administrative expenditure ECs “3.5” and “7.1.” 31 CFR § 35.6 (b) (3) (ii) (E) (3)-(4).

(E) (2) Court-Based Mental Health Diversion (EC 1.12)

Per Executive Branch limitations, ARPA funds for court-based mental health diversion services must: (a) respond to case backlogs; and (b) conserve staff time and resources to respond to case backlogs of serious violent felony cases, as defined in OCGA § 17-10-6.1 (a). Accordingly, for purposes of this expenditure category, grant applicants *must provide a numerical estimate* in the description regarding the staff hours and resources court-based mental health diversion services will conserve so staff may respond to serious violent felonies. As used in this section, “numerical” means containing one or more of the number symbols 0, 1, 2, 3, 4, 5, 6, 7, 8, or 9; e.g., 20 hours of staff time per week, 18 percent of a judge’s caseload, or some other numerical measurement. *Please also note that ARPA funds allocated to the Judicial Council may be used for court-based services only and not for out of court mental health treatment services.*

Contractors performing court-based mental health division services to respond to case backlogs must be requested under (E) (2) and not (E) (6) because federal “EC 1.12” applies to “Mental Health Services” generally. 31 CFR § 35.6 (b) (3) (i) (C).

(E) (3) Court-Based Substance Use Diversion (EC 1.13)

Per Executive Branch limitations, ARPA funds for court-based substance use diversion services must: (a) respond to case backlogs; and (b) conserve staff time and resources to respond to case backlogs of serious violent felony cases, as defined in OCGA § 17-10-6.1 (a). Accordingly, for purposes of this expenditure category, grant applicants *must provide a numerical estimate* in the description regarding the staff hours and resources court-based substance use diversion services will conserve so staff may respond to serious violent felonies. As used in this section, “numerical” means containing one or more of the number symbols 0, 1, 2, 3, 4, 5, 6, 7, 8, or 9; e.g., 20 hours of staff time per week, 18 percent of a judge’s caseload, or some other numerical measurement. *Please also note that ARPA funds allocated to the Judicial Council may be used for court-based services only and not for out of court substance use treatment services.*

Contractors performing court-based substance use diversion services to respond to case backlogs must be requested under (E) (3) and not (E) (6) because federal “EC 1.13” applies to “Substance Use Services” generally. 31 CFR § 35.6 (b) (3) (i) (C).

(E) (4) Court-Based Eviction Prevention and Diversion (ECs 2.2, 2.18)

Per Executive Branch limitations, ARPA funds for court-based eviction prevention and diversion services must: (a) respond to case backlogs; and (b) conserve staff time and resources to respond to case backlogs of serious violent felony cases, as defined in OCGA § 17-10-6.1 (a). Accordingly,

for purposes of this expenditure category, grant applicants *must provide a numerical estimate* in the description regarding the staff hours and resources court-based eviction prevention and diversion services will conserve so that staff may respond to serious violent felonies. As used in this section, “numerical” means containing one or more of the number symbols 0, 1, 2, 3, 4, 5, 6, 7, 8, or 9; e.g., 20 hours of staff time per week, 18 percent of a judge’s caseload, or some other numerical measurement. *Please also note that ARPA funds allocated to the Judicial Council may not be used for direct payments to landlords or tenants.*

Contractors performing court-based eviction prevention and diversion services to respond to case backlogs must be requested under (E) (4) and not (E) (6) because federal ECs “2.2” and “2.18” respectively apply to “Household Assistance: Rent, Mortgage, and Utility Aid” and “Housing Support: Other Housing Assistance” generally. 31 CFR § 35.6 (b) (3) (ii) (A) (1), (5).

(E) (6) ARPA-Eligible Administrative Expenses (ECs 3.5, 7.1)

Describe proposed ARPA-eligible administrative expenses in the space provided. Contractors performing mental health, substance use, or eviction prevention diversion services must be requested under (E) (2), (3), or (4) respectively. All other contractors responding to case backlogs and contractors performing grant administration must be requested under (E) (6). 31 CFR § 35.6 (b) (3) (ii) (E) (1), (3)-(4).

Grant Administration Payroll

Please request all grant administration personnel, including staff and contractors, under (E) (6) ARPA-Eligible Administrative Expenses. Do not request grant administration personnel under (E) (1) Payroll-Public Sector Staff Responding to Case Backlogs.

Supplies, Materials, and Equipment

ARPA funds are authorized for supplies, furniture (valued at under \$5,000), and equipment (valued at under \$5,000; e.g., monitors, computers, *authorized* software licenses, phones, and printers) that are necessary for personnel to respond to case backlogs or perform ARPA grant administration. If valued at under \$5,000, such expenditures are generally classified as non-capital permitted expenditures and should be listed under (E) (6) and in the Administrative/Indirect Costs section of the **ARPA Budget Form** posted under Quick Links at <https://jcaoc.georgiacourts.gov/arpa/>. *Grant recipients should rent equipment (if possible, practical, and cost-effective) to avoid violating the prohibition on purchasing permanent infrastructure.* Special rules apply to software and audio-visual equipment, as explained below. See **FAQ 28.2** for procurement guidance.

Software

Effective July 26, 2023, the following are an ARPA-eligible expenditure: (1) legal research software for ARPA-funded staff attorneys and prosecutors; and (2) digital evidence management software. Per OPB requirements, however, the purchase of such software is subject to competitive procurement procedures regarding the purchase of equipment, supplies, services, or other items with public funds. *Basic computer operating and word processing software remains an ARPA-eligible expenditure. No other types of software are currently authorized.* See **FAQ 28.2** for procurement guidance.

Audio-Visual Equipment

Effective December 8, 2022, audio-visual equipment modernization in *existing* permanent courtrooms is an ARPA-eligible expenditure and not subject to the OPB prohibition on capital expenditures mentioned above. *Movable or temporary* audio-visual equipment for temporary courtrooms must be requested under (E) (6), not (E) (7). The purchase and installation of permanent audio-visual equipment (i.e., fixtures) in *existing* permanent courtrooms must be requested under section (E) (7) and is subject to specific rules and procedures.

(E) (7) Audio-Visual Equipment Modernization (ECs 3.5, 7.1)

On December 8, 2022, the ARPA Committee approved audio-visual equipment modernization in *existing* permanent courtrooms as an eligible expenditure, subject to certain rules and procedures. See the **Audio-Visual Equipment Modernization Policy** and the **Overview and Instructions** posted under Quick Links at <https://jcaoc.georgiacourts.gov/arpa/> for details and restrictions. Use the AV Policy checklist provided in (E) (7) (c) to assist with compliance. See **FAQ 28.2** for procurement guidance.

Per federal regulations and OPB requirements, audio-visual modernization costs must be *necessary, reasonable, and proportional* to the objectively demonstrated need to respond to case backlogs caused by the pandemic, with a primary focus on cases involving serious violent felonies. No staff or contractor positions should be requested under this EC, which is reserved for “audio-visual equipment modernization” expenditures only, as defined in the AV Policy. All personnel should be requested under sections (E) (1)-(4), (6) of this application. The overall ARPA-funded staff and contractor headcount in this application must be proportional to the number of courtrooms you intend to modernize to comply with federal regulations and OPB requirements. AV Policy § (d).

(F) SUPPORTING DOCUMENTATION AND BUDGET FORM

The **ARPA Budget Form** posted under Quick Links at <https://jcaoc.georgiacourts.gov/arpa/> must be submitted in an Excel spreadsheet format and *not* a .pdf file format. Copies of correspondence requesting county ARPA funds must also be attached, as well as any response to such request. If requesting funds under (E) (7), attach all documents required under section (b) (2)-(4) of the **Audio-Visual Equipment Modernization Policy** (posted under Quick Links at <https://jcaoc.georgiacourts.gov/arpa/>). Attach any other supporting documentation the ARPA Committee will need to review your application sufficiently and efficiently. Use the checklist provided in this section to assist with compliance.

(H) SUBMIT APPLICATION

The ARPA Grants Team will confirm receipt via e-mail and follow up with you regarding any issues with your application and next steps. Applications that are not timely completed during the application review window may need to be considered by the ARPA Committee in a subsequent application period. Promptly notify the ARPA Grants Team at ARPA@georgiacourts.gov if you need to revise or withdraw a submitted application. *If you do not receive a confirmation e-mail that your application has been received within three business days after submission, please promptly notify the ARPA Grants Team at ARPA@georgiacourts.gov and call 404-656-5171 to ensure receipt.*

JUDICIAL COUNCIL ARPA GRANT APPLICATION

Prior to completing this application, please review the ARPA **Overview and Instructions** posted under Quick Links at <https://jcaoc.georgiacourts.gov/arpa/> and the Basic Instructions directly above. Please complete all sections to receive full consideration for federal American Rescue Plan Act (ARPA) grant funding allocated to the Judicial Branch. Type "N/A." if a particular section is not applicable.

TYPE OF APPLICATION NOTES

On July 26, 2023, the ARPA Committee approved the continued use of CY 2023 awards in CYs 2024-2025. Therefore, no application is needed to use the funds awarded for CY 2023 in CYs 2024-2025 *with no changes*. Use this application only if you are requesting a new award for CY 2025 or an amendment to your current award for CYs 2023-2025.

****ATTENTION****

- *Amendments to current awards for CYs 2023-2025, including requests to add funds to a current award above the per circuit \$2.5 million cap, are being accepted during this application period, and will be effective immediately upon approval by the ARPA Committee.*
- *Applications for new awards for CY 2025 only (i.e., no current award) are being accepted during this application period, but all new awards will be effective January 1, 2025, if approved by the ARPA Committee. An application for new funds does not guarantee an award.*
- *Applications for CY 2026 are not being accepted during this application period.*

**** ALL AWARDS ARE SUBJECT TO THE AVAILABILITY OF ARPA FUNDS ****

Type of Grant Application (check only one):

- New application for CY 2025 only (no current award); or
 Amend current award for CYs 2023-2025.

Judicial Circuit or Appellate Court Name

Northeastern Judicial Circuit

Chief Judge/Justice of Judicial Circuit or Appellate Court Address

This information has changed since the last application was submitted.

First Name

Jason J.

Last Name

Deal

Street

P.O. Box 49

City

Gainesville

ZIP Code

GA 30503

E-mail Address

jdeal@hallcounty.org

Business Phone

770-531-6996

Application Contact

Name the *current* point of contact for application questions and status updates:

This information has changed since the last application was submitted.

First Name	Last Name
Katie A.	Mincey
Job Title	Business Phone
Deputy Court Administrator	770-532-1895

E-mail Address (application status updates):

Grant Compliance Official

Name the person who will be responsible for ARPA grant compliance:

This information has changed since the last application was submitted.

First Name	Last Name
Katie A.	Mincey
Job Title	Business Phone
Deputy Court Administrator	770-532-1895

E-mail Address (grant compliance/reporting):

Grant Reimbursement Official (Fiscal Agent)

This information has changed since the last application was submitted.

Name the person from the lead county serving as the fiscal agent for the ARPA funds:

First Name	Last Name
Taylor	Samples
Job Title	Business Phone
Financial Services Director	770-531-4940

Street

City	ZIP Code	County
Gainesville	GA 30503	Hall

E-mail Address (grant reimbursement matters)

(A) USE OF ARPA FUNDS SUMMARY

The Northeastern Judicial Circuit was awarded a total of \$1,680,497, in two separate cycles, for the year 2022, \$2.5M, in two separate cycles, for the year 2023, and \$749,692 for the year 2024/2025. The awards have been enormously helpful, as it included funding for a total of 11 new full-time positions across both Hall and Dawson Counties in 2024/2025.

The biggest barrier to implementation has been hiring. While several positions were filled within four weeks of the award, some ARPA-funded positions have taken as long as 8 months to make a hire. Additionally, every department and agency has faced unusually high levels of turnover in 2022 and 2023, and employees have consistently been shuffled around into new positions.

Administratively, the primary barrier to implementation has involved the Judicial Council clarifying grant reporting requirements. Significant staff resources are continuing to be spent on procedures and policies that are later revised, amended, or ended. Some of these challenges have receded, thankfully, but it continues to be an administrative strain. A lesser barrier

involved the task of coordinating funding across two counties where only one county may be designated to receive the reimbursement funds.

The availability of Senior Judges has been a concern, and something closely monitored as circuits across the state ramped up their requests. This circuit has mitigated that concern by relying heavily on local, qualified judges from other classes of court assisting in Superior Court.

(B) CASE BACKLOGS REQUIRED TO JUSTIFY ARPA FUNDS

(1) Description of Case Backlogs

Case backlogs have improved over the last 24 months due to record-high clearance rates and fewer new cases being indicted or accused in Hall County. Pending casecounts as of July 31, 2024, across both counties, are near to pre-pandemic levels.

Most significantly, the circuit achieved a 144% clearance rate of serious violent felonies in 2023, as the courts have prioritized those cases for trial and disposition. This was a result of the resources provided by ARPA and the extraordinary efforts of all involved.

A complete picture of the continued backlog, however, is presented only by the number of pre-indicted cases in both Hall and Dawson Counties. When the NEJC first applied for ARPA funds, as of October 1, 2021, the circuit had a backlog of approximately 764 cases when pre-indicted cases were included. The pending caseload was 27% higher than pre-pandemic. Currently, as of July 1, 2024, the circuit has a pending caseload of approximately 250 such cases, virtually all of which are criminal and many of which are attributable to COVID-related delays.

The number of unindicted criminal cases continues to pose challenges to the circuit’s dockets. At July 1, 2024, there were just under 2,000 unindicted cases across Hall and Dawson counties. The current unindicted caseload is 69% higher than pre-pandemic levels and continues to sit in the “pipeline” as these cases move to dockets and trial calendars in 2025.

More detailed information on this backlog is found in the tables below and in the attached supporting documentation.

(2) Case Backlog Data

(a) Cases Pending- HALL + DAWSON SUPERIOR COURTS

As of Date	Cases Pending by Case Type			
	All Cases (Civil & Criminal)	All Felony Cases	Serious Violent Felony Cases	Serious Violent Felony Cases % of All Felony Cases Pending
12/31/2019	3,503	1,542	97	6.3%
12/31/2020	4,208	1,821	86	4.7%
12/31/2021	3,960	1,523	113	7.4%
12/31/2022	3,646	1,101	71	6.4%
12/31/2023	3,446	1,396	58	4.2%
7/31/2024	3,700	1,309	53	4.0%

Note: For this chart, enter the number of cases pending in each box. Only include cases pending in the courts applying for ARPA funds. “Serious Violent Felony Cases” means the types of cases listed in OCGA § 17-10-6.1 (a) (1)-(7) only.

(b) Number of Jury Trials- *HALL + DAWSON SUPERIOR COURTS*

Date Range	Number of Jury Trials by Case Type		
	All Cases (Civil & Criminal)	All Felony Cases	Serious Violent Felony Cases
1/1/19 - 12/31/19	75	43	12
1/1/20 - 12/31/20	40	21	4
1/1/21 - 12/31/21	68	48	16
1/1/22 - 12/31/22	80	50	18
1/1/23 - 12/31/23	67	55	20
1/1/24 - 7/31/24	29	27	11

Note: For this chart, include the total number of jury trials conducted during the date ranges indicated. “Serious Violent Felony Cases” means the types of cases listed in OCGA § 17-10-6.1 (a) (1)-(7) only.

(c) Clearance Rates- *HALL + DAWSON SUPERIOR COURTS*

Date Range	Clearance Rates (%) by Case Type		
	All Cases (Civil & Criminal)	All Felony Cases	Serious Violent Felony Cases
1/1/19 - 12/31/19	100%	108%	105%
1/1/20 - 12/31/20	89%	90%	132%
1/1/21 - 12/31/21	105%	120%	83%
1/1/22 - 12/31/22	113%	120%	146%
1/1/23 - 12/31/23	103%	104%	144%
1/1/24 - 7/31/24	94%	136%	162%

Note: For this chart, include the number of disposed cases *as a percentage* of the number of filed cases for the date ranges indicated within each category. “Serious Violent Felony Cases” means the types of cases listed in OCGA § 17-10-6.1 (a) (1)-(7) only.

(d) Description of Pending Warrants and Unindicted Cases

Please see “Description of Case Backlogs” above.

(C) TOTAL ARPA GRANT FUNDS FROM THE JUDICIAL COUNCIL TO ADDRESS CASE BACKLOGS

- (1) Grand total ARPA funds for CYs 2023-2025: \$ 4,370,431.
 (a) Total ARPA grant funds for CY 2023: \$ 2,500,000.
 (b) Total ARPA grant funds for CY 2024: \$ 749,692.
 (c) Total ARPA grant funds for CY 2025: \$ 1,120,739.

Note: New applicants with no current award must indicate "\$0" for CY 2023 and CY 2024 for (C) (1) (a)-(b) and throughout.

- (2) Amount of (C) (1) grand total ARPA funds for CYs 2023-2025 to be dedicated to backlogs of serious violent felonies (SVFs; OCGA § 17-10-6.1 (a)): \$ 1,999,274.
 (a) Total ARPA funds dedicated to SVFs for CY 2023: \$ 1,227,324.
 (b) Total ARPA funds dedicated to SVFs for CY 2024: \$ 483,233.
 (c) Total ARPA funds dedicated to SVFs for CY 2025: \$ 288,717.

- (3) Overall number of staff and contractor positions for CYs 2023-2025: Twenty-nine (29).

- (a) Overall number of *full-time staff* positions for CYs 2023-2025: Twenty-one (21).
 (b) Overall number of *part-time staff* positions for CYs 2023-2025: Seven (7).
 (c) Overall number of *contractor* positions for CYs 2023-2025: One (1).

- (4) Portion of overall number of staff and contractor positions that will be dedicated to backlogs of serious violent felonies in CY 2023-2025 (OCGA § 17-10-6.1 (a)): Seventeen (17).

- (a) *Full-time staff* positions dedicated to serious violent felonies in CYs 2023-2025: Eleven (11).
 (b) *Part-time staff* positions dedicated to serious violent felonies in CYs 2023-2025: Six (6).
 (c) *Contractor* positions dedicated to serious violent felonies in CYs 2023-2025: Zero (0).

Note: As used throughout this application, "staff" means government employee.

(D) ARPA GRANT FUNDS REQUESTED OR RECEIVED FROM OTHER SOURCES TO ADDRESS CASE BACKLOGS

- (1) Applicants (except appellate courts) must request ARPA funds from one or more counties in their circuit. Have you requested ARPA funds from any counties in your circuit?

Yes No (*Note: answering "No" here will create a compliance issue*)

- (2) List the counties from which you have requested ARPA funds (*attach request & response*):

County	Purpose(s) For Which ARPA Funds Were Requested with Dates Requested	Amount Requested	Amount Approved
Hall & Dawson	Please see attached documentation for requests made in 2020-2021.	\$	\$
Hall	Please see attached letter and response from Hall County in 2022.	\$	\$
Dawson	Please see attached letter to Dawson County in 2022. No response was received.	\$	\$

Note: If your request for county ARPA funds and/or the county's response was verbal (i.e., not in writing), please attach a memorandum documenting your request and/or the county's response.

(3) County Resources Provided to Courts

The judicial system has worked closely with officials from both Hall and Dawson counties to respond to the COVID-19 crisis and the ensuing challenges presented by the backlog of cases. While early funding conversations focused narrowly on federal relief funds, subsequent discussions have focused less on the specific funding source and more on the project need. This has allowed both counties maximum flexibility to qualify and administer their ARPA and CARES Act funding as they deem fit.

As eligibility guidelines from OPB became clear, the courts have focused requests to the Judicial Council's ARPA committee on temporary positions and spaces, while the counties have provided needed infrastructure and facility upgrades. In addition, both counties have funded permanent, additional pretrial officer positions as a result of the pandemic.

Specifically, Hall County Commissioners have funded the installation of broadband internet at the courthouse, the conversion of every single trial courtroom into a "hybrid courtroom" capable of facilitating remote video hearings, the purchase of new software, and the redesign of the circuit website to facilitate livestreaming and public access. Most significantly, capital funds have been approved to purchase a new office building to house growing staff, and to construct a new, expanded jury assembly room. It is unknown if any of the monies for these projects come from County ARPA funds.

Dawson County Commissioners have also provided funding to enable remote video hearings in each courtroom, and funded new invoicing software to handle growing caseloads. It is unknown if any of the monies came from County ARPA funds.

Finally, in an effort to address staff shortages, both counties have considered and approved various pay increases and cost-of-living adjustments for employees.

(4) Total ARPA grant funds *requested* from other sources: \$ 2,744,291.

(5) Total ARPA grant funds *received* from other sources: \$ Unknown.

(6) Total ARPA grant funds from other sources *expended* to date: \$ Unknown.

(7) Total ARPA grant funds from other sources *obligated* to date: \$ 126,796.

(E) ARPA FUNDS BY EXPENDITURE CATEGORY (EC)

(1) Payroll-Public Sector Staff Responding to Case Backlogs (EC 3.1; 31 CFR § 35.6 (b) (3))

(ii) (E) (1)

(a) Total funds for this EC for CYs 2023-2025: \$ 2,175,274.

(i) Total funds for this EC for CY 2023: \$ 1,227,324.

(ii) Total funds for this EC for CY 2024: \$ 483,233.

(iii) Total funds for this EC for CY 2025: \$ 464,717.

(b) Amount of (E) (1) (a) total dedicated to addressing the backlog of serious violent felonies (SVFs), as defined in OCGA § 17-10-6.1 (a): \$ 1,999,274.

(i) Amount of (E) (1) (a) (i) total dedicated to SVFs in CY 2023: \$ 1,227,324.

(ii) Amount of (E) (1) (a) (ii) total dedicated to SVFs in CY 2024: \$ 483,233.

(iii) Amount of (E) (1) (a) (iii) total dedicated to SVFs in CY 2025: \$ 288,717.

(c) *More than 50 percent of total personnel costs awarded each calendar year under this EC must be dedicated to serious violent felonies, as defined in OCGA § 17-10-6.1 (a). What percentage of the total under (E) (1) (a) will be dedicated to responding to serious violent felonies? 92 %.*

(i) Percentage of total under (E) (1) (a) (i) dedicated to SVFs in CY 2023: 100 %.

(ii) Percentage of total under (E) (1) (a) (ii) dedicated to SVFs in CY 2024: 100 %.

(iii) Percentage of total under (E) (1) (a) (iii) dedicated to SVFs in CY 2025: 92 %.

Note: Please make sure that all percentages under (E) (1) (c) reflect the dollar amounts dedicated to addressing backlogs of SVFs provided under (E) (1) (b).

(d) Overall number of staff positions to be funded under this EC in CYs 2023-2025: Nineteen (19).

(i) *Full-time staff* positions in CYs 2023-2025: Thirteen (13).

(ii) *Part-time staff* positions in CYs 2023-2025: Six (6).

(e) Number of *staff* positions under this EC dedicated to serious violent felonies in CYs 2023-2025, as defined in OCGA § 17-10-6.1 (a): Seventeen (17).

(i) *Full-time staff* positions in CYs 2023-2025: Eleven (11).

(ii) *Part-time staff* positions in CYs 2023-2025: Six (6).

(f) The following applies for this EC only (check one):

No changes to current award for CYs 2023-2025 (*type "No amendments." in the description box*).

Make changes to current award for CYs 2023-2025, as explained in the description box below (*describe only the requested amendments*):

No funds have been awarded for this EC for CYs 2023-2025, so the following describes a new request (*in the description box below, describe all requested expenditures in detail*):

No funds are requested for this EC (*type "N/A." in the description box*).

Changes to Current 2023-2025

Judicial Assistant- Increase by \$44,889 from Juror Expenses (CY23); Increase by \$64,228 from Court Reporter Transcripts (CY24).

Court Reporter- Increase by \$24,739 from Intake Specialist.

Deputy Sheriff (Dawson County)- Increase by \$12,000 from Human Services Coordinator.

Add additional funding to supplement five current awarded positions for CY's 2024-2025 as follows:

Add \$54,466 to Administrative Assistant, District Attorney; Add \$72,150 to Deputy Sheriff (Dawson County); Add \$90,000 to Bailiffs; Add \$8,210 to Superior Court Senior Judge; Add \$63,891 to Judicial Assistance (Senior Judges, etc).

Two (2) New Positions: Dawson County Misdemeanor Probation Officers. Salaried at \$88,000 with a combined total of both positions at \$176,000. In January 2020, Dawson County probation supervised 221 active probationers. By June 2024, the number had risen to 341 – an increase of 54%. This increase tracks the dramatic uptick in the Dawson County criminal caseloads post-COVID. The judges, along with Court Administration, have worked closely with Dawson County officials to plan for adequate supervision and routine drug screening. These funds will provide the temporary assistance needed to hire one probation officer in 2025, in addition to one to be hired by Dawson County.

Salaries Updated: All line items renewed in this category have been updated with new, projected 2025 salary and benefit costs. No other changes have been made.

(2) Court-Based Mental Health Diversion (EC 1.12; 31 CFR § 35.6 (b) (3) (i) (C))

- (a) Total funds for this EC for CYs 2023-2025: \$ 92,579.
- (i) Total funds for this EC for CY 2023: \$ 66,339.
- (ii) Total funds for this EC for CY 2024: \$ 26,240.
- (iii) Total funds for this EC for CY 2025: \$ 0.
- (b) Overall number of *staff and contractor* positions to be funded under this EC in CYs 2023-2025: One (1).
- (i) Full-time staff and contractor positions in CYs 2023-2025: One (1).
- (ii) Part-time staff and contractor positions in CYs 2023-2025: Zero (0).
- (c) The following applies for this EC only (check one):
- No changes to current award for CYs 2023-2025 (type "No amendments." in the description box).
- Make changes to current award for CYs 2023-2025, as explained in the description box below (describe only the requested amendments):
- No funds have been awarded for this EC for CYs 2023-2025, so the following describes a new request (in the description box below, describe all requested expenditures in detail):
- No funds are requested for this EC (type "N/A." in the description box).

Changes to Current 2023-2025

Human Services Coordinator- Decrease by \$12,000 to Deputy Sheriff (Dawson County); Decrease by \$23,791 to Case Manager Position.

(3) Court-Based Substance Use Diversion (EC 1.13; 31 CFR § 35.6 (b) (3) (i) (C))

- (a) Total funds for this EC for CYs 2023-2025: \$ 637,598.
- (i) Total funds for this EC for CY 2023: \$ 259,760.
- (ii) Total funds for this EC for CY 2024: \$ 160,282.
- (iii) Total funds for this EC for CY 2025: \$ 217,556.
- (b) Overall number of *staff and contractor* positions to be funded under this EC in CYs 2023-2025: Seven (7).
- (i) Full-time staff and contractor positions in CYs 2023-2025: Six (6).
- (ii) Part-time staff and contractor positions in CYs 2023-2025: One (1).
- (c) The following applies for this EC only (check one):
- No changes to current award for CYs 2023-2025 (*type "No amendments." in the description box*).
- Make changes to current award for CYs 2023-2025, as explained in the description box below (*describe only the requested amendments*):
- No funds have been awarded for this EC for CYs 2023-2025, so the following describes a new request (*in the description box below, describe all requested expenditures in detail*):
- No funds are requested for this EC (*type "N/A." in the description box*).

Changes to Current 2023-2025

Case Manager- Increase by \$23,791 from Human Services Coordinator; \$15,965.29 from Intake Specialist.

Intake Specialist- Decrease by \$24,739 to Court Reporter; Decrease by \$15,965.29 to Case Manager; Decrease by \$5,261 to Contract – Clinical Supervision.

Contract- Clinical Supervision- Increase by \$5,261 from Intake Specialist.

Add additional funding to supplement two current awarded positions for CY's 2024-2025 as follows:

Add \$31,817 to Case Manager; Add \$24,739 to Contract – Clinical Supervision.

New Position: Case Manager. Salaried at \$76,000. This position is responsible for providing administrative, clerical, and case management support to the Program Coordinator. This position prepares updates and maintains participant files in a timely manner, maintains database for the program, provides necessary information to treatment providers, obtains necessary information from residential treatment providers for the maintenance of accuracy, schedules community service work for participants, maintains confidentiality of all participants and office information as required by federal law.

New Position: Operations Coordinator. Salaried at \$85,000. This position is responsible for implementation, coordination and monitoring oversight of Treatment Services facilities and office management. This position is responsible for oversight and support of all administrative duties as assigned by the Director and Assistance Director and ensures smooth operation of Treatment Services agency. This position is responsible for daily operations in regards to office

infrastructure, building maintenance requests and project oversight, supply inventory, and assurance of compliance with agency policy and procedure.

Salaries Updated: *All line items renewed in this category have been updated with new, projected 2025 salary and benefit costs. No other changes have been made.*

Additional Information

The Northeastern Judicial Circuit is fortunate to have a robust accountability court system operated under the umbrella agency of Treatment Services.

One-hundred percent (100%) of the funds requested will be used for court-based substance use services, and one-hundred percent (100%) of funds will be used to conserve resources in order to prioritize serious violent felonies.

Numerically, this request will facilitate the removal of approximately 300 felony cases from the circuit's trial calendars in 2024, allowing the judges to prioritize serious violent felony trials. This represents approximately 15% of the circuit's projected felony filings. Every drug case that our Treatment Services agency is able to staff appropriately is a non-serious case directly removed from the court's trial calendars. The seven requested positions will not directly touch serious violent felonies, since such cases are ineligible for Drug Court admission, but every hour devoted to diversion directly impacts the circuit's ability to prioritize serious cases for trial.

(4) Court-Based Eviction Prevention and Diversion (ECs 2.2, 2.18; 31 CFR § 35.6 (b) (3) (ii))

(A) (1), (5))

- (a) Total funds for this EC for CYs 2023-2025: \$ 0.
 - (i) Total funds for this EC for CY 2023: \$ 0.
 - (ii) Total funds for this EC for CY 2024: \$ 0.
 - (iii) Total funds for this EC for CY 2025: \$ 0.
- (b) Overall number of *staff and contractor* positions to be funded under this EC in CYs 2023-2025: 0.
 - (i) Full-time staff and contractor positions in CYs 2023-2025: 0.
 - (ii) Part-time staff and contractor positions in CYs 2023-2025: 0.
- (c) The following applies for this EC only (check one):
 - No changes to current award for CYs 2023-2025 (*type "No amendments." in the description box*).
 - Make changes to current award for CYs 2023-2025, as explained in the description box below (*describe only the requested amendments*):
 - No funds have been awarded for this EC for CYs 2023-2025, so the following describes a new request (*in the description box below, describe all requested expenditures in detail*):
 - No funds are requested for this EC (*type "N/A." in the description box*).

N/A

(5) Temporary Facilities or Workspace to Respond to Case Backlogs (ECs 3.5, 7.1; 31 CFR § 35.6 (b) (3) (ii) (E) (4))

- (a) Total funds for this EC for CYs 2023-2025: \$ 0.
 - (i) Total funds for this EC for CY 2023: \$ 0.
 - (ii) Total funds for this EC for CY 2024: \$ 0.
 - (iii) Total funds for this EC for CY 2025: \$ 0.
- (b) Amount of subtotal for this EC dedicated to addressing the backlog of serious violent felonies in CYs 2023-2025, as defined in OCGA § 17-10-6.1 (a): \$ 0.
- (c) The following applies for this EC only (check one):
 - No changes to current award for CYs 2023-2025 (type "No amendments." in the description box).
 - Make changes to current award for CYs 2023-2025, as explained in the description box below (describe only the requested amendments):
 - No funds have been awarded for this EC for CYs 2023-2025, so the following describes a new request (in the description box below, describe all requested expenditures in detail):
 - No funds are requested for this EC (type "N/A." in the description box).

N/A

(6) ARPA-Eligible Administrative Expenses (ECs 3.5, 7.1; 31 CFR § 35.6 (b) (3) (ii) (E) (3)-(4))

- (a) Total funds for this EC for CYs 2023-2025: \$ 899,324.
 - (i) Total funds for this EC for CY 2023: \$ 380,921.
 - (ii) Total funds for this EC for CY 2024: \$ 79,937.
 - (iii) Total funds for this EC for CY 2025: \$ 438,466.
- (b) Overall number of *staff and contractor* positions to be funded under this EC in CYs 2023-2025: Two (2).
 - (i) Full-time staff and contractor positions in CYs 2023-2025: Two (2).
 - (ii) Part-time staff and contractor positions in CYs 2023-2025: 0.
- (c) The following applies for this EC only (check one):
 - No changes to current award for CYs 2023-2025 (type "No amendments." in the description box).
 - Make changes to current award for CYs 2023-2025, as explained in the description box below (describe only the requested amendments):
 - No funds have been awarded for this EC for CYs 2023-2025, so the following describes a new request (in the description box below, describe all requested expenditures in detail):
 - No funds are requested for this EC (type "N/A." in the description box).
- (d) Procurement of legal research software or digital evidence management software (check

one):

- By checking this box, the undersigned certifies that the purchase of (i) legal research software for ARPA-funded staff attorneys or prosecutors; or (ii) digital evidence management software will be subject to competitive bidding procedures regarding the purchase of equipment, supplies, services, or other items with public funds. See **FAQ 28.2**.
- This application does not request funding for legal research software for ARPA-funded staff attorneys or prosecutors; or digital evidence management software.

Changes to Current 2023-2025

***Juror Expenses-** Decrease by \$44,889 to Judicial Assistant (CY23)

***Court Reporter Transcripts-** Decrease by \$64,228 to Court Reporter (CY24)

**NOTE: Current funds were reallocated to fund positions that are a priority to the circuit, if additional funding is not awarded, these positions will be fully funded with the current award.*

Add additional funding to supplement current awarded direct / administrative costs for CY's 2024-2025 as follows:

Add \$120,000 to Juror Expenses; Add \$165,000 to Court Reporter Transcripts.

New Position: Staff Accountant. Salaried at \$96,500. *The record number of cases and closures, combined with the new personnel provided to the courts post-pandemic, has dramatically increased the administrative needs of the Hall and Dawson County court systems. This position will be tasked with responding to the backlog of cases by conducting clerical and administrative accounting duties. Specifically, the position will track and administer program fees, disbursements, supply purchases, travel and training requirements, fine collections, and reporting. One-hundred percent of the employee's time will be dedicated to prioritizing serious violent felonies.*

New: Drug Screeners (Dawson County) – Contract. \$56,966. *As court cases have exploded in Dawson County, the judges and Dawson County Sheriff have coordinated closely to move cases efficiently and not unnecessarily detain defendants in the local jail. Dawson County Commissioners have funded a new PreTrial Release officer, as the number of pretrial releases has swelled by over 30%. This request seeks funding for court-ordered drug screening – a routine condition of pretrial release, and a vital component of adequately supervising defendants who are awaiting trial. Specifically, this request will allow us to increase the hours of drug collecting from 14 total hours per week to 29 hours per week.*

- (7) **Audio-Visual Equipment Modernization** (ECs 3.5, 7.1; 31 CFR § 35.6 (b) (3) (ii) (E) (4), (b) (4); 87 Fed. Reg. 4,389 (Jan. 27, 2022))
- (a) Total funds for this EC for CYs 2023-2025: \$ 565,657.
 - (i) Total funds for this EC for CY 2023: \$ 565,657.
 - (ii) Total funds for this EC for CY 2024: \$ 0.
 - (iii) Total funds for this EC for CY 2025: \$ 0.

- (b) The following applies for this EC only (check one):
- No changes to current award for CYs 2023-2025.
 - Make changes to current award for CYs 2023-2025, as explained below:
 - No funds have been awarded for this EC for CYs 2023-2025, so the following describes a new request:
 - No funds are requested for this EC.

- (c) **AV Policy** checklist (check all that apply to indicate compliance):
- A detailed justification letter is attached stating that audio-visual equipment modernization in the courtrooms listed in table (7) (d) below is a necessary component of a response to court case backlogs caused by the pandemic, with a primary focus on cases involving serious violent felonies. Id. at § (b) (2).
 - A detailed summary of each audio-visual modernization project requested under this EC is attached, including a complete project timeline. Id. at § (b) (3).
 - A detailed proposal from each vendor is attached, including an estimate of the cost of each project and all equipment to be installed. Id. at § (b) (4).
 - Each attached proposal was subject to competitive bidding procedures and reflects market prices for comparable goods and services for the geographic area where the courtroom is located. Id. at §§ (c)-(d). See **FAQ 28.2** for procurement guidance.
 - The projects are requested for *existing* courtrooms only, as defined. Id. at § (a) (2).
 - The projects are requested for courtrooms where personnel are responding to case backlogs caused by the pandemic, with first priority given to courtrooms where personnel are responding to cases involving serious violent felonies. Id. at §§ (b) (2), (d).
 - The projects requested are compliant with all other provisions of the ARPA Committee’s **Audio-Visual Equipment Modernization Policy** (posted under Quick Links at <https://jcaoc.georgiacourts.gov/arpa/>).

(d) For each *existing* permanent courtroom where new audio-visual equipment is to be installed, fill in the following information (list new projects or amendments to currently approved projects; add additional rows to table if needed):

County	Address of Courtroom	Classes of Court That Use Courtroom	Requested Action	New/Amended Total Requested
			<input type="checkbox"/> New project or <i>Amendment</i> : <input type="checkbox"/> Increase by \$ _____ <input type="checkbox"/> Decrease by \$ _____	\$
			<input type="checkbox"/> New project or <i>Amendment</i> :	\$

			<input type="checkbox"/> Increase by \$ _____	
			<input type="checkbox"/> Decrease by \$ _____	

(e) Audio-Visual Equipment Modernization Project(s) Description or Explanation:

N/A

(F) SUPPORTING DOCUMENTATION AND BUDGET FORM

The following supporting documentation is attached to this application (check all that apply):

- A completed **ARPA Budget Form** in an Excel spreadsheet file format (required).
- Correspondence to and from county governments requesting ARPA funds (required).
- All documents required under section (b) (2)-(4) of the **Audio-Visual Equipment Modernization Policy** (if requesting funds under section (E) (7) of this application).
- Any other documentation needed to support this application (if applicable).

(G) CERTIFICATION

By checking this box, I, the undersigned, certify that (1) the information in this application is true and correct to the best of my knowledge; and (2) the proposed activities are eligible expenditures under the federal American Rescue Plan Act of 2021 and 31 CFR Part 35 (“Final Rule”). *I understand that the use of ARPA grant funds is subject to certain reporting requirements, audits, and recoument if put toward impermissible uses. 31 CFR § 35.10.*



Chief Judge/Justice Signature

Printed Name: Jason J. Deal

Title: Chief Judge, Superior Court

Date: 11 Oct 2024

(H) SUBMIT APPLICATION

E-mail a .pdf of your completed, certified, and signed application (with supporting documentation) to ARPA@georgiacourts.gov. *If you do not receive a confirmation e-mail that your application has been received within three business days after submission, please promptly notify the ARPA Grants Team at ARPA@georgiacourts.gov and call 404-656-5171 to ensure receipt.*



AGENDA ITEM

Fire Rescue

REPORT TO: Work Session (11/12/24)

REPORT TO: Voting Meeting (11/14/24)

ITEM NO: 594/2024

SUBJECT: Approve the sole source purchase of two (2) Zoll X Series Monitor/Defibrillators and related accessories for Fire Rescue to Zoll Medical Corporation of Chelmsford, MA, in the amount of \$94,716.56.

Meetings:

Work Session Date: 11/12/24

Voting Meeting Date: 11/14/24

Executive Summary:

Presenter: CJS

Recommendation:
Approve.

Purpose of Request:
Approve the sole source purchase of two (2) Zoll X Series Monitor/Defibrillators and related accessories for Fire Rescue to Zoll Medical Corporation of Chelmsford, MA, in the amount of \$94,716.56.

History:

Facts and Issues:

Options:

Cardiac monitors/defibrillators are devices to monitor, analyze, and treat heart rhythms in patients. These are high risk liability devices that are closely monitored by the FDA. The department has obtained a quote for two (2) devices with accessories and a trade in of two (2) older units.

In a concerted effort to maintain continuity, the department has standardized to the Zoll X-Series cardiac monitor/defibrillator. The department currently has 28 units in service and spare. All employees are trained on this model. Due to life-safety concerns, only one type of cardiac monitor/defibrillator is utilized department wide. This assures the employee is familiar with the equipment regardless of which ambulance they may be assigned. In addition, the supplies used for this device are interchangeable with the AEDs within our department, throughout various county facilities as well as devices used in many health facilities in the community. This allows a more efficient inventory as the department does not have to stock multiple brands of supplies needed (pads, cables, sensors, etc). These monitors interface with our patient care reporting software (EPR) to import a patient's vital signs and cardiac rhythm into the patient care report.

Funding Requested	\$ 94,716.56
Are funds within current budget?	Yes
Source of Funds	Capital Projects Fund
Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?	No
Has it been reviewed by the County Attorney?	Yes
Is there a deadline for this item?	2024-10-28

Approvals:

Buyer	submit	approve	Purchasing
AP	JS	JS	AP
Budget	Finance	Attorney	Administration
JM	TS	WLI	CR
Clerk			
JR			

Attachments:

- Financial Supplement
- Quote
- Sole-Source Form
- Manufacturer's Letter of Exclusivity



**HALL COUNTY BOARD OF COMMISSIONERS
FINANCIAL SUPPLEMENT REPORT**

AGENDA ITEM 594/2024

Funds Requested: \$ 94,716.56

Request Budgeted: Yes

Proposed Source of Funding:

Budget Transfer Requested:

Capital Projects Fund

No

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
2025	350-CAPITAL PROJECTS FUND	3630-EMS	542500-OTHER EQUIPMENT	\$94,716.56

Budget Transfer Items:

Additional Information/Comments:

jesmith@hallcounty.org

Contact for Questions: CJS

Phone: x3280



ZOLL Medical Corporation

269 Mill Road
 Chelmsford, MA 01824-4105
 Federal ID# 04-2711626

Phone: (800) 348-9011
 Fax: (978) 421-0015
 Email: esales@zoll.com

Quote No: Q-92626 Version: 4

Hall County Fire Services EMS
 470 Crescent Drive
 Gainesville, GA 30501

Quote No: Q-92626
 Version: 4

ZOLL Customer No: 7905

Issued Date: October 21, 2024
 Expiration Date: December 30, 2024

Bobby Ogletree
 (770) 530-5164
 bogletree@hallcounty.org

Terms: NET 30 DAYS

FOB: Destination
 Freight: Free Freight

Prepared by: Marcus Russell
 EMS Territory Manager
 mrussell@zoll.com
 +1 6785427344

Item	Contract Reference	Part Number	Description	Qty	List Price	Adj. Price	Total Price
1	1501418	601-2231011-01	<p>X Series Monitor/Defibrillator - 12-Lead ECG, Pacing, NIBP, SpO2, SpCO, EtCO2, CPR Expansion Pack</p> <p>Includes: 4 trace tri-mode display monitor/ defibrillator/ printer, advisory algorithm, advanced communications package (Wi-Fi, Bluetooth, USB cellular modem capable) USB data transfer capable and large 6.5in (16.5cm) diagonal screen. Accessories Included: MFC cable and CPR connector, A/C power cord, One (1) roll printer paper, 6.6 Ah Li-ion battery, Carry case, Operator Manual, Quick Reference Guide, and One (1)-year EMS warranty.</p> <p>Parameter Details: Real CPR Help - Dashboard display of CPR Depth and Rate for Adult and Pediatric patients, Visual and audio prompts to coach CPR depth (Adult patient only), Release bar to ensure adequate release off the chest, Metronome to coach rate for Adult and Pediatric patients. See-Thru ® CPR artifact filtering • Interpretative 12-Lead ECG (Full 12 ECG lead view with both dynamic and static 12-lead mode display. 12-Lead OneStep ECG cable - includes 4-Lead limb lead cable and removable precordial 6-Lead set) • ZOLL Noninvasive Pacing Technology • Welch Allyn NIBP with Smartcuff. 10 foot Dual Lumen hose and SureBP Reusable Adult Medium Cuff • Masimo SpO2 & SpCO with Signal Extraction Technology (SET), Rainbow SET® • EtCO2 Oridion Microstream Technology. Microstream tubing set sold separately •</p>	2	\$50,938.00	\$41,769.16	\$83,538.32
2	1501418	REUSE-12L-2MQ	Welch Allyn REUSE-12L-2MQ Cuff, Lg Adult Long, 2-Tube, Twist Lock connector	2	\$66.00	\$54.12	\$108.24
3	1501418	REUSE-09-2MQ	Welch Allyn REUSE-09-2MQ Cuff, Child, 2-Tube, Twist Lock connector	2	\$66.00	\$54.12	\$108.24



ZOLL Medical Corporation

269 Mill Road
Chelmsford, MA 01824-4105
Federal ID# 04-2711626

Phone: (800) 348-9011
Fax: (978) 421-0015
Email: esales@zoll.com

Hall County Fire Services EMS
Quote No: Q-92626 Version: 4

Item	Contract Reference	Part Number	Description	Qty	List Price	Adj. Price	Total Price
4	1501418	8000-0580-01	Six Hour Rechargeable, SurePower II Smart Battery	18	\$1,001.00	\$820.82	\$14,774.76
5	1501418	8000-001392	Masimo rainbow® RC-4 - 4FT, Reusable EMS Patient Cable	2	\$313.00	\$256.66	\$513.32
6	1501418	8000-000371	rainbow® DCI® SpO2/SpCO/SpMet Adult Reusable Sensor with connector (3 ft)	2	\$1,076.00	\$882.32	\$1,764.64
7	1501418	8000-000393-01	X Series Carry Case, Premium	2	\$886.00	\$726.52	\$1,453.04
8		6008-9901-61	ZOLL X Series Trade In Allowance (EMS Group) See Trade Unit Considerations.	2		(\$6,300.00)	(\$12,600.00)
9		8400-110041	CaseReview Premium Subscription, X Series, 1 Year- Hosted Provides detailed post-case information, including CPR quality on compression depth, rate, pause time and release velocity, as well as ECG, shocks, EtCO2 and SpO2 vital signs.	8	\$632.00	\$632.00	\$5,056.00

Subtotal: \$94,716.56

Total: \$94,716.56

Contract Reference	Description
1501418	Reflects CHM GPO NPP 2020 - Contract No. PS20200 (EXT2) contract Pricing. Notwithstanding anything to the contrary herein, the terms and conditions set forth in NPP Contract No. PS20200 shall apply to the customer's purchase of the products set forth on this quote.

Trade Unit Considerations
Trade-In values valid through December 30, 2024 if all equipment purchased is in good operational and cosmetic condition and includes all standard accessories. Trade-In values are dependent on the quantity and configuration of the ZOLL devices listed on this quotation. Customer assumes responsibility for shipping trade-in equipment at the quantities listed on the trade line items in this quotation to ZOLL's Chelmsford Headquarters within 60 days of receipt of new equipment. Customer agrees to pay cash value for trade-in equipment not shipped to ZOLL on a timely basis.

To the extent that ZOLL and Customer, or Customer's Representative have negotiated and executed overriding terms and conditions ("Overriding T's & C's"), those terms and conditions would apply to this quotation. In all other cases, this quote is made subject to ZOLL's Standard Commercial Terms and Conditions ("ZOLL T's & C's") which for capital equipment, accessories and consumables can be found at <https://www.zoll.com/about-zoll/invoice-terms-and-conditions>, for software products can be found at <https://www.zoll.com/en/about-zoll/legal>, and for ExpertCare Service Plans can be found at <https://www.zoll.com/en/about-zoll/compliance>. Except in the case of overriding T's and C's, any Purchase Order ("PO") issued in response to this quotation will be deemed to incorporate ZOLL T's & C's, and any other terms and conditions presented shall have no force or effect except to the extent agreed in writing by ZOLL.

1. Delivery will be made upon availability.
2. This Quote expires on December 30, 2024. Pricing is subject to change after this date.
3. Applicable tax, shipping & handling will be added at the time of invoicing.
4. All purchase orders are subject to credit approval before being accepted by ZOLL.
5. To place an order, please forward the purchase order with a copy of this quotation to esales@zoll.com or via fax to 978-421-0015.



ZOLL Medical Corporation

269 Mill Road
Chelmsford, MA 01824-4105
Federal ID# 04-2711626

Phone: (800) 348-9011
Fax: (978) 421-0015
Email: esales@zoll.com

Hall County Fire Services EMS
Quote No: Q-92626 Version: 4

- 6. All discounts from list price are contingent upon payment within the agreed upon terms.
- 7. Place your future accessory orders online by visiting the ZOLL web store.

Order Information (to be completed by the customer)

Tax Exempt Entity (Tax Exempt Certificate must be provided to ZOLL)

Taxable Entity (Applicable tax will be applied at time of invoice)

BILL TO ADDRESS	SHIP TO ADDRESS
Name/Department:	Name/Department:
Address:	Address:
City / State / Zip Code:	City / State / Zip Code:

Is a Purchase Order (PO) required for the purchase and/or payment of the products listed on this quotation?

Yes PO Number: _____ PO Amount: _____
(A copy of the Purchase Order must be included with this Quote when returned to ZOLL)

No (Please complete the below section when submitting this order)

For organizations that do not require a PO, ZOLL requires written execution of this order. The person signing below represents and warrants that she or he has the authority to bind the party for which he or she is signing to the terms and prices in this quotation.

Hall County Fire Services EMS

Authorized Signature:

Name: _____
Title: _____
Date: _____



Hall County Fire Services EMS
Quote No: Q-92626 Version: 4

269 Mill Road
Chelmsford, Massachusetts 01824-4105
978-421-9655 (main)
978-421-0025 (fax)
www.zoll.com

ALS/BLS Software Solutions Master Software, SaaS and Services Agreement and Addenda Acknowledgement Form

The terms and conditions applicable to ZOLL Medical Corporation's Software Solutions products can be found at <https://www.zoll.com/en/about-zoll/legal>. By signing below, the Customer acknowledges and agrees to those terms and conditions. The person signing below represents and warrants that she or he has the authority to bind the Customer to those terms and conditions.

Customer

Signature:

Name: _____

Title: _____

Company: _____

Company Address: _____

Date: _____



HALL COUNTY
G E O R G I A

Sole-Source/Brand Justification

Request Submitted By

Name:	
Job Title:	
Department:	
E-Mail Address:	
Date of Request:	

Request Details

Sole-Source: Any contract entered into without a competitive solicitation process, based on a justification that only one known source exists or that only one single supplier can fulfill the requirements of the County.

Sole-Brand: A purchasing situation in which only one brand of equipment/supply, etc. will meet the requirements of the County.

Identify efforts made to locate other possible sources.

--

Desired Supplier Name:
Desired Supplier Email:
Desired Supplier Phone Number:

Scope of Work

Provide a detailed description of commodities/services to be provided. Also, include the following details: exact or estimated quantity, per unit price, and the total estimated cost.

Exclusive Capability: Justifying a Sole Source/Sole Brand

Provide an explanation why only a particular style, model, type or manufacturer is required (i.e. why the commodity is the only commodity which will meet the County needs).

Provide a detailed description of proposed source's unique capabilities and/or personnel to perform the work and why this is the only source.

Letter from Original Equipment Manufacturer (required):

Attached

Purchasing Use Only

Buyer:

Buyer E-Mail Address:

Buyer Telephone:

Contract #:

Contract Name:

If publicly solicited, number of protests:

Outcome:

Bid # (if competitively bid):

Purchase Order #:



269 Mill Road
Chelmsford, Massachusetts 01824-4105
978-421-9655 (main)
978-421-0025 (fax)
www.zoll.com

October 24, 2024

Hall County Fire Services EMS
470 Crescent Drive
Gainesville, GA 30501
Attn: Bobby Ogletree

Dear Mr. Ogletree,

We appreciate your selection of ZOLL® products for Hall County Fire Services EMS. This letter serves as confirmation that ZOLL® Medical Corporation at 269 Mill Road in Chelmsford, Massachusetts, is the sole manufacturer and source of X Series® Defibrillators for the EMS Market. ZOLL® or Marcus Russell, Territory Manager, will not sell an X Series® Defibrillator to Hall County Fire Services EMS through any vendor or dealer.

Hall County Fire Services EMS is a member of National Purchasing Partners (“NPP”), and is therefore eligible to purchase from ZOLL’s NPP contract. Hall County Fire Services EMS’s NPP membership ID number is M-5700418. The NPP contract was a competitively bid contract awarded in 2020, thus eliminating the need for an individual agency to go out to bid. NPP features competitive prices on ZOLL defibrillators and related accessories, with pricing held firm through 6/8/25, as well as free freight. The award document is attached to this letter. Additional contract documents are available upon request.

Should you have any questions or require additional information please contact me at contracts@zoll.com.

Sincerely,

A handwritten signature in cursive script that reads "Alexandria Page". The ink is black and the signature is fluid and legible.

Alexandria Page
Local Contracts Specialist



AGENDA ITEM

Planning & Zoning

REPORT TO: Work Session (11/12/24)

REPORT TO: Voting Meeting (11/14/24)

ITEM NO: 588/2024

SUBJECT: Public Hearing to adopt a minor update to the Hall County Comprehensive Plan.

Meetings:

Work Session Date: 11/12/24

Voting Meeting Date: 11/14/24

Executive Summary:

Presenter: BG
Recommendation:
Approval.

Purpose of Request:
Public Hearing to adopt a minor update to the Hall County Comprehensive Plan.

History:

Facts and Issues:

Options:

Funding Requested	\$ 0.00
Are funds within current budget?	No
Source of Funds	
Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?	No
Has it been reviewed by the County Attorney?	Yes
Is there a deadline for this item?	

Approvals:

Submit	Approve	Attorney	Administration
KE	BG	WLI	CR
Clerk			
JR			

Attachments:

Board Memo

Resolution

Exhibit A - Comprehensive Plan



Hall County Government
COMMUNITY DEVELOPMENT & INFRASTRUCTURE
PLANNING AND ZONING

To: Hall County Board of Commissioners

From: Beth Garmon, Director of Planning and Zoning

Date: October 28, 2024

Subject: A Resolution to Adopt an Update to the County's Comprehensive Plan

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

PLANNING AND ZONING
DIRECTOR
Beth Garmon

Dear Board of Commissioners,

Since September of 2022, Planning and Zoning staff has worked alongside the consultant team of TSW as well as Hall County stakeholders and other county agencies to develop a policy document that will guide the county's long-range vision for growth and development. The Comprehensive Plan balances population, economic, and employment growth with the desire to maintain rural character, greenspace, and natural resources. The plan also addresses the need to coordinate new development with infrastructure capacity. This plan will be used as a guide for developers, county staff, and the board when considering new development.

On September 11, 2024, Hall County submitted a draft of the Hall County Comprehensive Plan – Minor Update to the Georgia Mountain Regional Commission (GMRC) to be forwarded to the Georgia Department of Community Affairs (DCA) for review.

The draft plan was also made available from September 15 through October 15 for public review and comment. There were no comments received during that time regarding the Comprehensive Plan.

On October 28, 2024, Hall County received DCA comments on the draft plan, which included several revisions necessary to adequately address the minimum standards for local comprehensive planning. These comments were addressed and the final draft of the plan is now ready for your consideration and adoption.

The draft can be found at:

<https://www.hallcounty.org/DocumentCenter/View/13713/Hall-County-Comprehensive-Plan-Update>

At the November 14, 2024 Board of Commissioners voting meeting, staff will present a summary of the process and highlight the changes in the updated

plan. With your approval, the Comprehensive Plan will then be transmitted to the GMRC and the DCA to be filed as the acting Comprehensive Plan for Hall County.

Sincerely,

Beth Garmon
Director of Planning and Zoning

STATE OF GEORGIA

COUNTY OF HALL

RESOLUTION TO ADOPT THE HALL COUNTY 2045 COMPREHENSIVE PLAN

UPDATE

WHEREAS, the Georgia Planning Act of 1989 authorizes local governments throughout the State to prepare Comprehensive Plans to be used in guiding their future growth and development; and

WHEREAS, Hall County has previously adopted a Comprehensive Plan; and

WHEREAS, Hall County desires to update the previously adopted Comprehensive Plan; and

WHEREAS, Hall County, has prepared this 2045 Comprehensive Plan Update (“Exhibit A”) to its Comprehensive Plan; and

WHEREAS, the 2045 Plan Update of the Comprehensive Plan was prepared in accordance with the Minimum Planning Standards and Procedures for Local Comprehensive Planning established by the Georgia Planning Act of 1989, and Hall County conducted the required public engagement; and

WHEREAS, the 2045 Comprehensive Plan Update is designed to better allow Hall County to manage growth, ensure the availability of attainable housing within the County, improve infrastructure maintenance and expansion, enhance and expand parks and green spaces, improve conservation of natural resources, expand multi modal transportation, improve safety and security and continue to encourage economic development; and

WHEREAS, the 2045 Comprehensive Plan Update was properly submitted to the Georgia Department of Community Affairs and the Georgia Mountains Regional Commission for review,

and each has determined that the 2045 Comprehensive Plan Update adequately addresses the requirements of the Minimum Standards and Procedures for Local Comprehensive Planning.

NOW, THEREFORE, BE IT RESOLVED that the Hall County Board of Commissioners does hereby adopt the 2045 Comprehensive Plan Update and the Hall County Board of Commissioners hereby authorizes this Resolution to be submitted to the Georgia Mountains Regional Commission and the Georgia Department of Community Affairs within seven (7) days of this date.

SO RESOLVED this the _____ day of November, 2024.

HALL COUNTY BOARD OF COMMISSIONERS

By: _____
Richard Higgins, 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:

William J. Linkous III, County Attorney



HALL COUNTY | *Forward*

2045 Comprehensive Plan Update



FOR ADOPTION
OCTOBER 31, 2024



ACKNOWLEDGMENTS

Hall County Board of Commissioners

Richard Higgins, Chairman

Kathy Cooper, District 1

Billy Powell, District 2

Gregg Poole, District 3

Jeff Stowe, District 4

Hall County Staff

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Katie Greenway, Planning & Zoning Administrator

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Bill Nash, Director of Public Works and Utilities

Brent Holloway, Director of Parks and Community Services

Sarah Crowe, Communications and Strategic Engagement Manager

Consultant Team

TSW

Keck & Wood

KB Advisory Group

Hall County Staff and the Consultant Team would like to thank the following individuals for their participation on the Steering Committee, as well as serving on individual Advisory Committees, throughout the process. The valuable insight provided positively contributed to the development of this comprehensive plan.

Hall County Forward Steering Committee

- Bill Berry**, Resident
- Joseph Boyd**, GHMPO
- Chris Braswell**, Hall County Planning Commissioner
- Shannon Cole**, Lanier Technical College
- Kathy Cooper**, Hall County Board of Commissioners
- Andrew Davenport**, Community Advocate
- Jessica Dudley**, United Way
- Drew Echols**, Jaemor Farms
- Tim Evans**, Greater Hall Chamber of Commerce
- Beth Garmon**, Hall County Staff
- Steve Gilliam**, Citizen
- Judge John Girardeau**, Vision 2030, Greenspace Committee
- Adam Hazell**, Georgia Mountain Regional Commission
- Anna Hester**, Vision 2030 Executive Director, Greenspace Committee
- Kent Henderson**, Developer
- Brent Hoffman**, Realtor
- Brent Holloway**, Hall County Staff
- Stan Hunt**, Hall County Planning Commissioner
- Angie Kennedy**, Carroll Daniel Construction
- Rusty Ligon**, City of Gainesville
- Berlinda Lipscomb**, Hall County Staff
- Angela Middleton**, Community Advocate
- Sherri Millwood**, City of Oakwood
- Kelvin Mullins**, Georgia Department of Transportation
- Ed Myers**, Myers & Co.
- Bill Nash**, Hall County Staff
- Atiya Pandy**, Plandmark Development
- Devin Pandy**, Pastor, Community Church of Atlanta
- Michael Parker**, Citizen
- Gina Pilcher**, Planning Commissioner
- Mark Pettitt**, Hall County Board of Education
- Jennifer Puryear**, Citizen
- Sherry Ridgway**, Citizen
- Brian Rochester**, Rochester | DCCM
- Casey Ryals**, Ryals Brothers, LLC
- Rhonda Samples**, Hall County Board of Education
- Vanesa Sarazúa**, Hispanic Alliance GA
- Duane Schlereth**, Citizen
- Bill Schmid**, Rochester | DCCM
- Matt Tate**, City of Gainesville
- Melissa Tymchuk**, Northeast Georgia Health Systems
- Johnny Varner**, Hall County Planning Commissioner

TABLE OF CONTENTS

Executive Summary	2
Chapter 1: Introduction	18
Purpose	20
Why We Plan	20
The Planning Process	22
Chapter 2: Hall County Today	24
Introduction & Planning Areas.....	26
Population	34
Land Use	42
Housing	50
Transportation & Infrastructure.....	54
Community Resources	68
Economics.....	74
Parks, Recreation, & Greenspace	82
Natural Resources	88
Historic Resources	92
Susceptibility to Change.....	94
The Takeaways.....	100
Chapter 3: Community Input	102
Overview.....	104
Community Input Survey	107
Steering Committee Meetings	114
Public Meetings	118
The Takeaways.....	125
Chapter 4: Hall County Tomorrow	126
Challenges & Opportunities	128
The Trade-Offs	130
Quality Development Strategies	138
Vision Development	141

Growth Management143

Housing144

Infrastructure Maintenance & Expansion145

Parks & Recreation146

Greenspace.....148

Natural Resource Conservation.....150

Multi-Modal Transportation.....151

Safety & Security.....152

Economic Development.....153

Chapter 5: Future Land Use Strategy..... 154

Approach156

The New Unified Development Code.....158

Future Land Use Categories161

North Hall170

Murrayville/Sardis174

Gainesville Area.....178

East Hall.....184

Chestnut Mountain/Candler188

South Hall192

Future Land Use & Infrastructure196

Chapter 6: Implementation Plan..... 200

Success Through Collaboration202

Community Work Program203

Supplemental Plans226

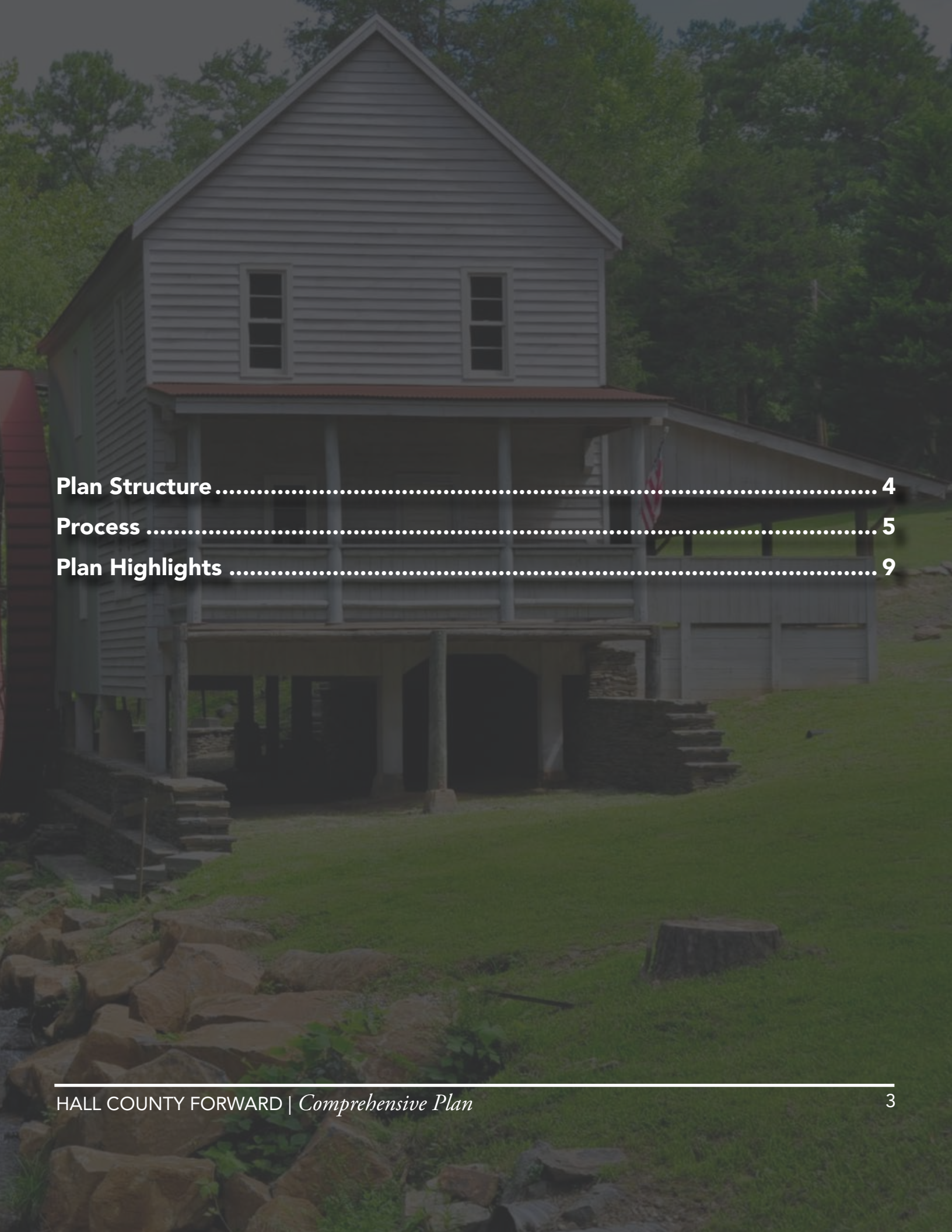
Plan Maintenance227

Capital Improvement Element.....227

Appendix 228



EXECUTIVE SUMMARY



Plan Structure 4

Process 5

Plan Highlights 9

EXECUTIVE SUMMARY

Hall County's comprehensive plan, *Hall County Forward*, is a policy document that guides the county's long-range vision for growth and development in the unincorporated portions of the county. This plan is intended to balance population, economic, and employment growth with the desire to maintain rural character, greenspace, and natural resources. This plan also addresses the need to coordinate new development with infrastructure capacity. This executive summary presents highlights from the plan, including the process used to develop recommendations, the recommendations themselves, and how the plan will be implemented.

This document is to be used as a guide by the following groups:

1. **Developers.** Developers will use this plan to determine if they can build what they want to build, where they want to build it, before undertaking their plans.
2. **Hall County Staff.** County staff will use this plan to determine if new development meets the goals outlined in this document, as well as to guide future planning and project efforts.
3. **The Hall County Board of Commissioners (BOC).** The BOC will use this plan as their guide to make decisions related to rezonings and approving new developments.

Plan Structure

The comprehensive plan is broken down into six chapters and an appendix:

Context

1. INTRODUCTION

Chapter 1 - Introduction. Introduces the comprehensive plan, discusses why planning is important, and reviews the process used to develop the plan.

2. HALL COUNTY TODAY

Chapter 2 - Hall County Today. Reviews and analyzes the existing, on-the-ground, and regulatory conditions that shape the plan.

Process

3. COMMUNITY INPUT

Chapter 3 - Community Input. Summarizes the process used to gather input from the community, the methods used to engage the public, and the outcomes of the process.

Recommendations

4. HALL COUNTY TOMORROW

Chapter 4 - Hall County Tomorrow. Discusses the overall vision for Hall County, organized into nine topic areas complete with goals, strategies, and action items.

5. FUTURE LAND USE STRATEGY

Chapter 5 - Future Land Use Strategy. Establishes a vision for future development and provides a detailed framework for land development decisions in the coming decades. This chapter also demonstrates how the updated Unified Development Code (UDC) will support these decisions.

6. IMPLEMENTATION PLAN

Chapter 6 - Implementation Plan. Outlines the County's plan of action to implement the comprehensive plan. It describes the various action items, responsible parties, estimated costs, proposed timelines, and any other valuable information.

Supporting Information

APPENDIX

Appendix. Provides supporting information that aided in the development of the comprehensive plan.

Process

The comprehensive plan process began in September of 2022 and finished in November 2024. The following summarizes the first two phases of developing the plan.



Orientation

Existing conditions in Hall County were evaluated to identify challenges and opportunities by topic: demographics, land use, housing, transportation, infrastructure, community resources, economics, commercial development, broadband, parks and recreation, greenspace, and natural resources. The following are key findings of the existing conditions analysis:

- Hall County's population is growing more quickly than the rest of the state. If trends continue, the county could have over 382,000 residents by 2050, an increase in 120,000 residents in the unincorporated areas alone.
- Hall County is mostly rural—under 50% of the county's land is devoted to agriculture and roughly 30% is residential.
- Recent development has been concentrated in South Hall.
- Commercial development has grown significantly in the last five years, aligning with economic trends more closely than findings from the land use analyses. Much of the commercial development has been industrial, but there has been a notable amount of multifamily as well. Most of the development is near I-985 and around cities.
- Much of Hall County's housing supply was built before 2000 and consists of mostly single-family residential houses. The rapid population growth combined with a lack of housing built in the last 20 years has led to drastic price increase in housing.
- Without continued transportation planning, increases in freight traffic from commercial development and personal vehicle traffic from population growth will continue to significantly decrease the level of service (LOS) across the county's roads.

- Other infrastructure, namely sewer, will need to be expanded and upgraded to keep up with additional residential, commercial, and industrial growth.
- Hall County's anticipated population growth will increase the demand for community resources, such as schools, libraries, and public safety. Many of the county's current resources are clustered in the Gainesville and South Hall areas, which are the most populous. New community resources will need to be prioritized in the growing areas of the county, like East Hall and Chestnut Mountain/Candler, to ensure they have the same level of access.
- Hall County enjoys a wide level of broadband coverage, but there are a small number of unserved areas concentrated in North Hall and East Hall.
- Hall County will need to significantly increase resources to expand parks, recreation, and greenspace across the county over the next 20 years to meet current and future demand for these amenities.
- Hall County meets several state standards for waterway protection; however, additional protections could be implemented to increase the benefits provided by its natural resources and further protect them amidst growing development.
- Hall County has many historic resources, with two key sites on the National Historic Register: Healan's-Head's Mill and the Beulah Rucker School House.
- About 20% of the county land is susceptible to notable change over the next decade. Changes will likely be most prominent in the Chestnut Mountain/Candler planning area, followed by East Hall. Gainesville will also likely experience notable change.



Determine Direction

An extensive community input process was vital to ensuring that *Hall County Forward* truly represents the community's interests. To maximize community input, Hall County provided multiple options for public input, occurring in almost every month of the planning process. Therefore, the Hall County BOC can be confident the resulting plan reflects public opinion when they use it to make decisions on future development.

The community input timeline was as follows:

November 2022	December 2022 & January 2023	February 2023	March 2023	April 2023	May 2023
Steering Committee Meeting # 1 (Virtual) Kick-Off Meeting/Public Hearing #1 Survey goes live	N/A	Steering Committee Meeting #2 Survey closes	Forward Thinking Workshops	N/A	Forward Action Workshops
June 2023	July 2023	August 2023	September 2023	October 2023	November 2023
Citizens Advisory Committee Meeting	Inter-governmental Advisory Committee Meeting	Steering Committee Meeting #3	Technical Advisory Committee Meeting	Draft Plan Open House	Steering Committee Meeting #4

The following community engagement strategies were used throughout the process:

- Outreach methods include a dedicated website and extensive marketing using the county's website and social media pages.
- Meetings with a steering committee, which also included three individual advisory committees.
- Six public meetings.
- Numerous surveys, including both a county-wide community input survey and smaller surveys to complement the in-person meetings.
- A "Meeting-in-a-Box" toolkit available to all residents and stakeholders. This allowed groups to host meetings with their community on their own schedule, without needing a member of the project team to facilitate the meeting.



Although the methods for collecting input and the participation varied throughout the process, several unified themes emerged from public comments:

- Stakeholders are concerned with the rate and quality of growth.
- Current development patterns (specifically industrial development) are a threat to the county's character.
- Stakeholders are concerned the water, sewer, and transportation infrastructure is unable to support the current level of new growth and worry about the future of county services if the growth continues without the necessary infrastructure investments.
- Environmental protection is strongly desired, particularly for Lake Lanier and Hall County's undeveloped and/or permanently protected greenspaces.
- County residents were divided along issues related to expanding Hall County's multi-modal network to include transit, more walkability, and bike lanes, yet there was agreement on multi-use trails.
- There was a disinterest in denser housing types located in the areas immediately outside of Gainesville.
- Better government coordination and stringent adherence to plans could help achieve the goals of this plan and strengthen the public's perception of Hall County.

Plan Highlights

The comprehensive plan outlines goals identified during the community engagement process, provides recommendations for character areas and future land use, and coordinates with the New UDC to guide future development.

Goals

Hall County Forward is based on nine goals shaped by community input into topics such as growth, infrastructure, transportation, housing, economic development, and quality of life. Each goal is accompanied by a set of strategies and action items that provide steps to achieve the community's vision. These nine goals are listed below:

- **Growth Management.** Efficiently plan to accommodate new developments and prioritize connections to existing or planned infrastructure while retaining the character of each area of the county.
- **Attainable Housing.** Provide a variety of housing options across size, type, tenure, price, location, and other factors that ensure access to transportation and amenities while minimizing the number of cost-burdened households.
- **Infrastructure Maintenance & Expansion.** Improve infrastructure for growing areas, prioritize land use and infrastructure alignment, and expand broadband, road networks, water access, and sewer systems.
- **Parks & Recreation.** Enhance and expand parks and recreation facilities to maximize quality of life.
- **Greenspace.** Preserve and protect existing greenspace, while seeking out new opportunities for inventory expansion.
- **Natural Resource Conservation.** Preserve and protect natural resources like Lake Lanier, rivers and streams, and undeveloped forestry to safeguard community identity.
- **Multi-Modal Transportation.** Expand alternative transportation options by increasing pedestrian infrastructure, developing complete streets, and enhancing public transit.
- **Safety & Security.** Ensure a safe environment for all by improving existing safety and security measures and proactively addressing crime concerns as Hall County continues to grow.
- **Economic Development.** Continue to encourage and support an atmosphere for economic growth and development to create opportunities for all.

The Decision-Making Framework

Hall County Forward is based on the community's vision for growth and development. This vision is expressed by a set of goals that address specific needs and opportunities (see Chapter 4) and a future land use strategy with maps and narratives (see Chapter 5). The comprehensive plan will be used by the BOC to make decisions that guide growth in Hall County.

Goals define the desired future state of the community and generally relate to big picture ideas.

Strategies are specific action steps that, when completed, will implement the community's vision.

Action Items are projects and policies that address those strategies. It should be noted that some strategies can also serve as action items.

Character Areas & Future Land Use

The future land use strategy (see Chapter 5) consists of the character areas map and future land use map, along with key strategies and action items that correlate to those described in Chapter 4. The Character Area map breaks down the county into six character areas that were developed to ensure the recommendations are tailored to the specific common attributes that distinguish different parts of Hall County. The boundaries of the character areas were created by making minor adjustments to the Planning Areas established in the 2017 Comprehensive Plan to better align with the county's geography.

These character areas guide the County when determining whether a proposed development or redevelopment is appropriate for a certain locality. For each character area, there is a map showing the extents of the designated area, a description of the vision, a list of appropriate future land use designations, a summary of compatible zoning districts should there be any rezonings, and recommended implementation measures.

The following are the six character areas, also shown on the adjacent map:

- North Hall
- Murrayville/Sardis
- Gainesville Area
- East Hall
- Chestnut Mountain/Candler
- South Hall

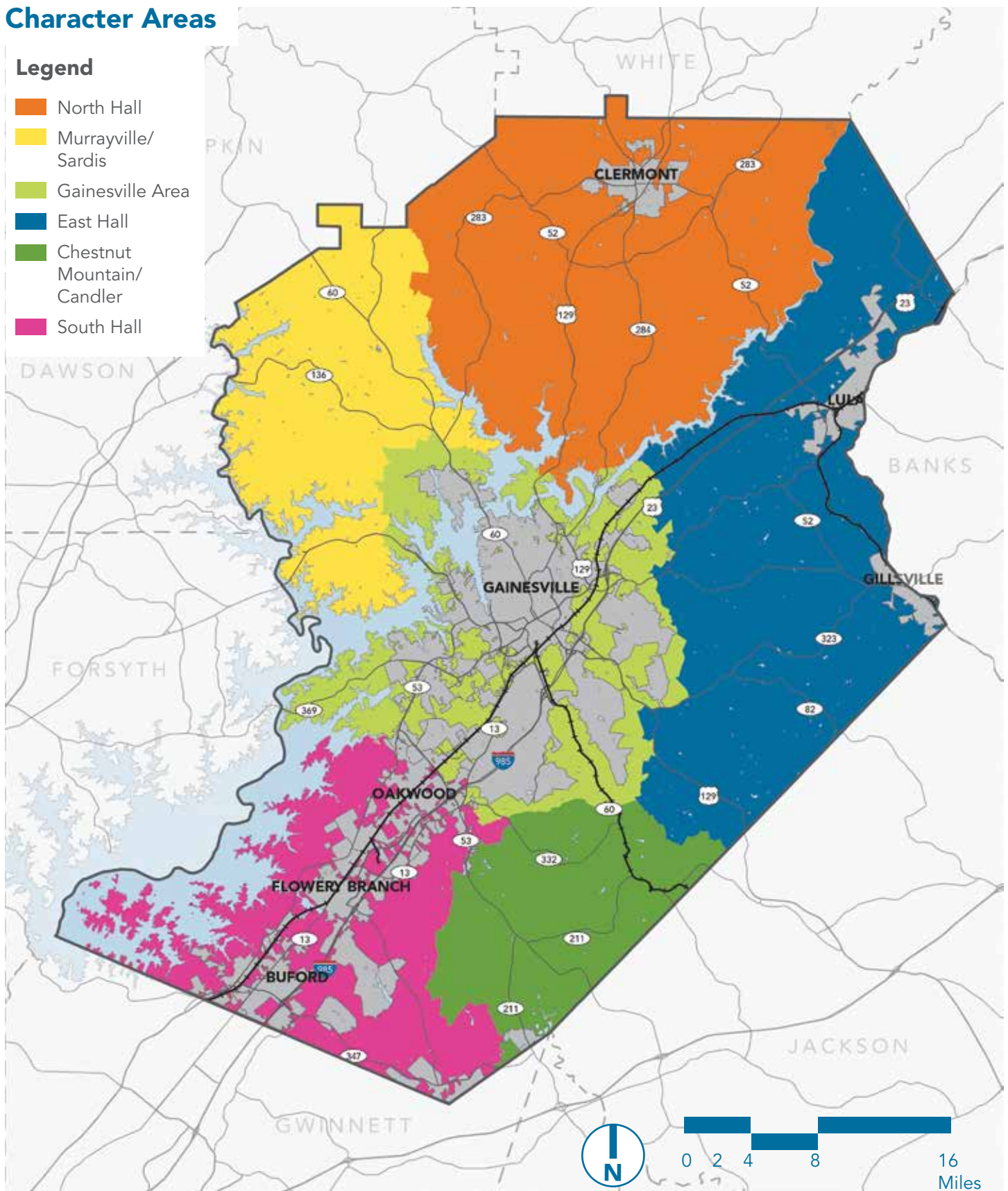
The fourteen future land use categories are listed below:

- Greenspace - Recreation
- Greenspace - Conservation
- Rural Agricultural
- Rural Neighborhood
- Lakeside Residential
- Suburban Neighborhood, Low Density
- Suburban Neighborhood, Medium Density
- Suburban Multifamily
- Rural Scenic Nodes & Corridors
- Business Nodes & Corridors
- Employment Nodes & Corridors
- Employment or Business Nodes & Corridors
- Industrial
- Inland Port
- Regional Activity Nodes & Corridors

Character Areas

Legend

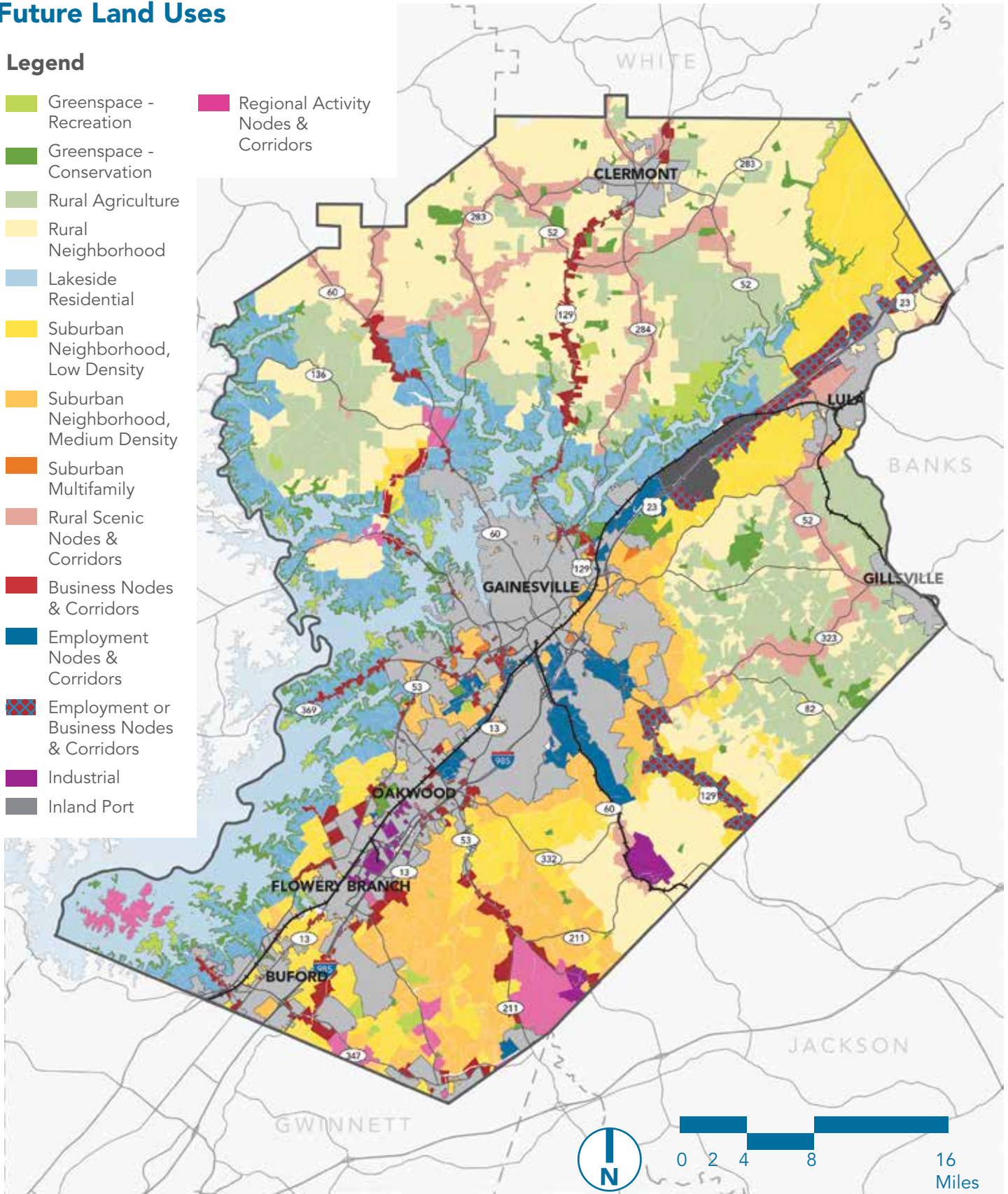
- North Hall
- Murrayville/Sardis
- Gainesville Area
- East Hall
- Chestnut Mountain/Candler
- South Hall



Future Land Uses

Legend

- Greenspace - Recreation
- Greenspace - Conservation
- Rural Agriculture
- Rural Neighborhood
- Lakeside Residential
- Suburban Neighborhood, Low Density
- Suburban Neighborhood, Medium Density
- Suburban Multifamily
- Rural Scenic Nodes & Corridors
- Business Nodes & Corridors
- Employment Nodes & Corridors
- Employment or Business Nodes & Corridors
- Industrial
- Inland Port
- Regional Activity Nodes & Corridors



The New Unified Development Code

Concurrent with the development of *Hall County Forward*, the county's zoning ordinance, subdivision regulations, and stormwater regulations were updated and consolidated into a UDC. The process to update the UDC involved auditing and improving the existing regulations to:

- Make the code easier to understand.
- Update outdated terms and references.
- Consolidate uses into a single table.
- Add graphics and diagrams for clarity.
- Update and consolidate definitions.
- Reorganize regulations.
- Update legal provisions.

New Zoning Districts

The process also included eliminating unused zoning districts and overlays and creating new districts to align



with evolving development types. New districts include the Agricultural General (AG-1) district, Residential Mixed (R-X), and Mixed-Use (M-U), described below.

Agricultural General (AG-1)

- Intended for areas that are largely undeveloped.
- Allows agricultural uses and limited commercial or entertainment that supports the preservation of agricultural lands.
- Allows single-family residential.
- Minimum 5-acre lots.



Courtesy of Sightline Institute

Residential Mixed (R-X)

- Intended for denser areas near cities and activity centers.
- Allows a mix of residential housing types on a single lot: single-family, two-family, townhouses, and cottage courts.
- Would require at least two different housing types in a development, with at least 20% of each type.



Mixed-Use (M-U)

- Intended for denser areas near cities and in activity centers.
- Allows commercial and residential uses on a single lot.
- Requires transportation best practices and places a high priority on site specific pedestrian enhancements.
- The BOC establishes the maximum density of mixed-use developments during the rezoning process

Detailed Planning

Comprehensive planning intentionally relies on a broad planning focus, which can sometimes result in a lack of detail regarding critical issues facing a local government. This often leads to the need for more detailed planning, which can be incorporated into the comprehensive plan by reference. In Hall County, there are several existing plans that will continue to lead the implementation of specific projects. The following existing plans informed this comprehensive plan.

Parks Facilities Master Plan (2019)

The Parks Facilities Master Plan serves as an expanded update to the 2008 *Hall County Parks and Recreation Master Plan* and addresses and integrates greenspace and trails into the county-wide plan. The purpose of this plan is to provide the County with a road map for present and future recreational programs and facilities development. The master plan utilizes national benchmarks and professional expertise to evaluate research data, community and staff input, demographics, and other community attributes to provide a 10-year, comprehensive analysis of the recreational resources and needs of the community. This information helps clarify the community's vision for recreation facilities and services and guides future decision-making regarding planning, budgeting, and funding for the Hall County Parks and Leisure Services Department. It also provides Hall County administrators and elected officials with essential information to assist in establishing policy, setting priorities, and allocating resources for development of programs and facilities.

Gainesville-Hall Regional Transportation Plan Update (2020)

Hall County's transportation planning is largely governed by the Gainesville-Hall Metropolitan Planning Organization (GHMPO). The GHMPO consists of the entirety of Hall County and its eight municipalities and a portion of western Jackson County, which includes the City of Hoschton. Every five years, the MPO coordinates an update to its *Regional Transportation Plan (RTP)*, which identifies short- and long-term strategies for the management and improvement of the regional transportation network for the next 30 years. The most recent update was completed in 2020. It should be noted that through the creation of the 2020 update, the anticipated funding from state and federal resources is projected to fall short of the total financial needs being proposed. As result of this shortcoming, portions of some projects are anticipated to be unfunded, while others are anticipated to be funded through local or other funding opportunities.

Hall County Sewer Master Plan & Rate Study (2020)

Since the completion of the last *North Hall County Sewer System Master Plan* in 2011, and the *South Hall County Sewer District Unit Rate and Connection Fee Methodology Report* in 2008, Hall County has completed many planned projects and has expanded its sewer service in both the northern and southern ends of the county. This has resulted in the region recovering from the Great Recession of the late 2000s to a growing economy again. This *Sewer System Master Plan and Rate Study* addresses the planning, funding, and delivery of the wastewater collection systems in the North and South Hall study areas for meeting Hall County's service goals for the planning horizon of 2020 to 2040. A well-planned sewer system will position the county for economic prosperity and will provide protection of local water quality. The plan has provided a layer of analysis to this comprehensive plan to inform how population and employment growth can be connected to infrastructure growth.

Coordination & Collaboration

Implementing this plan will require joint efforts that go beyond the County government. The success of this plan cannot rest on Hall County alone, even with the support of its various boards and commissions. The County should continue to maintain its supportive partnerships with local experts and organizations to bring the vision to fruition while exploring new partnerships. This approach will continue to make the best use of government resources and yield better results through cooperation with the following groups.

County-Based Agencies & Organizations

- Gainesville-Hall County Economic Development Council
- Gainesville-Hall Metropolitan Planning Organization (GHMPO)
- Greater Hall Chamber of Commerce (GHCC)
- Hall Area Transit
- Hall County Convention & Visitor's Bureau
- Hall County Schools
- Northeast Georgia Latino Chamber of Commerce
- Vision 2030 Greenspace Committee

Other Public Agencies & Organizations

- Town of Braselton
- City of Buford
- Town of Clermont
- City of Flowery Branch
- City of Gainesville
- City of Gillsville
- City of Lula
- City of Oakwood
- Georgia Mountain Regional Commission
- Georgia Department of Transportation
- Georgia Environmental Protection Division (GAEPD)

Third Party Entities

- Chattahoochee Riverkeepers
- Hispanic Alliance
- Lake Lanier Association
- Lanier Technical College
- North Georgia Land Trust
- Northeast Georgia Health Systems
- The Arts Council
- United Way
- University of North Georgia - Gainesville
- University of Georgia Cooperative Extension Office

Community Work Program

The Community Work Program (CWP) identifies specific implementation actions the County and other entities intend to take over the next decade. This includes a brief description of the project item and applicable details that will support the application of *Hall County Forward*.

For each action, the CWP outlines the following information:

- Brief description.
- Timeframe for undertaking the activity (2024 through 2032).
- Estimated cost.
- Responsible party for implementing the activity.
- Funding source.
- Any pertinent information related to the action.

The actions are divided into the goal categories described previously. Below is a list of those categories and key examples from each:

Growth Management

- Prepare a UDC to update, consolidate, and streamline land use and development regulations and to support the goals of the Comprehensive Plan.
- Create a small area study for the Inland Port area.
- Assess compatibility of municipalities' corridor standards/design guidelines with the County's and identify any requirements that could enhance the quality of development in the county.

Attainable Housing

- Conduct an affordability study that examines the existing house inventory, housing market, and housing needs in Hall County in order to develop policies that reflect the needs and priorities of all members of the community.
- Establish affordability incentives for new development such as offering increased density.

Infrastructure Maintenance & Expansion

- Use data from the corridor development study for SR 365/Cornelia Highway to determine infrastructure capacity for the Inland Port East-West Corridor Study/(Northern Bypass Study).
- Review regulations for any impediments to low impact development (LID) or green infrastructure approaches to stormwater management.

Parks & Recreation

- Prioritize East Hall and the Chestnut Mountain/Candler areas for new parkland. Create incentives to fund new park facilities through private development
- Work with Hall County Schools to identify opportunities for shared use between the County and Schools and build new facilities most in need by the schools.

Greenspace

- Strengthen partnerships with the Vision 2030 Greenspace Committee, the Chattahoochee Riverkeepers, and Lake Lanier community groups.
- Create a process that identifies land for permanent protection based upon its recreational, ecological, environmental, aesthetic, cultural, historic, or agricultural value.
- Identify land using this process and begin implementation measures that assure protection of the land identified.

Natural Resource Conservation

- Identify eligible projects for Federal Sec. 319(h) Non-Point Source Implementation Grants to address pollutants in impaired waters.
- Coordinate with the Georgia Environmental Protection Division on its Total Maximum Daily Load (TMDL) Implementation Plan for Lake Lanier to address pollutants.

Multi-Modal Transportation

- Continue building the Highlands to Islands Trail Network.
- Adopt a complete streets policy.
- Implement an Americans with Disabilities Act (ADA) plan that identifies existing ADA barriers on sidewalks and crossings to allow for updates to be made on an ongoing basis.

Safety & Security

- Establish benchmarks to assist in setting measurable and attainable goals for decreasing the level of crime in Hall County.
- Track the construction of new developments to ensure that police and fire services can serve the growing population at the ideal level of service.

Economic Development

- Cooperate with the Economic Development Council (EDC) as they prepare and update the county-wide Economic Development Plan.
- Coordinate with the Georgia Department of Community Affairs (DCA) to seek Less Developed Census Tract designation for the Chicopee Mill area along Atlanta Highway.

CHAPTER 1: INTRODUCTION

HAMMOCK HOLLOW
An interactive public art installation paying homage to the boating and sailing history of Lake Lanier, Hammock Hollow combines seats made from recycled sail cloths with a whimsical, wavy design. Enjoy the permanent seats, or hang your own hammock from the many hooks along the structure.
Inspired by kids, designed for everyone.

Donated by

2000
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Purpose	20
Why We Plan	20
The Planning Process.....	22

INTRODUCTION

Hall County Forward, the County's official comprehensive plan, is a community-based plan for guiding the growth and investment expected to occur over the next 20 years and beyond. It is intended to serve as a guide for preserving the county's quality of life and sense of place in the face of growth pressures by providing specific policies and actions for land use and development, infrastructure, resources, economic development, and more.

Purpose

A comprehensive plan describes a community's long-range vision and provides a roadmap to achieve it. *Hall County Forward* represents this long-range vision for unincorporated Hall County, as expressed by goals and implementation strategies, along with recommendations for growth management, transportation, housing, greenspace, economic development, and more. This plan also serves the purpose of meeting the intent and requirements of the Georgia Department of Community Affairs' (DCA) "Standards and Procedures for Local Comprehensive Planning," as established on March 1, 2014. Preparation of a plan in accordance with these standards is an essential requirement in maintaining status as a Qualified Local Government (QLG). QLG status makes communities eligible for state assistance programs. This plan will allow only Hall County to retain its QLG status; each municipality has its own comprehensive plan that it maintains.

One of the major challenges of comprehensive plans is that most are broad in their scope—they address most topics but generally not in much detail. Although this is good from a viewpoint of being as comprehensive as possible, it can translate into recommendations that are vague and difficult to implement. *Hall County Forward* attempts to take a different approach. Rather than attempting to cover all topics at a high level, this plan seeks to address the county's most pressing challenges in a comprehensive manner and across disciplines to provide recommendations that result in actionable guidance. This is particularly important when guiding growth in the coming years and addressing how the county can balance population and employment growth, infrastructure, and the preservation of rural areas and greenspace, while ensuring that quality of life is maintained.

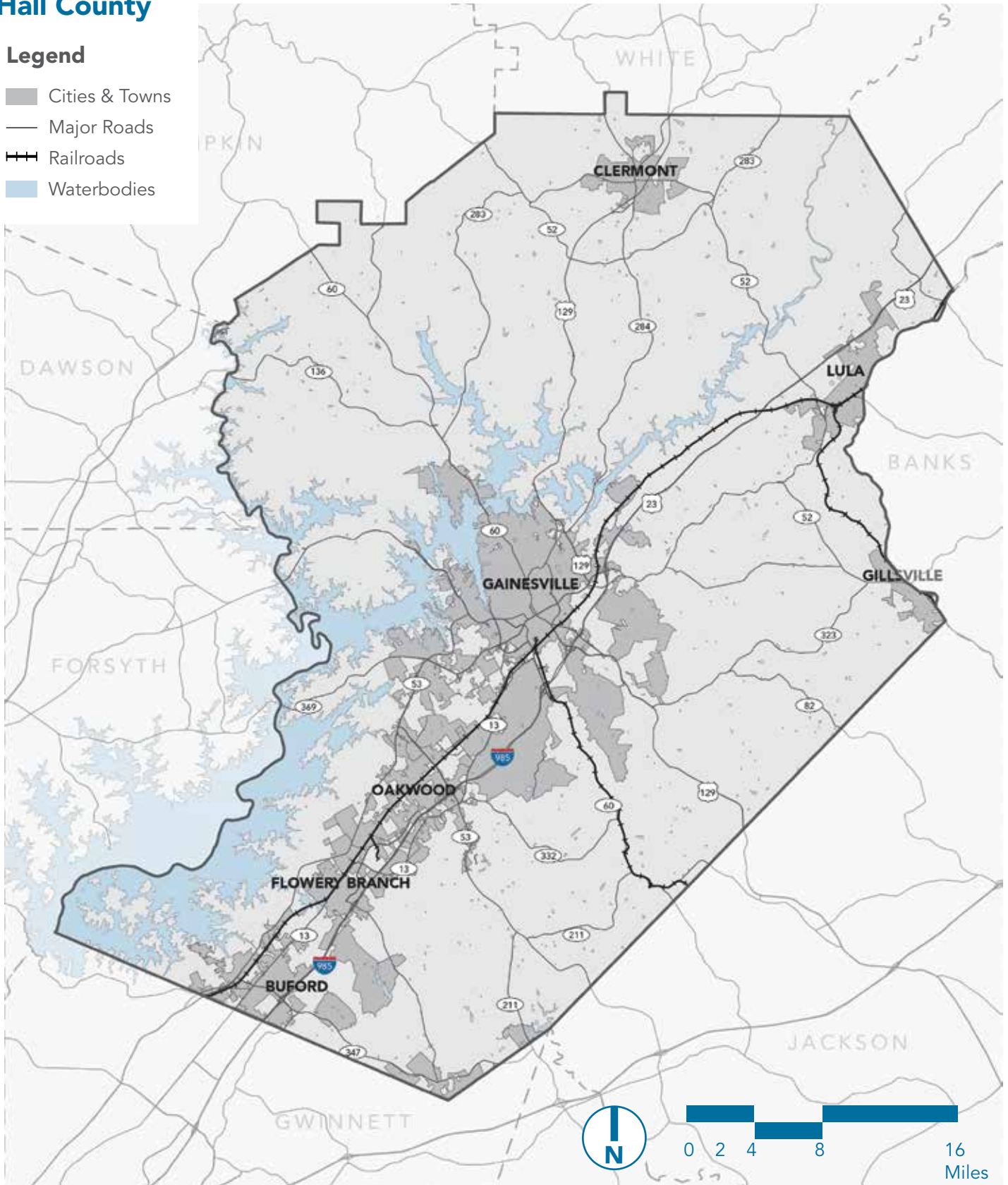
Why We Plan

A comprehensive plan is a policy document that guides the physical development of a community. Comprehensive planning is an important management tool for promoting a vibrant and connected community. It can be used to promote strategic development so the county can remain attractive and economically viable, while preserving important natural and historic resources. The comprehensive plan provides the community with an understanding of how and where it may develop, as well as what services may need adjusting to maximize the benefits of development. The plan helps the county decipher where to invest budgets in infrastructure such as roads, sewer service, parks and greenspace, and other facilities to maintain and improve residents' quality of life as well as economic development prospects.

Hall County

Legend

- Cities & Towns
- Major Roads
- ⊢ Railroads
- Waterbodies



The Planning Process

The comprehensive planning process kicked off in September of 2022 and finished in August 2024. The four stages of the planning process included orientation, determine direction, plan development, and confirm direction. Descriptions of the planning stages and accompanying public engagements are detailed below.

Planning Process Stages

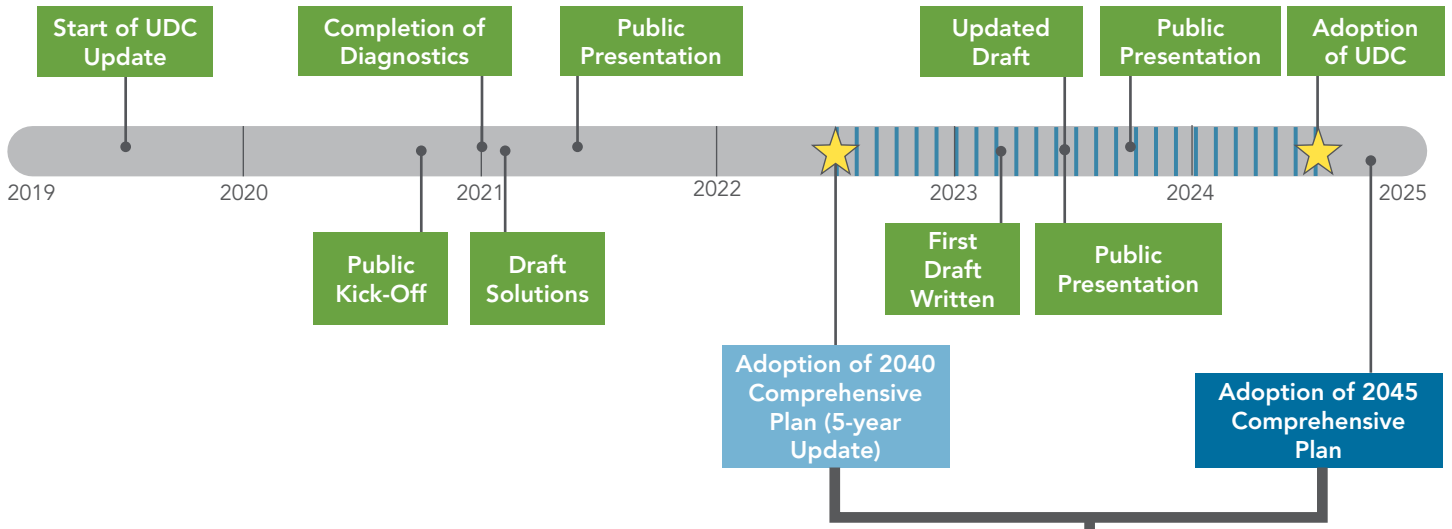
<p>September 2022 - December 2022</p>	<p>January 2023 - May 2023</p>	<p>June 2023 - September 2023</p>	<p>October 2023 - August 2024</p>
<p>Orientation</p>	<p>Determine Direction</p>	<p>Plan Development</p>	<p>Confirm Direction</p>
<p>Learning key issues and opportunities in Hall County</p>	<p>Discovering what Hall County stakeholders want for the future</p>	<p>Creating draft recommendations</p>	<p>Presenting the recommendations and asking the question, "did we get it right?"</p>

Public Engagement

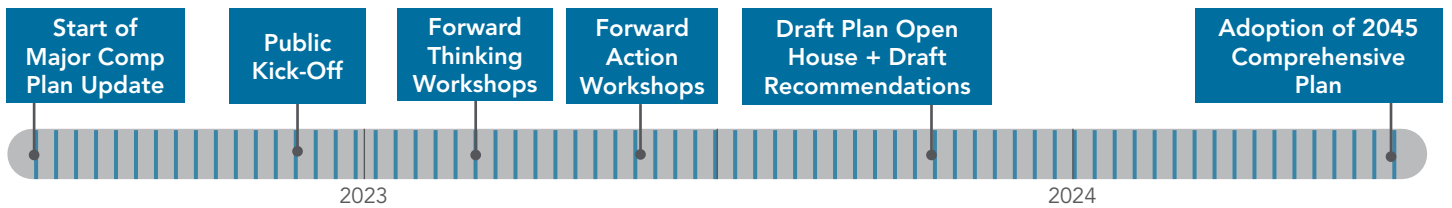
Orientation	Determine Direction	Plan Development	Confirm Direction
<p>Steering Committee Meeting # 1 (Virtual) Kick-Off Meeting Survey goes live</p>	<p>Steering Committee Meeting #2 Survey closes Forward Thinking Workshops Forward Action Workshops</p>	<p>Citizens Advisory Committee Meeting Inter-governmental Advisory Committee Meeting Steering Committee Meeting #3 Technical Advisory Committee Meeting</p>	<p>Draft Plan Open House Steering Committee Meeting #4 30-day Public Review</p>

The comprehensive planning process was conducted in conjunction with the major update to the county's Unified Development Code (UDC) to ensure that the plan's vision is supported by the County's zoning and development regulations. The graphic below details how these two processes aligned.

UDC and Comprehensive Plan Processes



2045 Comprehensive Plan Process





CHAPTER 2: HALL COUNTY TODAY



Introduction & Planning Areas.....	26
Population.	34
Land Use.....	42
Housing	50
Transportation & Infrastructure.....	54
Community Resources	68
Economics.....	74
Parks, Recreation, & Greenspace	82
Natural Resources.	88
Historic Resources	92
Susceptibility to Change.....	94
The Takeaways.....	100

HALL COUNTY TODAY

Introduction & Planning Areas

This comprehensive plan for Hall County's future is grounded in an inventory and analysis of the conditions that shape the county today, including:

- Population
- Land Use
- Housing
- Transportation and infrastructure
- Community resources
- Economics
- Broadband
- Greenspace
- Natural resources
- Historical resources

The planning process also acknowledges the diverse development patterns, lifestyles, and geography in Hall County by organizing it into six planning areas:

- North Hall
- Murrayville/Sardis
- Gainesville Area
- East Hall
- Chestnut Mountain/Candler
- South Hall

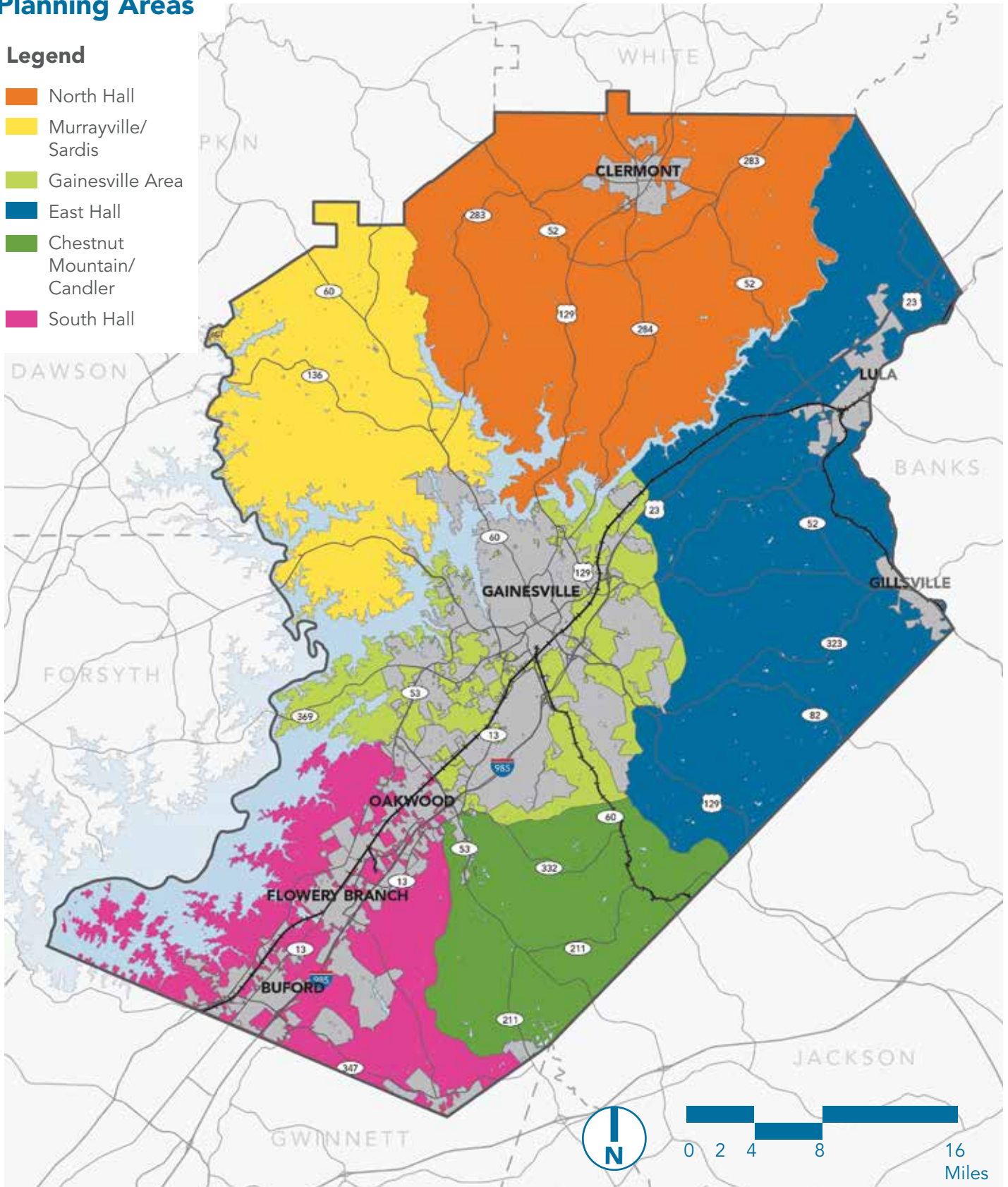
These planning areas were originally defined in the 2017 Comprehensive Plan for analyzing the county's population, housing, and employment trends, and comparing those trends to other patterns. The boundaries were developed using 2010 Census block group boundaries. The comprehensive plan update in 2022 revealed a desire to continue using these planning areas for analysis purposes, as well as a geographic basis for new plan recommendations. The current planning study refined the initial boundaries by slightly adjusting them to better align with the geographic characteristics of each area's edges.

The following pages introduce each planning area, their context, and the issues and opportunities identified that they currently face or may face in coming decades.

Planning Areas

Legend

- North Hall
- Murrayville/Sardis
- Gainesville Area
- East Hall
- Chestnut Mountain/Candler
- South Hall



NORTH HALL

Context

This area comprises the top portion of the county, sharing a border with the southern portions of Lumpkin and White Counties. North Hall is roughly located between Cornelia Highway and SR 60/Thompson Bridge Road, with US 129/Cleveland Highway running straight up its center. This is one of the more rural areas in the county with low population densities, large tracts of agricultural land, and scenic state parks.

Population: Approximately 18,000*

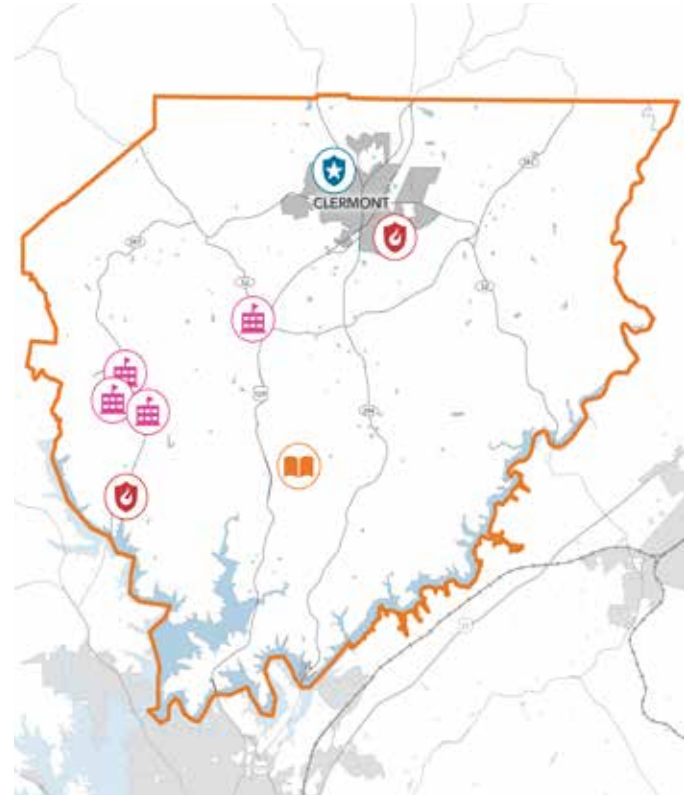
Cities: Clermont

Schools:

- Wauka Mountain Elementary School
- Mount Vernon Exploratory Academy
- North Hall Middle School
- North Hall High School

Community Resources:

- North Hall Technology Center (Hall County Library Branch)
- Wauka Mountain Compactor
- Hall County Fire Stations 2, 15, and 16
- North Hall Park
- Laurel Park
- North Hall Precinct for the Hall County Sheriff's Office
- Little River Park
- Don Carter State Park
- Mossy Creek Park



Key Issues

- Increasing residential development pressure.
- Lack of multimodal transportation options (challenges with walking/biking places, little access to transit).
- Rural character is diminishing as more development occurs.
- Transportation challenges on US 129/ Cleveland Highway and SR 60/Thompson Bridge Road.
- Poor cellular network connectivity.

Opportunities

- Forthcoming sewer infrastructure will bring many benefits to the area including improving residents' quality of life.
- Protection of undeveloped land to promote Hall County's conservation efforts.

* Source: TSW team estimates based on data from the 2020 Census Bureau's American Community Survey. Estimates were made because planning areas did not align completely with census tracts.

MURRAYVILLE/SARDIS

Context

The Murrayville/Sardis area is in the western portion of the county, northwest of Gainesville. The name of the planning area refers to two well-known unincorporated communities within Hall County. Murrayville is located along SR 60/Thompson Bridge Road, about 10 miles northwest of Gainesville. The community was named in honor of a local merchant, Patrick J. Murray. Sardis is to the south of Murrayville and across Lake Lanier from Gainesville. Sardis Creek has lent its name to local parks, roadways, and schools. The area is experiencing Gainesville's medium to higher-density single-family residential development on its southern periphery, but on its borders with North Hall and Lumpkin County, the area remains rural.

Population: Approximately 20,000*

Cities: N/A



Schools:

- Lanier Elementary School
- Sardis Elementary School
- Chestatee Academy
- Chestatee High School

Community Resources:

- Hall County Fire Stations 3, 11, and 13
- Murrayville Library (Hall County Library Branch)
- Wahoo Creek Park
- Murrayville Park
- Sardis Sports Complex
- Cool Springs Park
- Bolding Mill Park
- Little Hall Park
- Thompson Bridge Park
- Sardis Creek Park
- Simpson Park, Robinson Park
- Duckett Mill Park

Key Issues

- Prominent wetlands lack protection.
- Increasing development pressure.
- Existing infrastructure lacks capacity to support increased growth and development.

Opportunities

- The area is unlikely to change based on land use value and development forces.
- The northern portion may contain opportunities to contribute to the county's environmental protection areas.

* Source: TSW team estimates based on data from the 2020 Census Bureau's American Community Survey. Estimates were made because planning areas did not align completely with census tracts.

GAINESVILLE AREA

Context

The Gainesville Area is the immediate area of influence surrounding the city of Gainesville. Gainesville serves as the county seat for Hall County and is the most populous municipality in the county with 43,417 residents. This planning area is directly in the center of the county. Given its population density, many of Hall County's community resources and administrative offices are in the Gainesville Area. The area is one of the most built out in the county.

Population: Approximately 61,000*

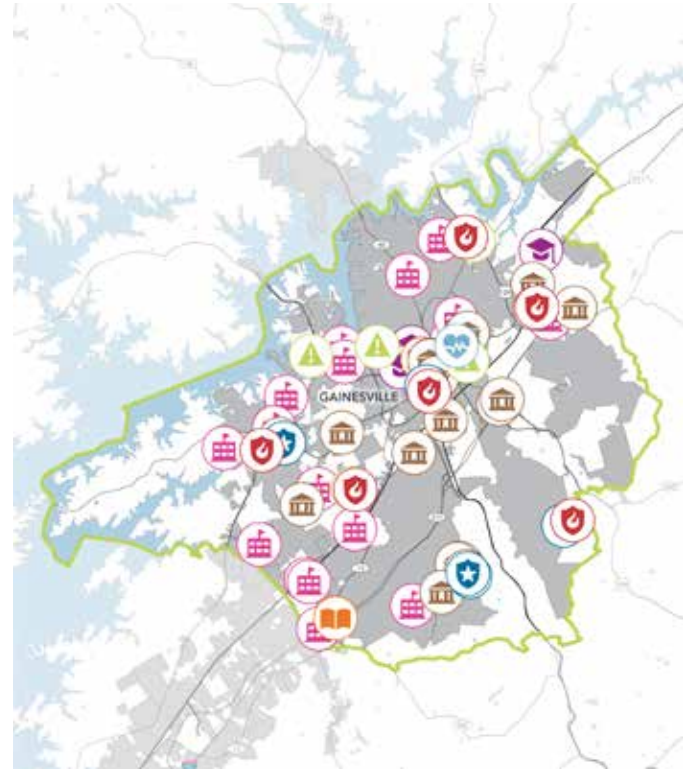
Cities: Gainesville

Schools:

- Chicopee Woods Elementary School
- Lyman Hall Elementary School
- Riverbend Elementary School
- White Sulphur Elementary School
- McEver Arts Academy
- Academies of Discovery at South Hall
- World Language Academy Middle School
- Johnson High School
- Ivester Early College
- Lanier College Career Academy
- The Foundry

Community Resources:

- Allen Creek Soccer Complex
- Hall County Fire Stations 4 and 7
- Blackshear Place Library (Hall County Library)
- Chicopee Woods Agricultural Center
- River Forks Park
- County Landfill
- Hall County Courthouse
- Hall County Animal Control
- Hall County Law Enforcement Center
- Bicentennial Park



- Adult Literacy Center
- Hall County Health Department
- Butler Park
- Gainesville Marina

Key Issues

- Expected to absorb at least 20% of Hall County's future population growth and consequent strains on infrastructure.
- Diminished housing affordability.
- Limited walkability.

Opportunities

- Undeveloped tracts or underutilized land can support future development by responding to future population growth.
- Existing infrastructure could support redevelopment.
- Proximity to existing services.

* Source: TSW team estimates based on data from the 2020 Census Bureau's American Community Survey. Estimates were made because planning areas did not align completely with census tracts.

EAST HALL

Context

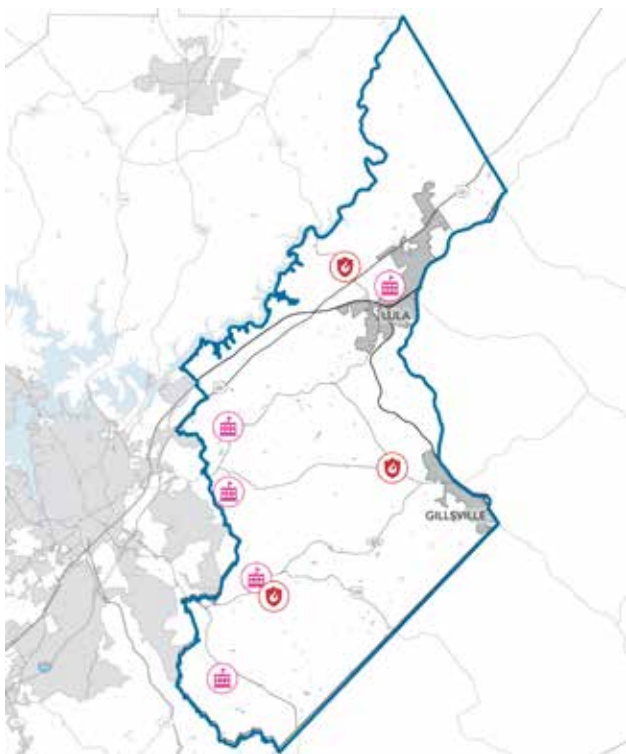
East Hall is comprised of large tracts of agricultural land and large-lot, low-density residential uses. The East Hall planning area also has the most vacant land of the six planning areas. These land use patterns and the area's proximity to SR 365/Cornelia Highway mean the development of the nearby Inland Port will have great impacts on the area. About 25% of the land area is highly susceptible to change.

Population: Approximately 23,000*

Cities: Lula and Gillsville

Schools:

- Lula Elementary School
- Sugar Hill Academy
- Tadmore Elementary School
- East Hall Middle School
- East Hall High School



Community Resources:

- Hall County Fire Stations 1, 6, and 10
- Healan's Mill Park
- Tadmore Park
- East Hall Park
- Cedar Creek Reservoir Park
- North Oconee Drinking Water Supply Intake
- Thurmon Greenspace
- Peckerwood Greenspace
- Belton Bridge Park

Key Issues

- Lack of community resources.
- Development pressure may hinder sustaining the area's rural character.
- Maintenance of public spaces.

Opportunities

- The North Oconee Water Supply Watershed Protection Overlay will continue to offer the area environmental protection.
- SR 365/Cornelia Highway continues to be a driving force for economic development in the area.
- The incoming Inland Port
- The Gateway Business Center

* Source: TSW team estimates based on data from the 2020 Census Bureau's American Community Survey. Estimates were made because planning areas did not align completely with census tracts.

CHESTNUT MOUNTAIN/CANDLER

Context

The Chestnut Mountain/Candler area is in the county's southeastern corner, referencing two well-known unincorporated communities in this section of Hall County. Candler is a community south of Gainesville at the intersection of Poplar Springs Road and Candler Road. Its name references Georgia's 56th governor, Allen D. Candler. It was its own city between 1910 and 1995 until the town's charter was dissolved after a period of inactivity. Chestnut Mountain is in the southern part of the planning area south of Oakwood along SR 211/Winder Highway. Its name honors pioneer J.T. Chestnut. This is another rural area of the county, containing large tracts of vacant land.

Population: Approximately 16,500*

Cities: A small portion of Braselton

Schools:

- Chestnut Mountain Elementary School
- Myers Elementary School
- World Language Academy Elementary School

Community Resources:

- Fire Stations 9 and 12
- Platt Park

Key Issues

- Lacking in community resources.
- Almost no parks are within its boundaries.
- Contains the most land that is highly susceptible to change within the next 10 years in the county.



- Proximity to Gainesville and Braselton generates through traffic.
- Contains a high number of large tract lots and little access to water.
- Potential spillover growth from Jackson County, one of the state's fastest growing counties, especially along SR 53 towards Gainesville.

Opportunities

- Close to basic services (schools, groceries, medical, etc.) in Gainesville and Braselton.
- Expansion of the North East Georgia Health System

* Source: TSW team estimates based on data from the 2020 Census Bureau's American Community Survey. Estimates were made because planning areas did not align completely with census tracts.

SOUTH HALL

Context

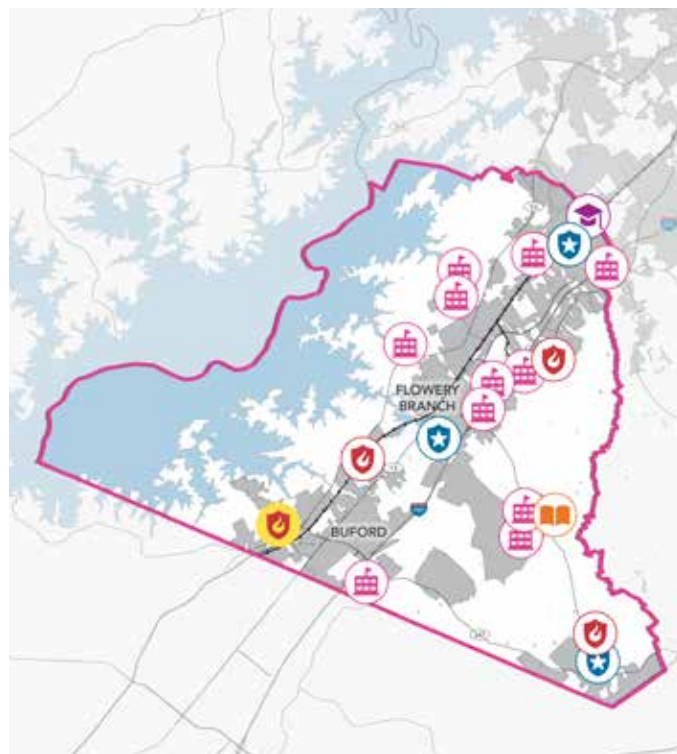
This planning area consists of the southern portion of Hall County near the Gwinnett County border. I-985 bisects the area, and the City of Buford straddles the county line. The I-985, Buford's industrial growth, and the population increases in the cities along the interstate have led to drastic population growth and increased development. Much of the residential development in South Hall is medium to high-density single-family residential.

Population: Approximately 52,000*

Cities: Flowery Branch, Oakwood, a portion of Buford, and a portion of Braselton

Schools:

- Flowery Branch Elementary School
- Friendship Elementary School
- Spout Springs Elementary School
- Oakwood Elementary School



- Martin Elementary School
- Cherokee Bluff Middle School
- Davis Middle School
- West Hall Middle School
- Cherokee Bluff High School
- Flowery Branch High School
- West Hall High School

Community Resources:

- Hall County Fire Stations 5, 8, 14, and 17
- Hall County Sheriff's Office, South Hall Precinct
- Spout Springs Library (Hall County Library Branch)
- Alberta Banks Park
- Williams Mill Greenspace
- Hog Mountain Sports Complex
- 5 Marinas: Sunrise Cove, Aqualand, Starboard, Holiday, and Lake Lanier Sailing Club
- Cherokee Bluffs Park
- Mulberry Creek Park
- Spout Springs Sports Complex

Key Issues

- Growth management challenges.
- Traffic congestion.
- Specific hot spots for transportation issues such as McEver Road, Mundy Mill Road, SR 347/Friendship Road, Spout Springs Road, and SR 13/Atlanta Highway.
- Above issues create a public perception that the area is less desirable.

Opportunities

- Planned future connection of the Chicopee Trail to SR 347/Friendship Road.
- Upcoming improvements to sewer infrastructure.

* Source: TSW team estimates based on data from the 2020 Census Bureau's American Community Survey. Estimates were made because planning areas did not align completely with census tracts.

Population

The following pages provide an inventory of population characteristics such as growth, income, and education, etc. Note, for this comprehensive plan, KB Advisory Group uses a combination of Claritas Spotlight data for current and historical Census information combined with in-house projections based on US Census and Georgia Governor's Office of Planning and Budget data. Claritas Spotlight is a third-party data provider that aggregates various Decennial and American Community Survey US Census data surveys into one single output report.

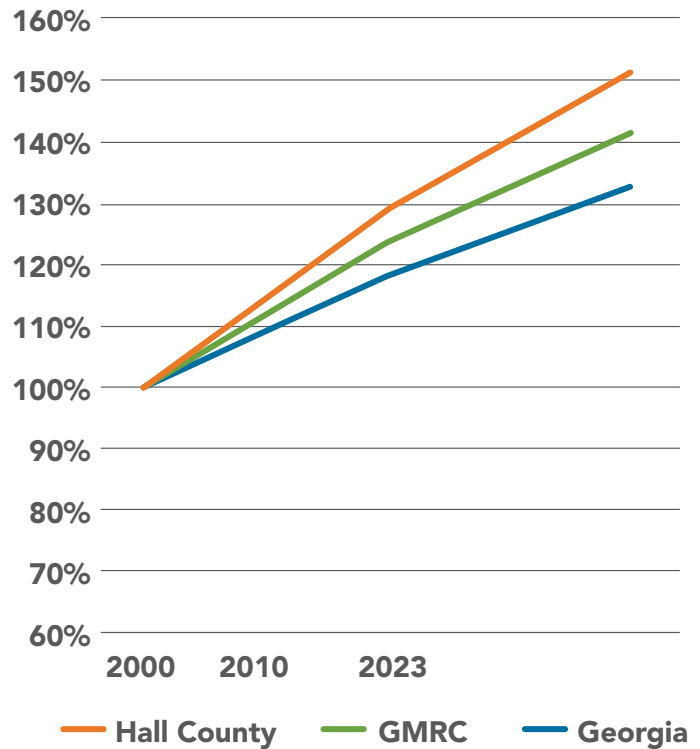
Population & Household Growth

Hall County's population is growing faster than Georgia's population, with over 70,000 new residents in roughly the last two decades. The total estimated 2022 population is 210,802 with a projection of reaching 383,214 by 2050. The growth rate from years 2000-2022 is 1.9% in comparison to Georgia's 1.3% growth rate.

Like the trends with population growth, the households in Hall County are also increasing faster than Georgia overall. The growth rate of Hall County is 1.9%, but Georgia's overall rate is at 1.3%. Population and households are increasing at the same rate.

Over two-thirds of Hall County residents live in the unincorporated portions of the county. Gainesville is the largest municipality in the county, with over 20% of the county population.

Population Growth



Source: KB Advisory Group based on data from Claritas Spotlight; Gainesville-Hall MPO 2020 Regional Transportation Plan; Governor's Office of Planning and Budget.

Population Characteristics

The population of Hall County has a greater share of White residents and Hispanic/Latino residents than Georgia overall. Hispanic/Latino residents represent 30% of the county. Hall County also has a slightly higher percent of Asian residents than Georgia. However, there are significantly fewer Black/African American residents living in Hall County than the remainder of Georgia. Almost 20% of the county identifies as "Some Other Race Alone" suggesting that there is a relatively large multi-cultural population. This category was higher than all others except for White alone. The generational/age makeup of Hall County is overall similar to Georgia.

Population Growth

Population	Hall County	Georgia Mountain Regional Commission	Georgia
2000 Census	139,290	356,923	8,186,491
2010 Census	179,684	442,135	9,687,653
2023 Estimate	218,799	505,339*	10,992,292
2050 Forecast	383,214	653,730	13,390,283
New Population 2000-2023	79,509	148,416	2,805,801
Growth Rate 2000-2023	2.0%	1.6%*	1.4%

* Designates numbers that reflect 2022 estimates since data is not available for 2023 from Georgia Mountain Regional Commission

Source: KB Advisory Group based on data from Claritas Spotlight; Gainesville-Hall MPO 2020 Regional Transportation Plan; Governor's Office of Planning and Budget.

Household Growth

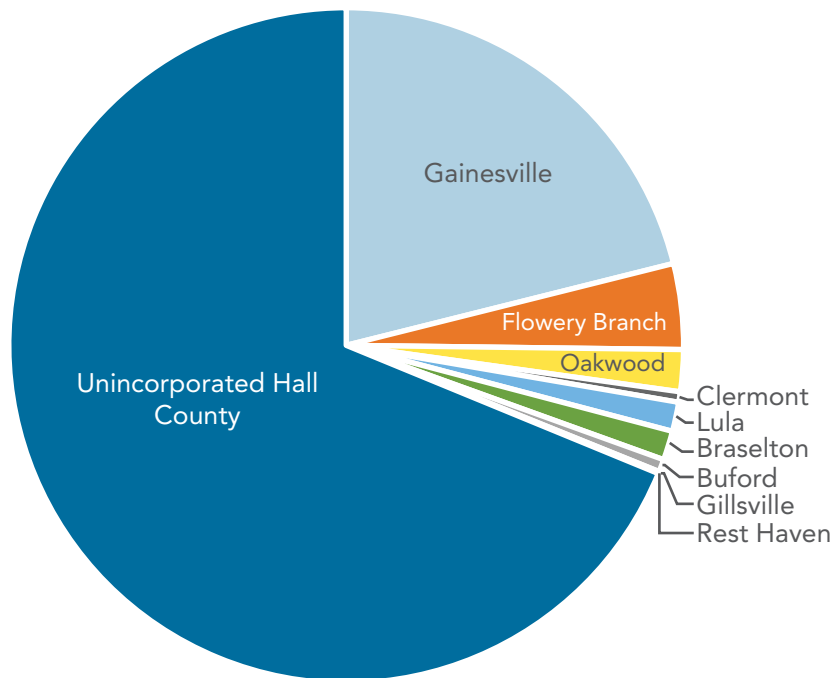
Households	Hall County	Georgia Mountain Regional Commission	Georgia
2000 Census	47,389	131,723	3,006,377
2010 Census	60,691	162,287	3,585,584
2023 Estimate	74,331	184,693*	4,092,467
Growth Rate 2000-2023	2.0%	1.5%*	1.4%

* Designates numbers that reflect 2022 estimates since data is not available for 2023 from Georgia Mountain Regional Commission

Source: KB Advisory Group based on data from Claritas Spotlight.

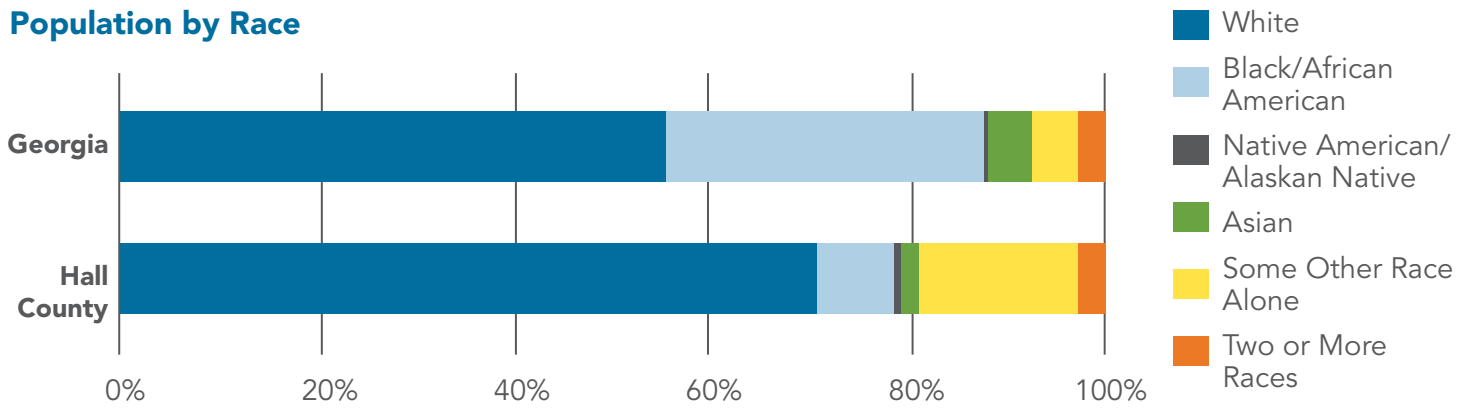
Hall County Population by Community

Community	Total Population Estimate	Hall Population Estimate	Percent of Hall County
Gainesville	44,479	44,479	21.1%
Flowery Branch	8,643	8,643	4.1%
Oakwood	4,216	4,216	2.0%
Clermont	1,054	1,054	0.5%
Lula	2,985	2,951	1.4%
Braselton	11,452	2,951	1.4%
Buford	16,143	1,265	0.6%
Gillsville	270	211	0.1%
Rest Haven	70	34	0.0%
Unincorporated Hall County	145,032	145,032	68.8%
TOTAL	-	210,802	-



Source: KB Advisory Group based on data from Claritas Spotlight, Gainesville 2021 Community Assessment

Population by Race



Households	Hall County	Georgia
White Alone	70.8%	55.4%
Black/African American Alone	7.7%	32.2%
American Indian/Alaskan Native Alone	0.5%	0.4%
Asian Alone	2.0%	4.5%
Native Hawaiian/Pacific Islander Alone	0.1%	0.1%
Some other race alone	16.2%	4.6%
Two or more races	2.8%	2.8%

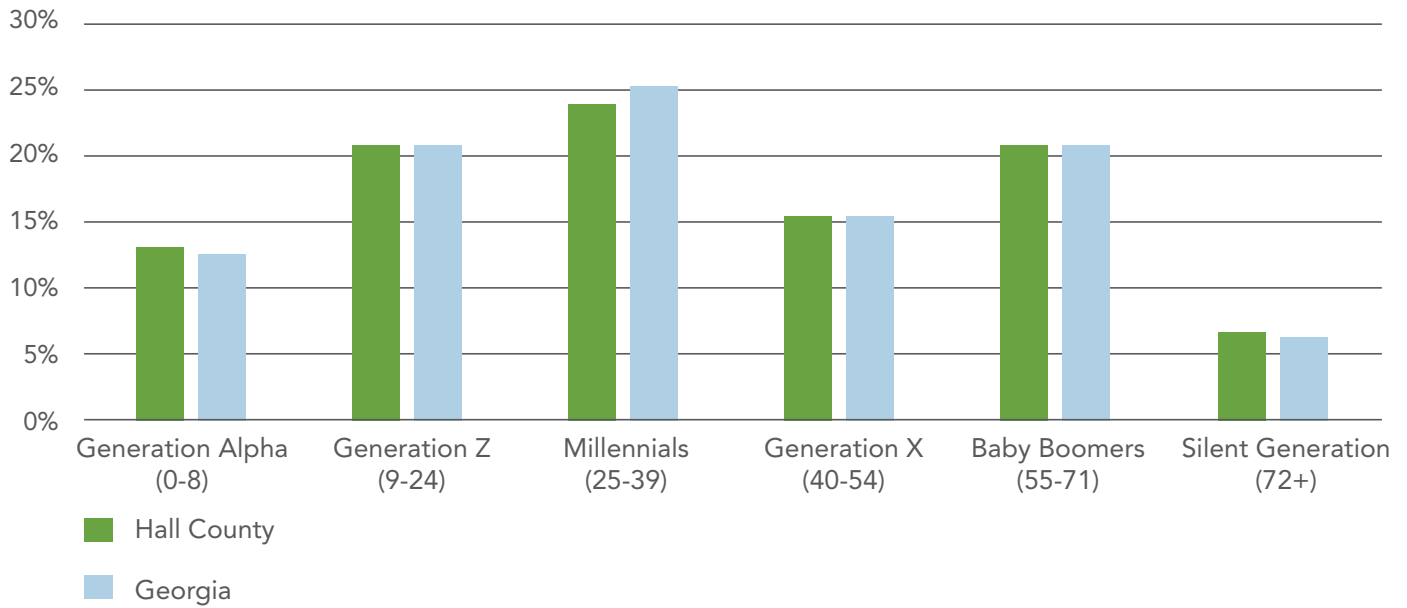
Source: KB Advisory Group based on data from 2022 American Community Survey

Percent Hispanic/Latino

Households	Hall County	Georgia
Hispanic/Latino	30%	10%
Non-Hispanic/Latino	70%	90%

Source: KB Advisory Group based on data from 2022 American Community Survey

Generational Makeup



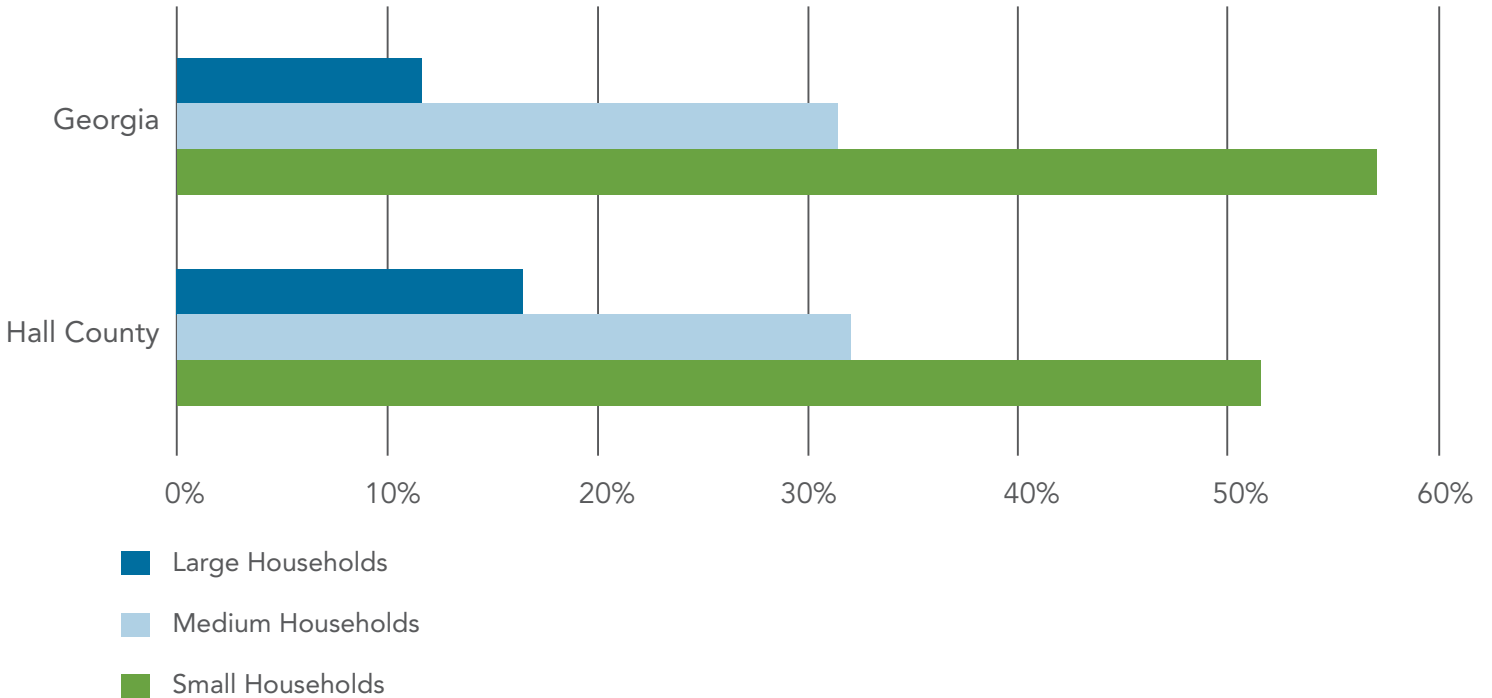
Age & Generational Cohort	Hall County	Georgia
Generation Alpha (0-8)	13%	12%
Generation Z (9-24)	21%	21%
Millennials (25-39)	24%	25%
Generation X (40-54)	15%	15%
Baby Boomers (55-71)	21%	20%
Silent Generation (72+)	7%	6%

Source: KB Advisory Group based on data from 2022 American Community Survey

Household Characteristics

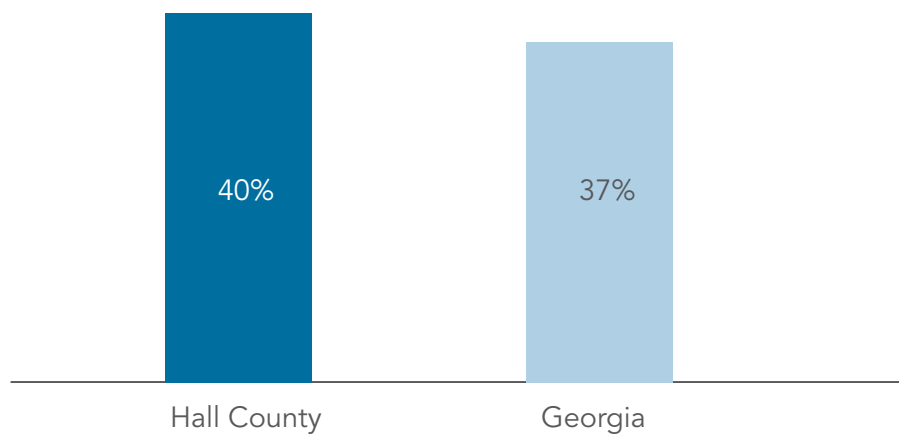
Hall County has a slightly higher proportion of households with children than Georgia. Hall County has proportionally more large households (those with five or more residents) than Georgia.

Household Size



Source: KB Advisory Group based on data from 2022 American Community Survey

Households By Presence of Children

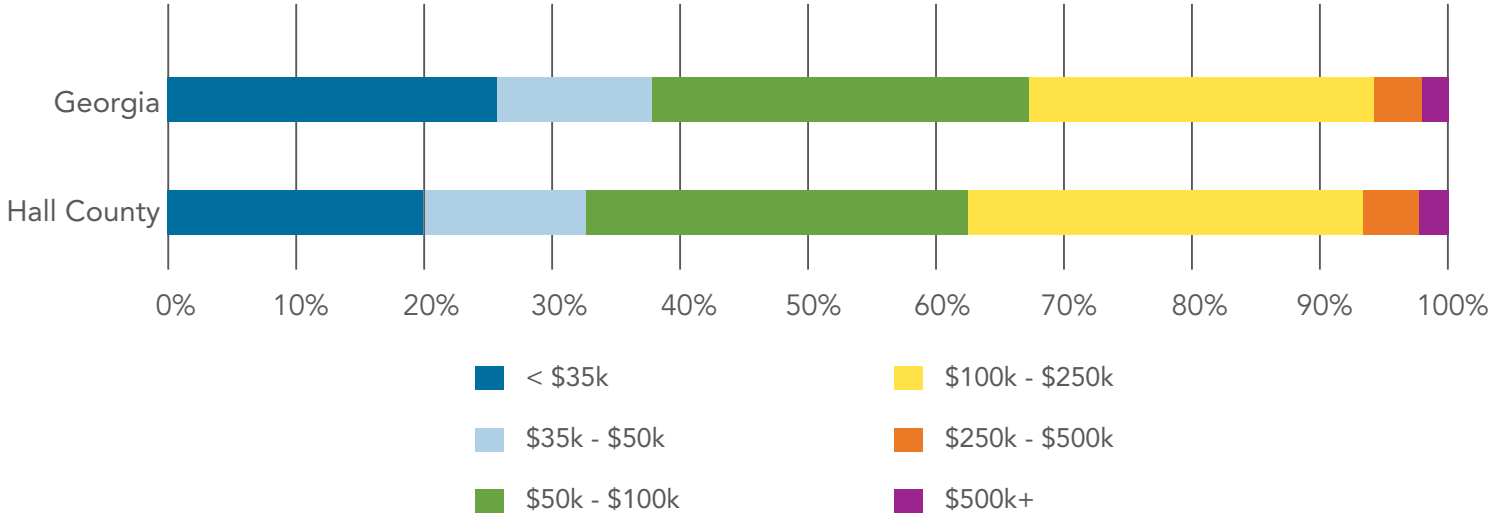


Source: KB Advisory Group based on data from 2022 American Community Survey

Income Characteristics

Median household incomes in Hall County are higher than in Georgia. Hall County has fewer households earning less than \$35,000 annually than Georgia. The median annual household income is \$75,245, and most households fall into the categories of \$50,000 - \$100,000 or \$100,000 - \$250,000.

Annual Household Income Distribution



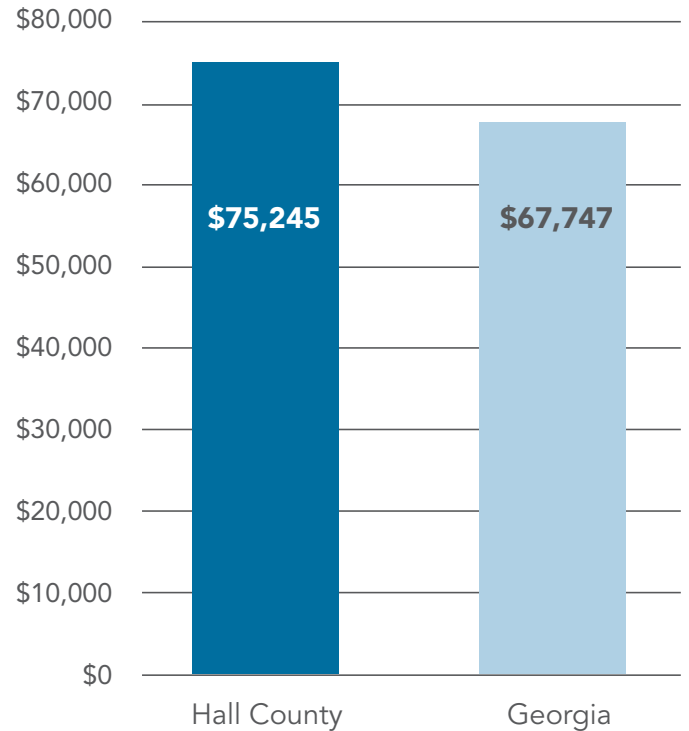
Source: KB Advisory Group based on data from 2022 American Community Survey

Annual Household Income Distribution

Households	Hall County	Georgia
<\$35,000	20%	26%
\$35,000 - \$50,000	13%	12%
\$50,000 - \$100,000	30%	30%
\$100,000 - \$250,000	31%	27%
\$250,000 - \$500,000	4%	4%
\$500,000+	2%	2%

Source: KB Advisory Group based on data from 2022 American Community Survey

Annual Median Household Income

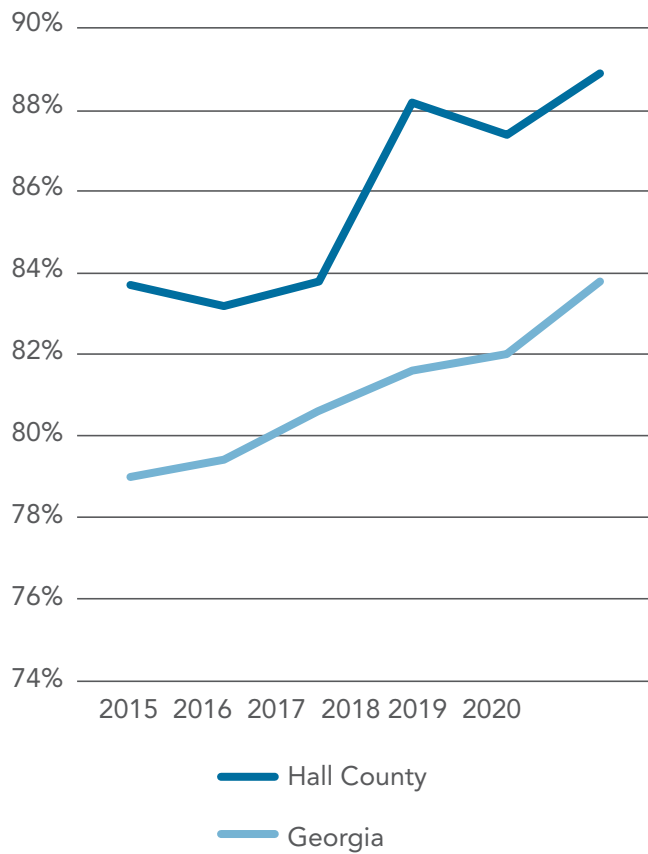


Source: KB Advisory Group based on data from 2022 American Community Survey

Educational Characteristics

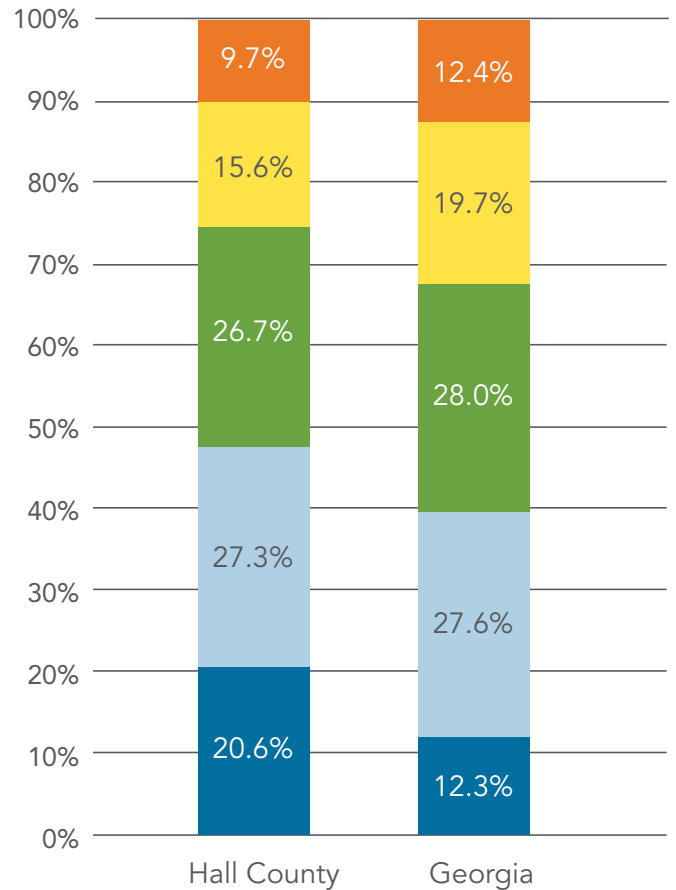
Hall County high school graduation rates are rising and are consistently higher than Georgia over the past five years of available data. Hall County has a larger proportion of residents who lack a high school diploma than the state overall.

High School Graduation Rates



Source: KB Advisory Group based on data from 2022 American Community Survey

Educational Attainment



- Advanced Degree
- 4 Year Degree
- 2 Year Degree/Some College
- High School Diploma
- Less than High School Diploma

Source: KB Advisory Group based on data from 2022 American Community Survey

Land Use

Existing Land Uses

Land use is a foundation of planning—it describes how land is used for human activities, such as living and working, or whether it is preserved. This section describes the nature of existing land uses in Hall County outside of incorporated cities and analyzes their patterns. The Existing Land Use Map (see page 43) displays county-wide existing land use, defined as the current use of parcels of land and categorized as described in the Existing Land Use Categories table below. The Existing Land Use Map was developed through a process of GIS analysis that involved tax digest data from Hall County, aerial photography from various sources, and field confirmation.

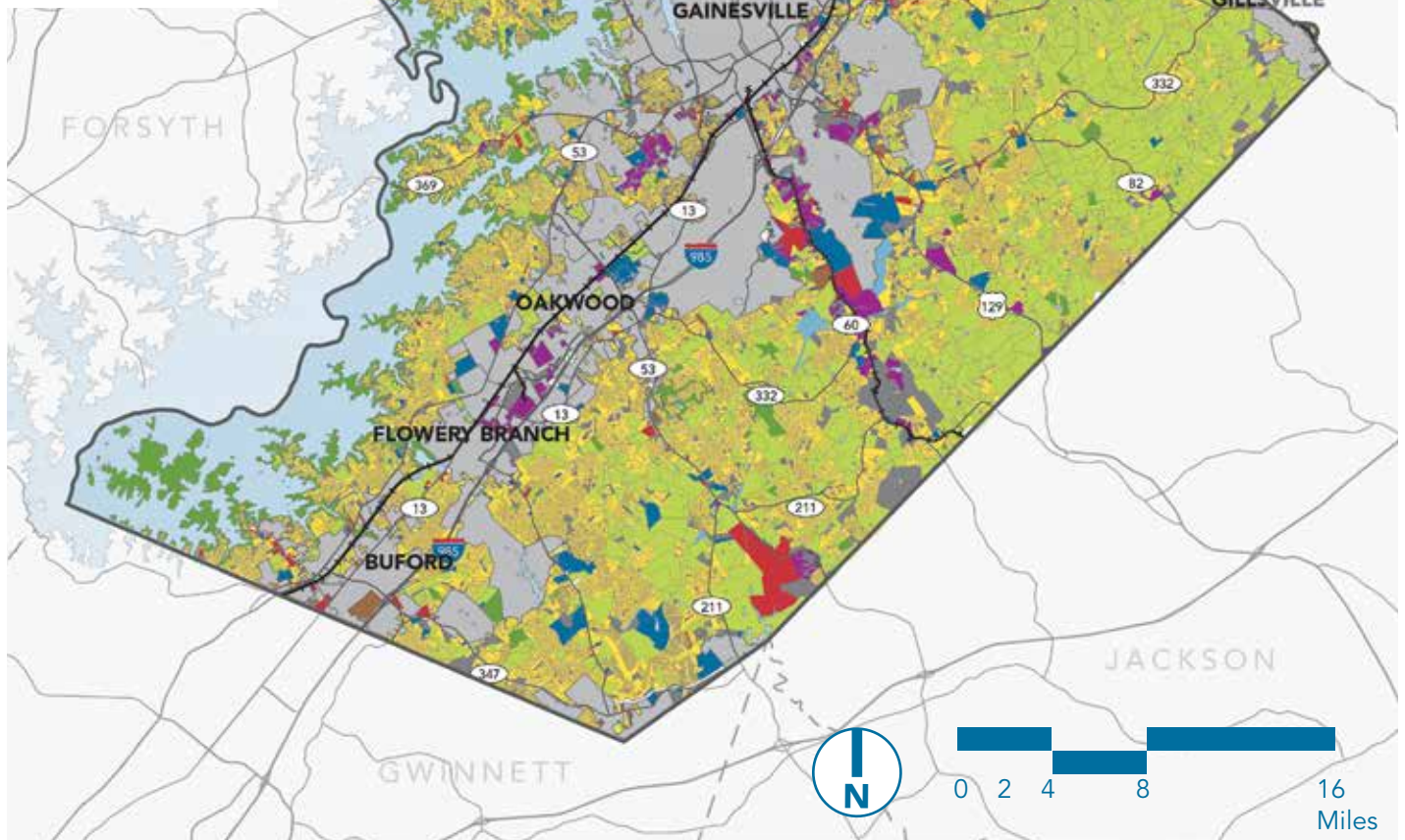
Existing Land Use Categories

Category	Description of Land Uses
Agriculture/Forestry	Agricultural and forestry activities
Parks/Recreation/Conservation	Open space such as public parks and state and federal lands
Residential, Single-Family	Single-family detached houses and manufactured houses on individual lots < 5 acres
Residential, Multifamily	Apartments, attached houses (i.e., townhouses, duplexes), condominiums
Manufactured Home Park	Multiple manufactured houses (“mobile homes”) on a single, unsubdivided lot
Commercial	Non-industrial businesses including retail sales, office, services, and entertainment
Industrial	Warehousing, wholesale trade and manufacturing
Public/Institutional	State, federal, or local government uses including county offices and government building complexes, police and fire stations, libraries, prisons, schools, etc.
Utilities	Radio towers, telephone switching stations, electric utility substations, and other similar uses
Vacant	Land that may be improved or developed but is not currently in use and has no structures.

Existing Land Use Map

Legend

- Agriculture / Forestry
- Parks / Recreation / Conservation
- Residential, Single-Family
- Residential, Multifamily
- Manufactured Home Park
- Commercial
- Industrial
- Public/ Institutional
- Utilities
- Vacant
- Cities & Towns



Existing Land Use Categories

There are approximately 202,573 acres in 58,736 tax parcels within the county with an identified use, including vacant. The table on page 45 summarizes each Existing Land Use category. These categories were created based on those identified in previous planning exercises and those listed on the county's tax digest. These land uses are defined below.



Agriculture/Forestry. These lands are comprised of both farms that include a single-family house and/or other improvements (barns, silos, etc.) used to produce agricultural products, as well as land primarily used for the production of trees, timber, or other wood products.



Commercial. These lands are used for the exchange of goods and services at either the wholesale or retail level. They can be in the form of stand-alone centers or incorporated into mixed-use developments.



Parks/Recreation/Conservation. These lands are made up of public and privately-owned parks and recreation centers, as well as land that has been set aside for conservation use.



Industrial. This includes all lands utilized for the manufacturing or processing of goods for wholesale or retail sale.



Single-Family Residential. This includes all detached and attached houses (such as townhouses), be they in subdivisions or not, along with accessory uses in a subdivision like open space or amenities.



Public/Institutional. This includes all lands utilized for tax-exempt uses such as publicly owned property, places of religious worship and/or burial, and educational institutions, etc.



Multifamily Residential. These lands are made up of two-family (duplex), three-family (triplex), and other residences with four or more units.



Utilities. These lands include those occupied by railroad companies, public utility companies (i.e., Georgia Power), telecommunication facilities, and airports.



Manufactured Home Park. These are lands that are designed, developed, operated, and maintained to provide sites and facilities for the placement and occupancy of manufactured houses.



Vacant. These lands include those that may be improved or developed but are not currently in use and have no structures.

Existing Land Use Summaries

Category	Parcels	%	Acres	%
Agriculture/Forestry	3,666	6.2%	100,296.40	49.5%
Lots (less than 5 acres)	580	1.0%	1,361.80	0.7%
Small Tracts (between 5 and 20 acres)	1,779	3.0%	20,952.30	10.3%
Large Tracts (20 acres or more)	1,307	2.2%	77,982.30	38.5%
Parks/Recreation/Conservation	352	0.6%	15,588.40	7.7%
Lots (less than 5 acres)	110	0.2%	138.20	0.1%
Small Tracts (between 5 and 20 acres)	76	0.1%	975.60	0.5%
Large Tracts (20 acres or more)	166	0.3%	14,474.60	7.1%
Residential, Single-Family	46,381	79.0%	59,085.40	29.2%
Lots (less than 5 acres)	44,583	75.9%	42,068.90	20.8%
Small Tracts (between 5 and 20 acres)	1,704	2.9%	13,200.80	6.5%
Large Tracts (20 acres or more)	94	0.2%	3,815.70	1.9%
Residential, Multifamily	298	0.5%	183.90	0.1%
Lots (less than 5 acres)	291	0.5%	45.70	< 0.1%
Small Tracts (between 5 and 20 acres)	6	< 0.1%	52.10	< 0.1%
Large Tracts (20 acres or more)	1	< 0.1%	86.10	< 0.1%
Manufactured Home Park	68	0.1%	515.40	0.3%
Lots (less than 5 acres)	49	0.1%	38.40	< 0.1%
Small Tracts (between 5 and 20 acres)	12	< 0.1%	131.40	0.1%
Large Tracts (20 acres or more)	7	< 0.1%	345.60	0.2%
Commercial	543	0.9%	2,231.70	1.1%
Lots (less than 5 acres)	493	0.8%	638.30	0.3%
Small Tracts (between 5 and 20 acres)	40	0.1%	328.90	0.2%
Large Tracts (20 acres or more)	10	< 0.1%	1,264.50	0.6%
Industrial	355	0.6%	2,869.70	1.4%
Lots (less than 5 acres)	243	0.4%	440.20	0.2%
Small Tracts (between 5 and 20 acres)	86	0.1%	847.00	0.4%
Large Tracts (20 acres or more)	26	< 0.1%	1,582.50	0.8%
Public/Institutional	376	0.6%	4,251.40	2.1%
Lots (less than 5 acres)	235	0.4%	390.00	0.2%
Small Tracts (between 5 and 20 acres)	96	0.2%	968.20	0.5%
Large Tracts (20 acres or more)	45	< 0.1%	2,893.20	1.4%
Utilities	103	0.2%	1,564.50	0.8%
Lots (less than 5 acres)	62	0.1%	74.90	< 0.1%
Small Tracts (between 5 and 20 acres)	32	< 0.1%	305.90	0.1%
Large Tracts (20 acres or more)	9	< 0.1%	1,183.70	0.6%
Vacant	6,595	11.2%	15,993.40	7.9%
Lots (less than 5 acres)	6,006	10.2%	6,214.90	3.1%
Small Tracts (between 5 and 20 acres)	481	0.8%	4,092.10	2.0%
Large Tracts (20 acres or more)	107	0.2%	5,678.70	2.8%

Analysis of Existing Land Use

Agriculture and residential are the predominant land uses in unincorporated Hall County. Approximately half of all land is classified as agricultural use and 29% residential. Agricultural uses are scattered throughout much of unincorporated Hall County, but North Hall and East Hall include the highest count of large tracts of agricultural land, as well as large-lot, lower density residential uses. Medium to higher density single-family residential development is most prevalent in South Hall and the Gainesville Area, extending northward into the Murrayville/Sardis area. Areas with the most intensive development in Hall County include concentrations of commercial uses in both unincorporated and incorporated areas and industrial development following interstate and rail corridors. East Hall has the highest amount of vacant land.

Analysis of Vacant Land

Of the 202,573 acres of parcels in the county, approximately 15,986 acres (7.9% of all acreage) and 6,594 parcels (11.2% of all parcels) are vacant, based on meeting both of the following criteria:

- The parcel has no structures of any value for tax purposes on it; and
- The value of the land is the only component of the tax assessment.

It should be noted that many properties designated as "vacant" are platted in subdivisions but have yet to be built. Care was also taken to exclude properties that have no improvements but are used for agriculture. This was done by examining the digest class and designating those parcels marked as "agriculture." In addition to those criteria, the vacant parcels were also evaluated to see where they were in relation to the *Sewer Master Plan & Rate Study's* priority areas (see page 67). Out of all the vacant parcels identified, 1,213 parcels (18.4% of all vacant parcels, 2.1% of all parcels) totaling 3,679 acres (23.0% of all vacant acreage, 1.8% of all county acreage) are in priority sewer areas. This small number demonstrates two things: one, excluding agricultural lands, there isn't a lot of truly vacant

land that can be developed with sewer; and two, agricultural lands that do not have improvements on them would likely see the bulk of new development, particularly large tracts of 20 acres or more, which make up nearly 39% of all acreage in the county.

Zoning

Land development is shaped by many forces but is primarily guided by local zoning and development regulations. These regulations should balance growth with public health, safety, and welfare, while also ensuring that development is consistent with a community's vision for its future.

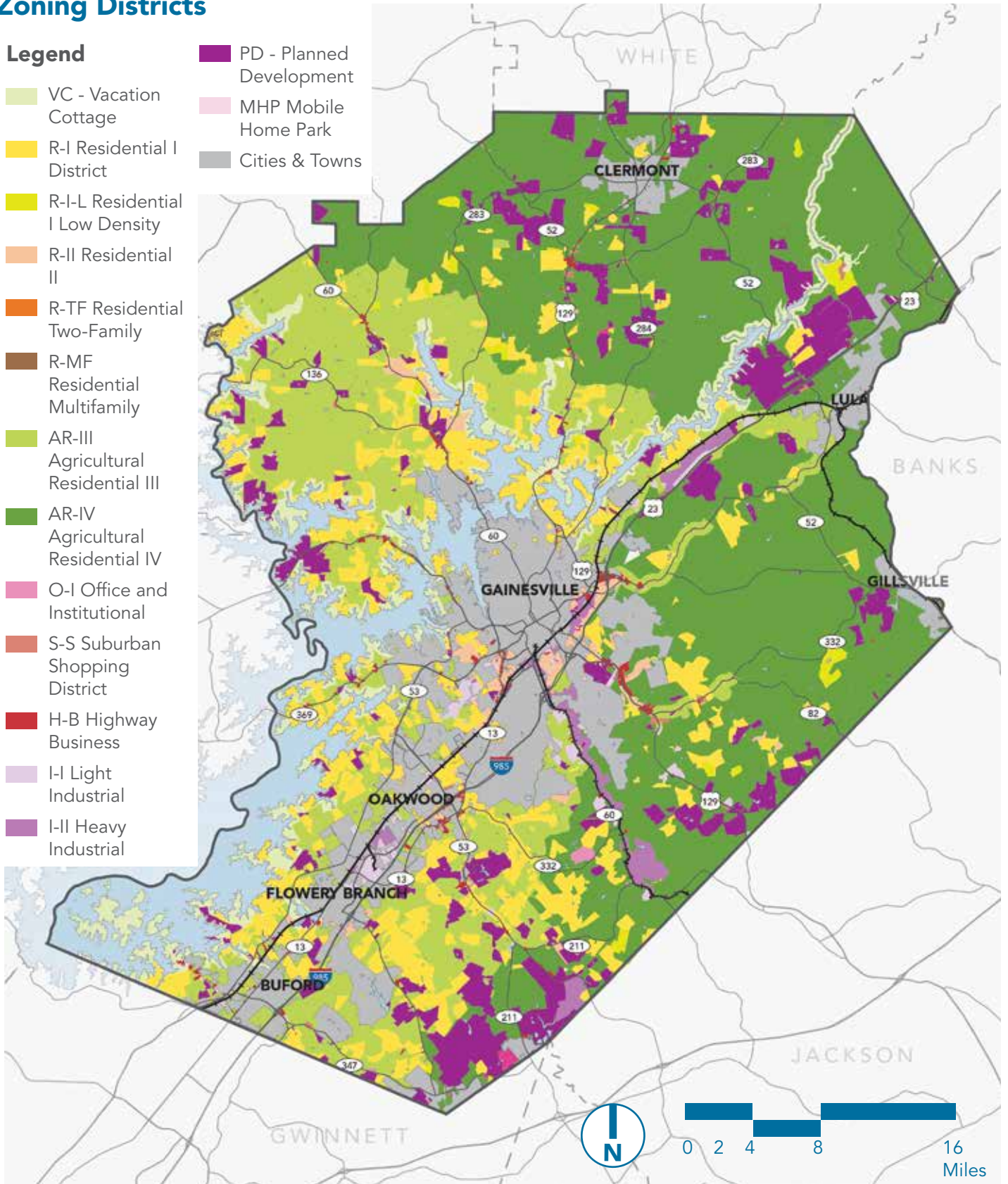
Hall County's existing zoning ordinance was adopted in the 1970s and has undergone a number of updates over the years. While some parts of the zoning and other development ordinances are aligned with the County's vision, as expressed in previous comprehensive plans, there are regulations that are not fully aligned. There are also gaps in regulations and some unclear or duplicate requirements.

One notable strength of the zoning ordinance is the existing buffer requirements between non-residential and residential uses are wide and highly vegetated, representative of a planning best practice in similar communities. Finally, the existing zoning ordinance has also done well at allowing a variety of residential, commercial, and industrial uses over the decades.

Zoning Districts

Legend

- VC - Vacation Cottage
- R-I Residential I District
- R-I-L Residential I Low Density
- R-II Residential II
- R-TF Residential Two-Family
- R-MF Residential Multifamily
- AR-III Agricultural Residential III
- AR-IV Agricultural Residential IV
- O-I Office and Institutional
- S-S Suburban Shopping District
- H-B Highway Business
- I-I Light Industrial
- I-II Heavy Industrial
- PD - Planned Development
- MHP Mobile Home Park
- Cities & Towns



Despite these strengths, there are numerous weaknesses of the county's code. One of the most pronounced is that many uses are considered conditional and require approval from the BOC or Planning Commission. This leads to several other issues:

- Little room for interpretation or flexibility by the planning staff.
- Longer reviews and unnecessary bureaucratic processes that could be shortened with use standards.
- Confusion for non-professionals to interpret and understand.

An additional weakness of the zoning code is that uses which are becoming more common, particularly technology-related uses such as data centers, craft manufacturing, or other "maker space" uses, are not considered by the current code, and are deemed to be prohibited. This can limit the county's economic development goals and ability to stay up to date with current trends.

A further signal of the code being dated is that several districts are no longer active, such as the Corridor Overlay District and the Planned Commercial Farm District (PCFD).

Despite various updates Hall County has made over the years, the code is dated in content, as well as its layout and design. This leads to confusion for both staff, residents, and those wishing to develop in Hall County.

One final noteworthy issue is that the area and setback requirements for many of the districts are the same. For example, in the current code, R-I and R-II both have the same requirements for frontage, minimum lot area, and setbacks. The only thing that separates them is what conditional uses are allowed, which again comes with its own host of problems. Different districts typically have unique design requirements that would make them distinct from each other and decrease redundancies. This, too, can lead to confusion.

Overall, Hall County recognizes that the tools that regulate development must be updated, and the county is in the process of updating their zoning code and other development ordinances to create a Unified Development Code (UDC). The UDC process has been aligned with this planning process to ensure both are contributing unified guidance for the future development of Hall County.

Rezoning

Between 2018 and 2022, Hall County approved 94 rezonings. An analysis of these rezoning cases shows that 66% of them were compliant with the land use framework set forth in the 2017 Comprehensive Plan, 20% of them were not compliant, and the remaining cases were unclear as to whether they complied or not.

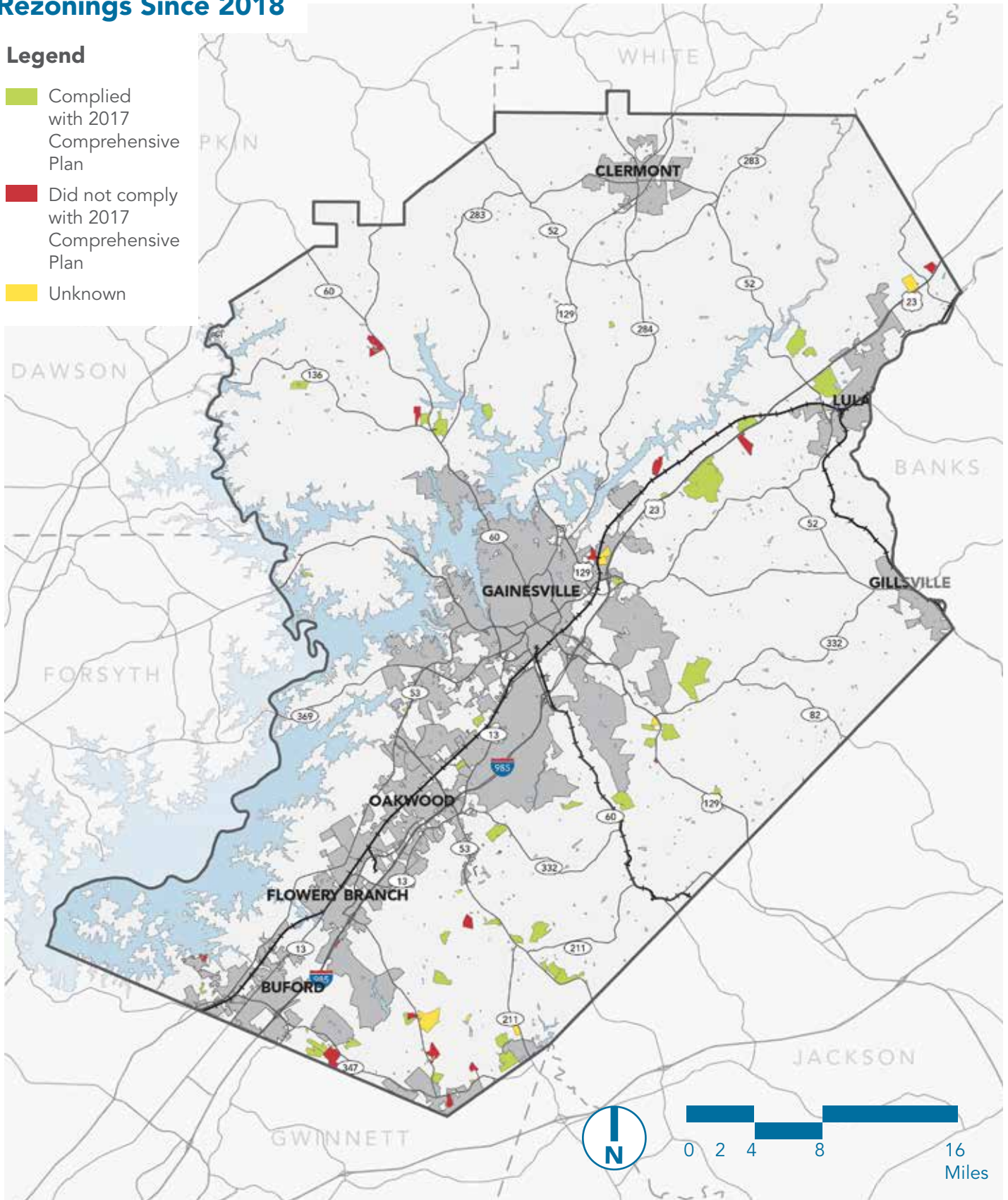
Although most rezoning cases were shown to be compliant with the 2017 Comprehensive Plan, the purpose of a comprehensive plan is to guide rezonings to uphold the community's vision for future development. The previous comprehensive plans (2017 and the 2022 update) did not identify appropriate zoning districts for each character area, creating uncertainty as to whether new development (especially those requiring a rezoning) would meet the comprehensive plan's vision.

All 94 cases were rezoned to Planned Development (PRD, PID, POD, and PCD), which has the intent to allow greater flexibility to development standards and site planning than other districts would allow. This demonstrates a need to update the County's zoning ordinance to create better development standards, mixed-use districts, and account for new uses not reflected in the existing ordinance. An update has been in progress since 2019; Chapter 5 of this comprehensive plan will consider the relationship between the new and updated zoning districts and the future development strategy.

Rezoning Since 2018

Legend

- Complied with 2017 Comprehensive Plan
- Did not comply with 2017 Comprehensive Plan
- Unknown



Housing

Overview

Single-family dwellings are the most common type of housing in Hall County, at about 75% of total units. Most municipalities have even higher ratios of single-family uses, apart from Gainesville, where over 20% of housing is in large multifamily complexes (over five units). Cities in the southern portion of the county such as Oakwood and Flowery Branch tend to have the newest housing inventory.

Housing Type by Location

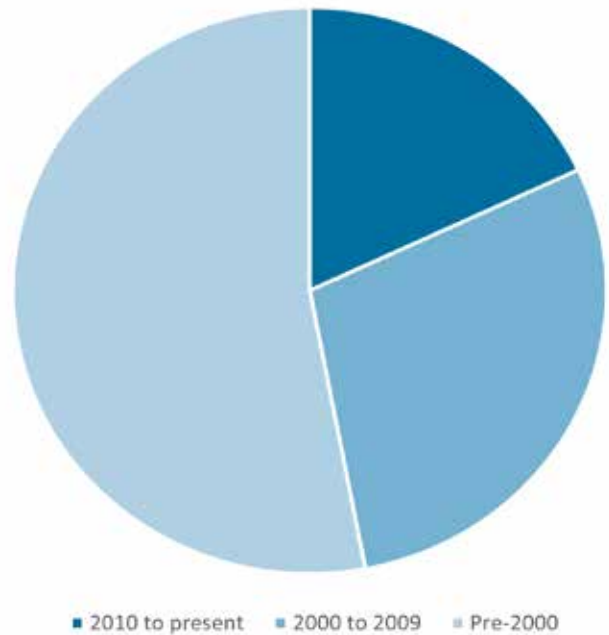
	Single-Family	Townhouse	Small Multifamily Complex	Large Multifamily Complex	Mobile Home
Clermont	86%	1%	0%	0%	13%
Flowery Branch	83%	4%	2%	3%	8%
Gillsville	95%	0%	0%	0%	5%
Gainesville	65%	3%	4%	20%	8%
Lula	78%	1%	1%	0%	21%
Oakwood	74%	6%	6%	12%	2%
Hall County	73%	4%	4%	12%	6%

Housing Inventory Age

	2010 to Present	2000 to 2009	Pre-2000
Clermont	8%	20%	72%
Flowery Branch	19%	37%	45%
Gillsville	2%	4%	94%
Gainesville	6%	21%	73%
Lula	1%	30%	69%
Oakwood	14%	20%	67%
Hall County	18%	29%	53%

Source: KB Advisory Group based on data from US Census; only includes cities primarily located in Hall County

Hall County Housing Inventory Age

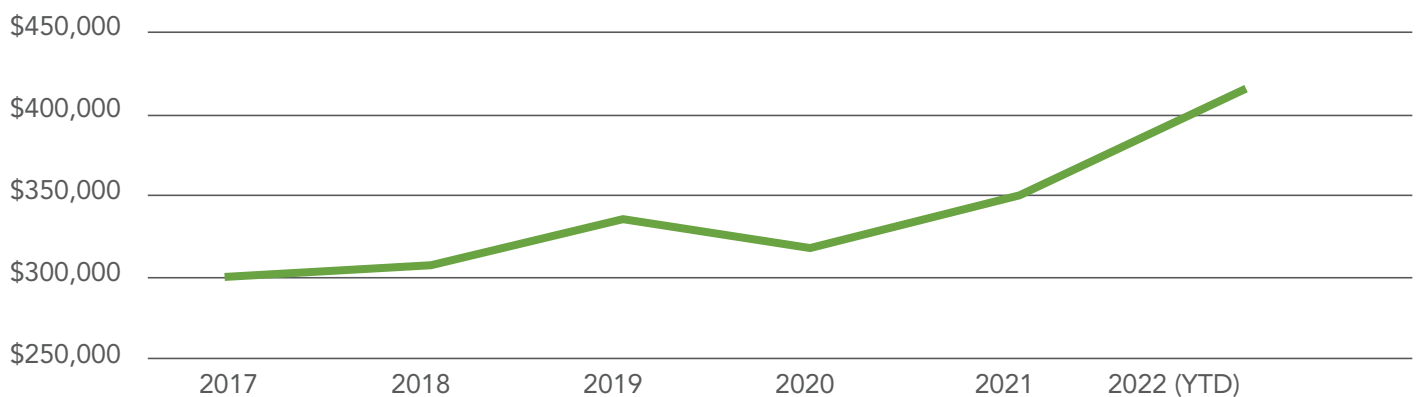


Price Trends

New house prices in Hall County have consistently increased year by year, with the average sale price increasing by over 30% from 2017 to present. Rent for apartments in the county has similarly increased by about 30% since 2017, or about 5% per year.

New For-Sale Housing Prices by Year

	2017	2018	2019	2020	2021	2022 (YTD)
Average Price	\$301,210	\$307,777	\$331,904	\$319,775	\$351,346	\$416,979
Total Closings	908	886	831	1,338	1,537	943



Multifamily Rent by Year

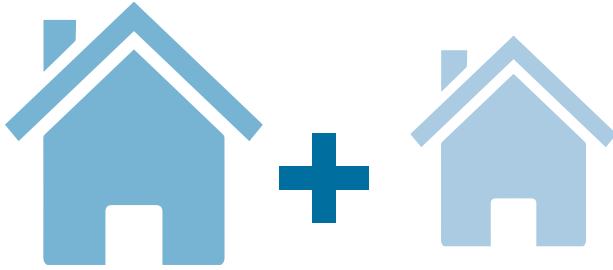
	2017	2018	2019	2020	2021	2022 (YTD)	Annual Growth Rate
Unincorporated	\$1,379	\$1,439	\$1,475	\$1,486	\$1,611	\$1,699	3.9%
Gainesville	\$987	\$1,005	\$1,040	\$1,112	\$1,301	\$1,354	6.2%
Braselton	\$1,643	\$1,709	\$1,758	\$1,819	\$2,031	\$2,090	4.5%
Buford	\$820	\$877	\$936	\$992	\$1,036	\$1,057	4.8%
Oakwood	\$1,191	\$1,236	\$1,243	\$1,309	\$1,462	\$1,447	3.6%
Flowery Branch	\$1,291	\$1,348	\$1,380	\$1,469	\$1,675	\$1,658	4.7%
County Average	\$1,096	\$1,118	\$1,147	\$1,212	\$1,397	\$1,437	5.2%

Source: KB Advisory Group based on data from CoStar

Single-Family Development Trends

New single-family house construction has been largely concentrated on the edges of the county. Just two ZIP codes, 30542 and 30504, account for over half of all new residential construction in Hall County since 2017.

The 2,000 homes built in ZIP Code 30542 Plus the 1,300 homes built in ZIP Code 30504



are more than the homes built in all other ZIP Codes

ZIP Code	Total Single-family New Homes
30501	230
30504	1,334
30506	441
30507	474
30510	0
30517	159
30518	98
30519	312
30527	165
30531	0
30533	0
30542	2,106
30543	100
30548	413
30554	122
30564	17
30566	472
30575	0
Total	6,443

Source: KB Advisory Group based on data from SmartRE

Multifamily Development Trends

Almost 40% of new multifamily construction in the past decade has occurred in the City of Gainesville, with Oakwood and Flowery Branch together making up another 50%. Braselton, Oakwood, and Flowery Branch tend to have the newest multifamily inventory in Hall County.

	Units Built in the Past Decade	Percent of Total	Units Under Construction	Percent of Total
Unincorporated	0	0%	0	0%
Gainesville	1,385	38%	0	0%
Braselton	248	7%	152	100%
Buford	0	0%	0	0%
Oakwood	783	22%	0	0%
Flowery Branch	1,200	33%	0	0%

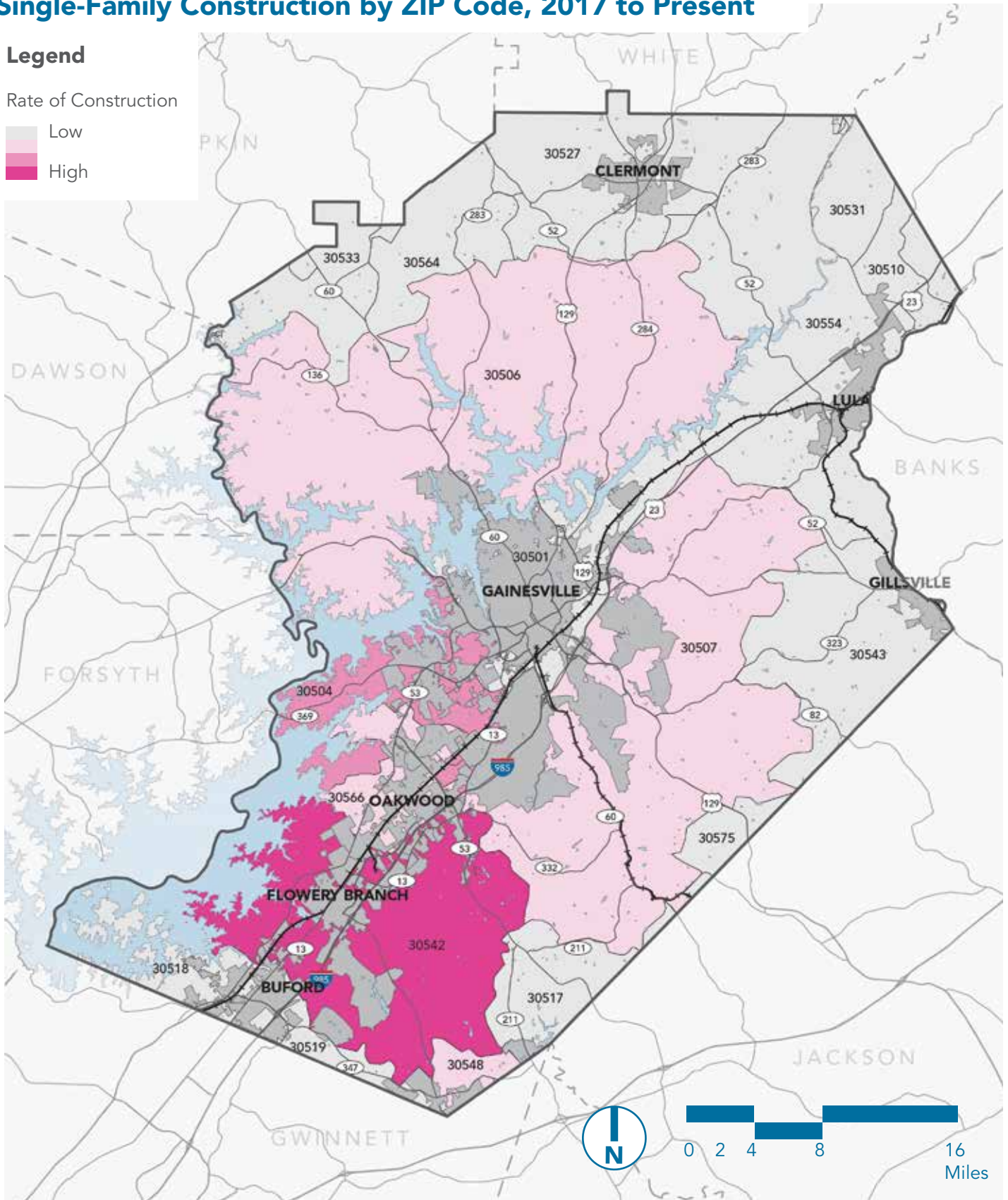
Source: KB Advisory Group based on data from CoStar; buildings of 5 units or more

Single-Family Construction by ZIP Code, 2017 to Present

Legend

Rate of Construction

- Low
- High



Transportation & Infrastructure

Overview

The Gainesville-Hall Metropolitan Planning Organization (GHMPO) consists of all of Hall County and a portion of western Jackson County. In addition to the two counties, GHMPO coordinates with nine local municipalities (Town of Braselton, City of Buford, Town of Clermont, City of Flowery Branch, City of Gainesville, City of Gillsville, City of Hoschton, City of Lula, and City of Oakwood). A small portion of Forsyth and Gwinnett Counties are also within the GHMPO planning area; however, this area is managed by the Atlanta Regional Commission (ARC), Atlanta's MPO. GHMPO manages a small portion of Hall County for the ARC through agreement. In May 2020, the GHMPO adopted their *Regional Transportation Plan (RTP)* which identifies short- and long-term strategies for the management and improvement of the regional transportation network. This resulting plan complies with the federal requirements established by the Federal Highway Administration's (FHWA) Fixing America's Surface Transportation Act (FAST Act). The FAST Act mandates a 20-year minimum planning horizon and the creation of a financially feasible list of transportation projects. This Comprehensive Plan references the RTP as *Hall County Forward's* required Transportation Element. The following is a basic overview of the county's transportation network based on the 2020 RTP.

Road Network

Overview

The road network features a high-capacity Interstate (I-985) and a substantial network of Federal- and State-controlled roadways. The most significant regional connection, I-985, provides northeast/southwest connections especially southward towards Atlanta. The road network is the primary mode of transportation; however, freight is also conveyed by rail through the region.

Functional Classification

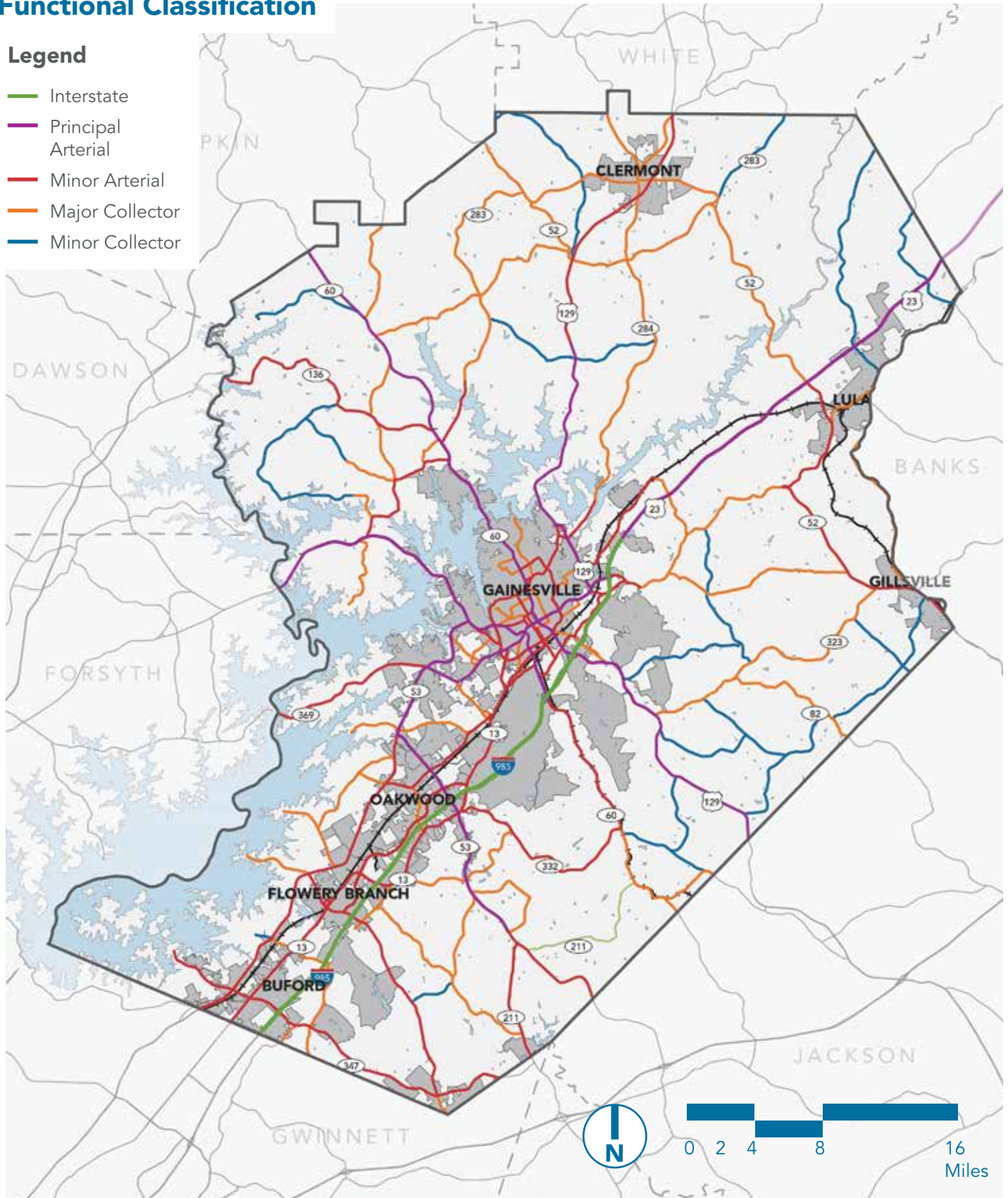
Nationwide, the transportation system is divided into seven functional classifications that are used to categorize by type of roadway. Functional Classification is a method used by the Georgia Department of Transportation (GDOT) to identify roadways based on their characteristics and use. The map on page 55 presents the GHMPO roadway functional classifications represented by arterial or higher classification. Using the accepted GDOT Functional Classifications, the GHMPO road network can be described using seven categories:

- Interstate – Highest classification of arterial created for mobility, long distance travel, and limited access.
- Freeway/Expressway – Similar to interstates with limited access and divided, bidirectional travel.
- Principal Arterial – Focus on vehicular mobility, but adjacent land uses can be served by the roadway.
- Minor Arterial – Typically create connections to the larger arterial system and serve moderate length trips.
- Major and Minor Collector – Both collector types have a great deal of overlap, but each is designed to serve as a connection between local roads and the arterial network.
- Local Roads – Designed to service short trips between local destinations.

Functional Classification

Legend

- Interstate
- Principal Arterial
- Minor Arterial
- Major Collector
- Minor Collector



Level of Service

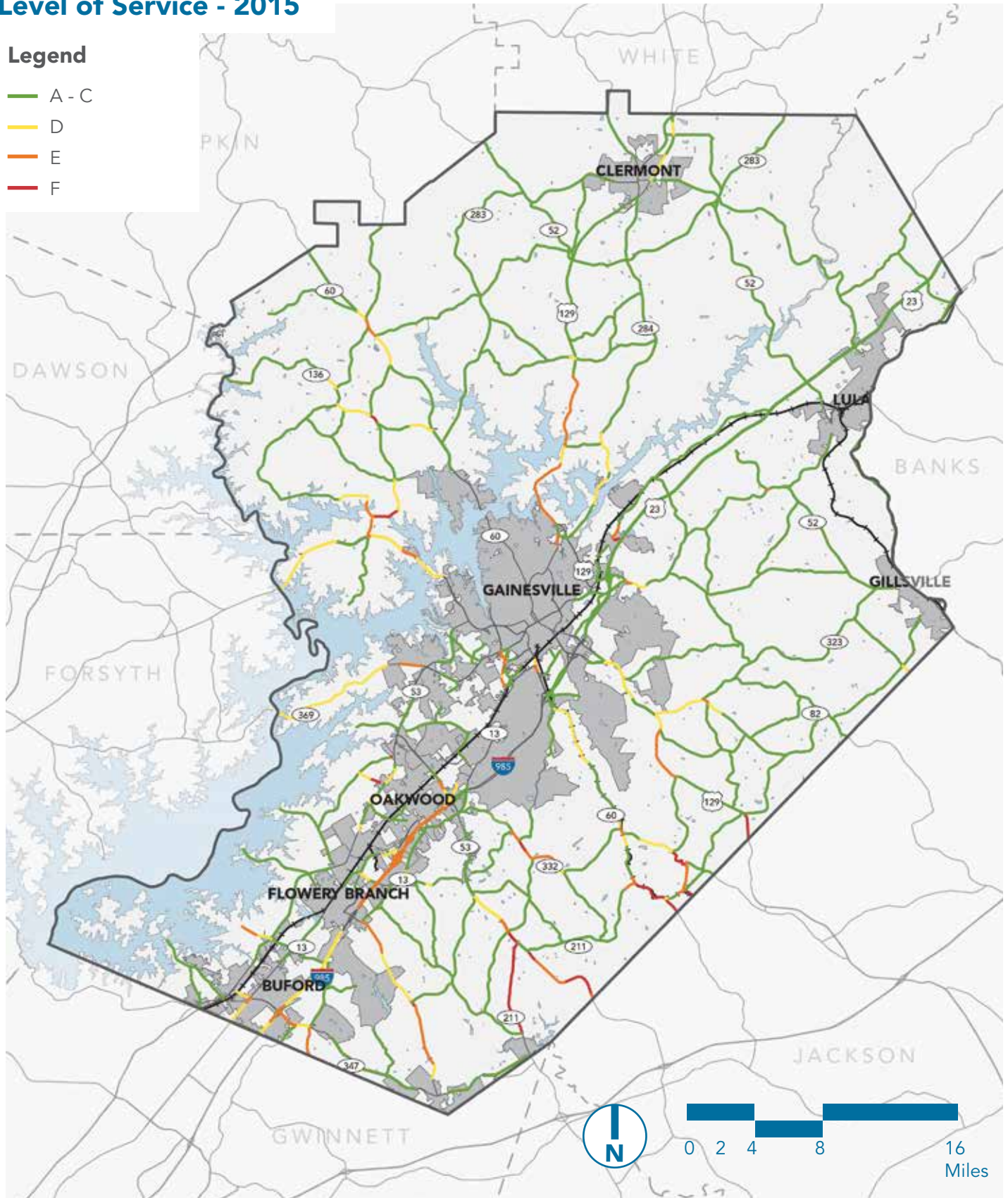
Level of Service (LOS) determines how well a roadway is handling current vehicle volumes and speeds. LOS is divided into six categories, A-F, where A indicates a roadway with the ability to handle additional capacity, and F indicates a roadway that is unable to handle the current vehicle volumes. A depiction of the 2015 Base Year LOS can be seen on the map on page 57 while descriptions of the levels are described in the table below. Using the available roadway characteristics, a model was created by GDOT to depict the approximate LOS conditions throughout the county in 2050. These conditions are depicted within the map on page 58.

Level of Service Designation	Description
A	Free flow with individual users virtually unaffected by the presence of others in the traffic stream.
B	Stable flow with a high degree of freedom to select speed and operating conditions but with some influence from other users.
C	Restricted flow which remains stable but with significant interactions with others in the traffic stream. The general level of comfort and convenience declines noticeably at this level.
D	High-density flow in which speed and freedom to maneuver are severely restricted and comfort and convenience have declined even though traffic flow remains stable.
E	Unstable flow at or near capacity levels with poor levels of comfort and convenience.
F	Forced flow in which the amount of traffic approaching a point exceeds the amount that can be served, and queues form, characterized by stop and-go waves, poor travel times, low comfort and convenience, and increased accident exposure.

Level of Service - 2015

Legend

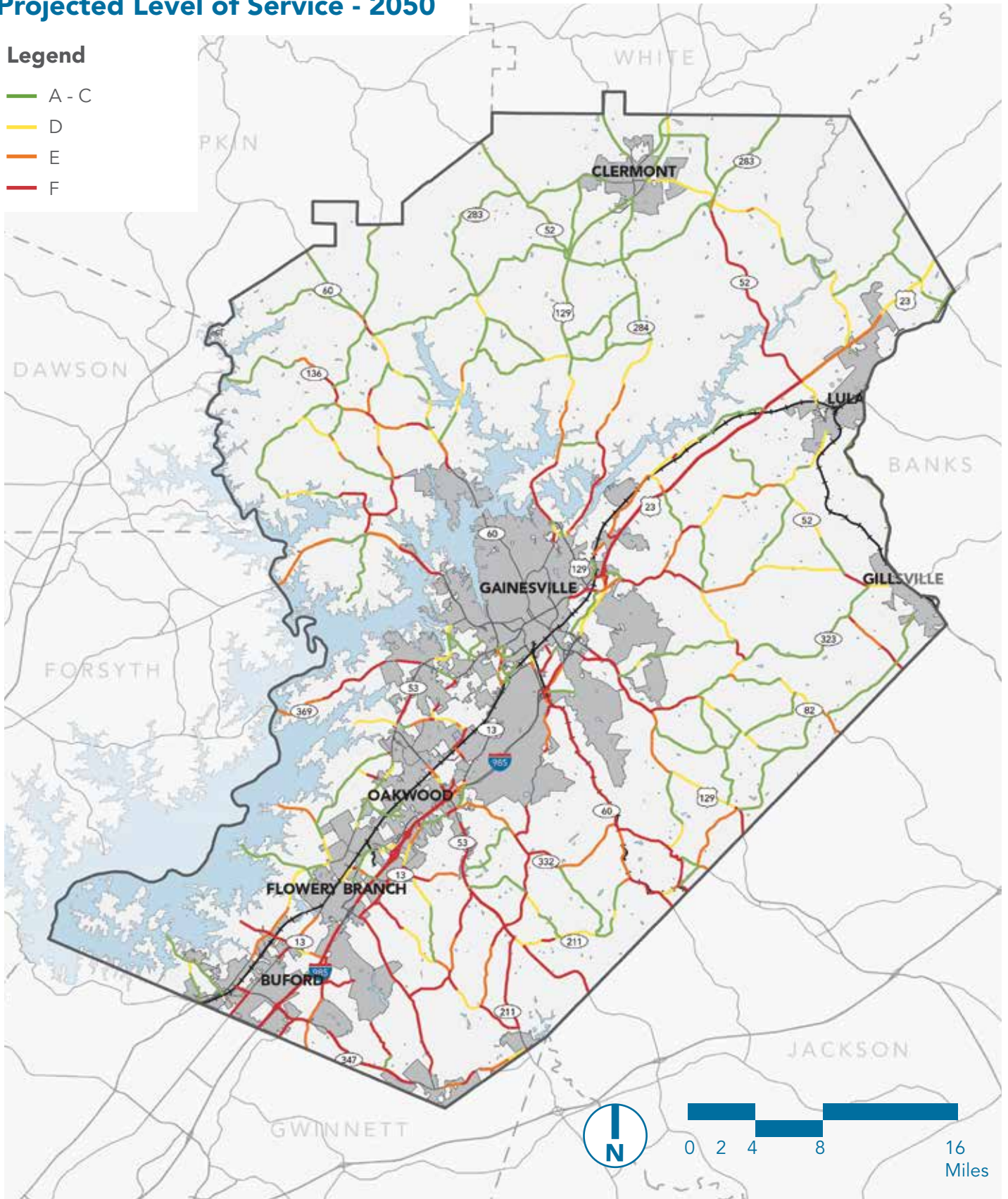
- A - C
- D
- E
- F



Projected Level of Service - 2050

Legend

- A - C
- D
- E
- F



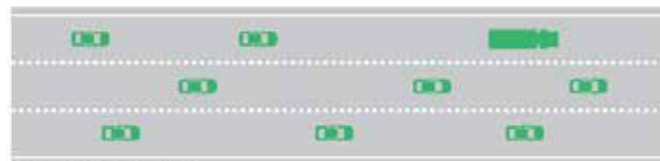
Level of Service Categories



LOS A - No Delay (Free Flow)



LOS B - Minimal Delay (Free Flow)



LOS C - Minimal Delay



LOS D - Moderate Delay



LOS E - Delay, Roadway At/Above Roadway Capacity



LOS F - Significant Delay, Roadway Substantially Exceeding Capacity

Fortunately, the 2015 model shows many of the major corridors throughout GHMPO with LOS C or better. The corridors with worse LOS are dispersed throughout the county, with smaller segments being identified within the urbanized areas and longer segments in the unincorporated areas. However, the 2050 map shows significant worsening of conditions along major road corridors, including I-985 and SR 365/Cornelia Highway, SR 60, SR 53, SR 13/Atlanta Highway, and portions of SR 211/Winder Highway and US 129/Cleveland Highway. Minor road corridors see varying levels of worsening conditions, however most of the lower LOS corridors are concentrated where there is population and employment density. Due to the high-level scale of the model outputs, this data should be used in conjunction with local knowledge and site-specific studies for verification.

Transit

Public transportation can be an important feature for urbanized areas and is a growing consideration within the GHMPO planning area. Currently there is one main transit provider in Hall County, Hall Area Transit.

Hall Area Transit

Hall Area Transit (HAT) previously operated a fixed route bus system named the Gainesville Connection. The Gainesville Connection primarily served the City of Gainesville with routes extending into the City of Oakwood and unincorporated Hall County. The Gainesville Connection service has since been replaced with WeGo, a ride-share transportation service that uses a smartphone application and a fleet of 10 to 12 passenger vans to transport users around town. It started operating in only the City of Gainesville, but in summer 2021, service was expanded to unincorporated Hall County.

Bicycle and Pedestrian Facilities

Bicycle and pedestrian travel and safety can be an important feature of the transportation network. Recreation and transportation bicycle safety can be improved by the development of designated bike lanes and paved trails/sidepaths. The creation of paved trails/sidepaths can promote development and generate economic boosts in the areas surrounding these trails through increased recreation and use. Bike lanes and other bicycle safety infrastructure are generally recommended to be implemented along roadways where the separation of cyclists and motor vehicles is necessary to improve safety. The GHMPO completed the Bicycle and Pedestrian Plan originally in 2006 and completed an update to this plan in 2014. The purpose of the GHMPO Bicycle and Pedestrian plan was to identify existing facilities and make recommendations for improvement of the multimodal network. As the MPO continues to grow, it is recommended that the proposed projects within the Bicycle and Pedestrian Plan be implemented and that the Plan be regularly updated to ensure its priorities are in line with future conditions. Existing pedestrian and bicycle facilities are depicted on the map on page 61.

Pedestrian Network

Sidewalks are the most prevalent non-motorized facility throughout GHMPO and are found most often in the municipalities. The most significant sidewalk networks are located within the Cities of Gainesville, Oakwood, and Flowery Branch.

Bicycle Network

Currently, only two areas of designated bike lanes have been developed within GHMPO. The first is a one-mile stretch of bike lanes along Atlanta Highway near the intersection of I-985, and the second is a newly completed bridge over I-985 along H.F. Reed Industrial Parkway. Additionally, paved shoulders (wider than four feet) are dispersed throughout the area, providing additional areas for cyclists to potentially use.

Side Paths and Paved Trails

Several sidepaths/paved trails have been developed within GHMPO located primarily within Gainesville and along SR 347/Friendship Road in southern Hall County. Two trail studies have recently been completed. The first focused on evaluating a connection between the Midtown Greenway and Chicopee Trail within an area in Gainesville. The second study was focused on South Hall evaluating potential connections between the Chicopee Trail and SR 347/Friendship Road. The table below shows the approximate length of the bicycle and pedestrian facilities within the GHMPO.

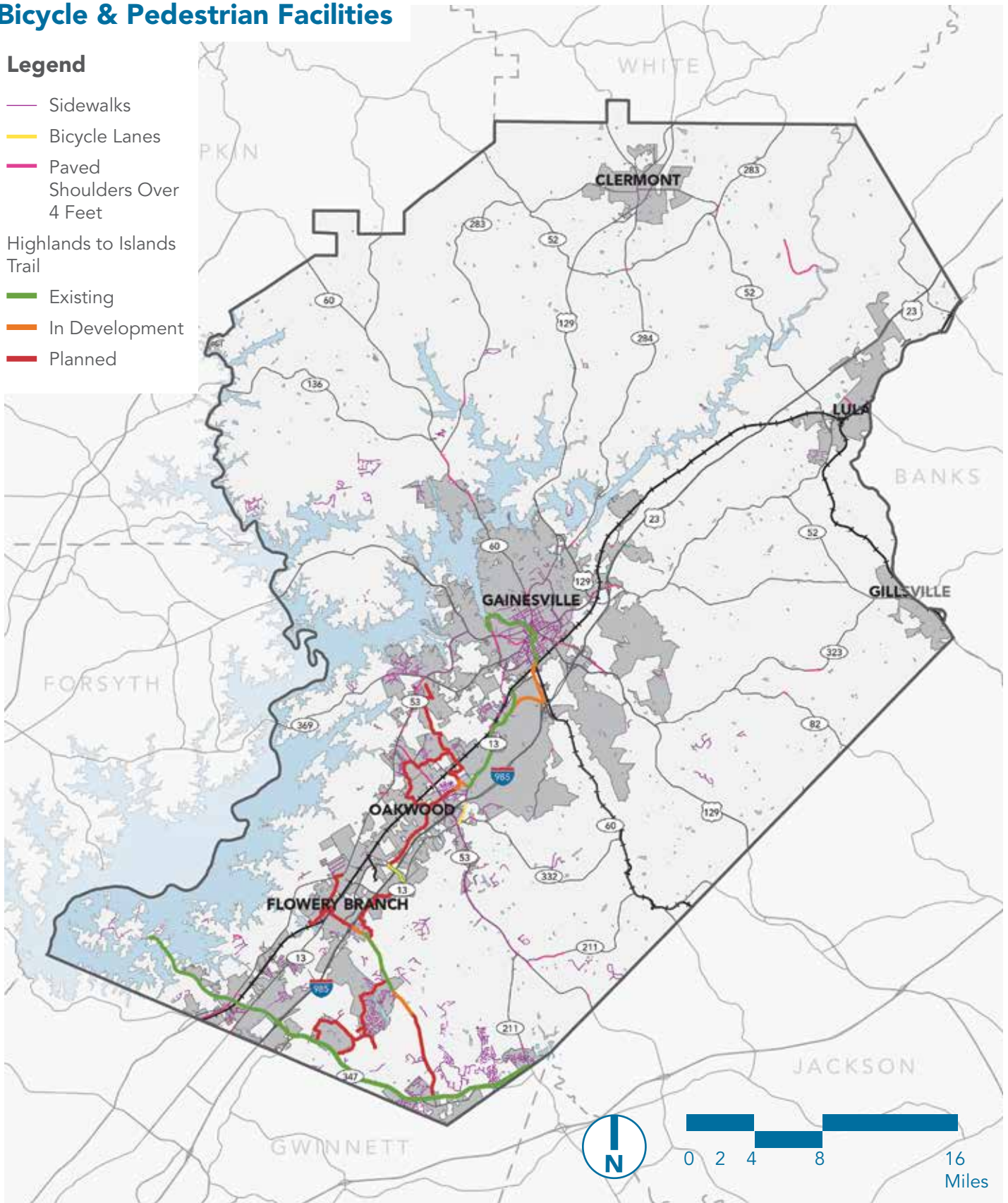
Existing Facility	Approximate Length (Miles)
Sidewalks	465*
Trails/Sidepaths	23*
Bike Lanes	3
Paved Shoulders (4 feet or wider)	18
Nearly Completed Trail/Sidepaths	2

*Numbers do not include the City of Gainesville

Bicycle & Pedestrian Facilities

Legend

- Sidewalks
- Bicycle Lanes
- Paved Shoulders Over 4 Feet
- Highlands to Islands Trail
- Existing
- In Development
- Planned



Rail

GHMPO is home to two major rail lines, Norfolk Southern and CSX. Norfolk Southern bisects GHMPO by traveling primarily north/south, with an additional extension heading through Gillsville. CSX travels mainly east/west entering GHMPO from Jackson County near Talmo. Both meet near the center of Gainesville. The map on the facing page depicts the existing railroad network within GHMPO. In addition to GHMPO's lines, Amtrak connects Gainesville to both Atlanta and New York City.

Freight

Freight volumes are continuing to increase within the GHMPO area. In 2018, GHMPO completed the *Gainesville-Hall Regional Freight Study* which analyzed existing conditions and developed a framework to monitor and improve upon the freight network. This study assessed existing and forecasted top trading partners of Hall County as shown in the table below.

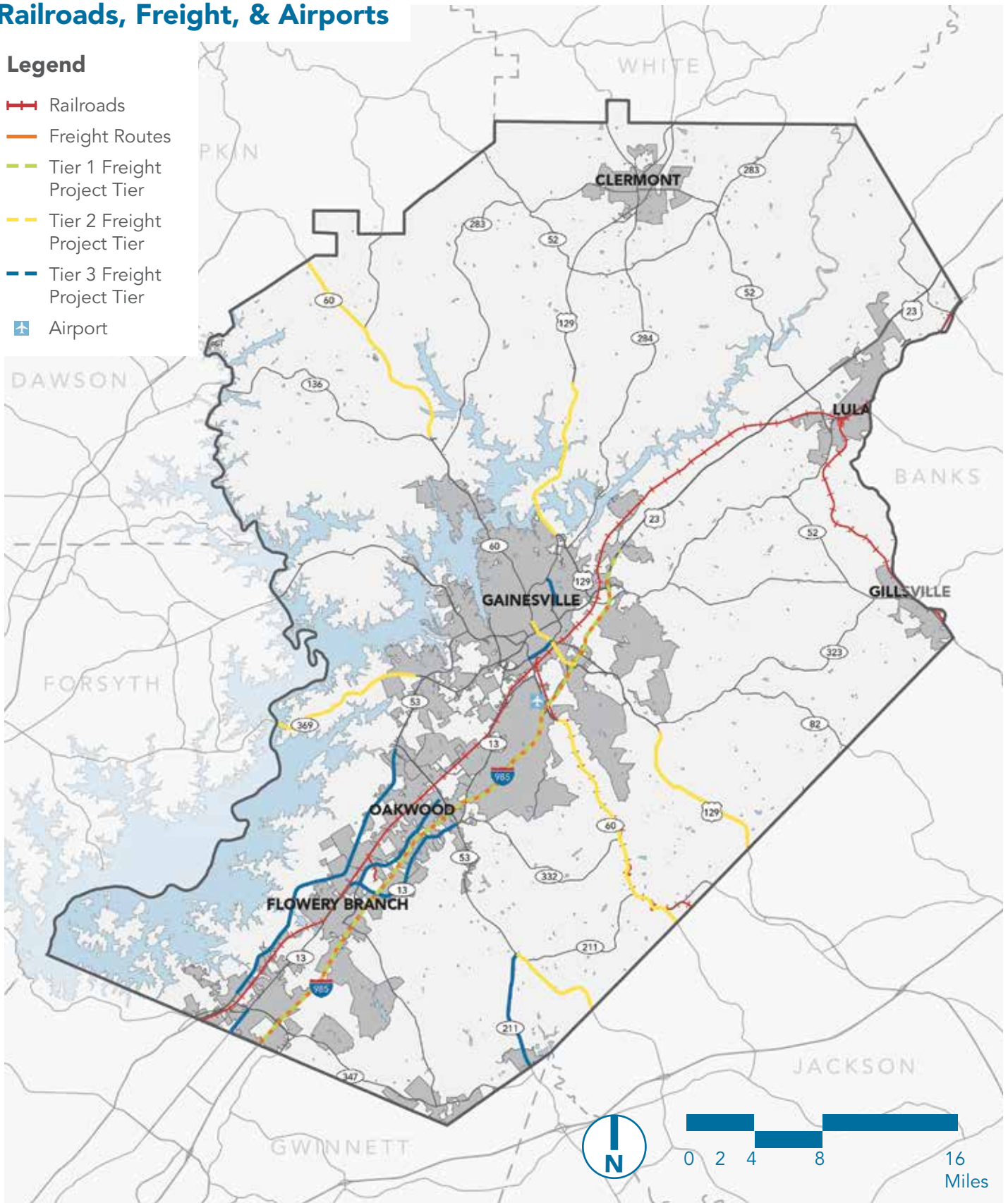
In addition to the planning efforts of GHMPO, both Hall and Jackson County have prioritized the development of industrial sites alongside major roadways to encourage additional growth in this area.

County	Total Annual Tonnage for Outbound between 2010-2040	Total Annual Tonnage for Inbound between 2010-2040	Percent Change between 2010-2040
Fulton	1,212,936	927,906	103%
Gwinnett	1,164,773	924,379	141%
DeKalb	691,342	603,112	122%
Cobb	721,343	530,021	125%
Forsyth	207,144	172,693	89%
Hall	196,868	540,995	450%
Elbert	78,640	179,779	37%
Pickens	34,583	211,124	33%
Clayton	153,615	160,398	114%
Chatham	86,732	116,685	41%
Cherokee	221,841	188,796	191%
Clarke	104,902	91,705	57%
Jackson	93,947	115,192	74%
Richmond	95,391	101,868	67%

Railroads, Freight, & Airports

Legend

-  Railroads
-  Freight Routes
-  Tier 1 Freight Project Tier
-  Tier 2 Freight Project Tier
-  Tier 3 Freight Project Tier
-  Airport



The *Gainesville-Hall Regional Freight Study* identified the existing freight-based land uses over 10 acres within GHMPO and found that over 90% of the applicable areas were listed within Hall County. Outside of GHMPO, Jackson County is also focusing on the development of industrial lands nearby I-85 to encourage growth. The study resulted in a three-tier freight network to classify freight routes within the area. These routes are listed below and shown on the map on page 63.

- Tier 1 – Interstate System within GHMPO comprised of I-985 and I-85.
- Tier 2 – National Highway System (NHS) Roadways that have been identified as beneficial to freight movement.
- Tier 3 – Non-NHS roadways identified by their connection to freight-based land uses of 10 acres or larger.

Though freight will use much of GHMPO’s road network, these three tiers help designate areas for future improvement and to encourage freight to use these designated roadways. Since completion of the GHMPO Regional Freight Plan, the State of Georgia and Georgia Ports Authority announced the development of the new Inland Port in northern Hall County. Planning for the new Inland Port that will be located off SR 365 has been incorporated into the development of the RTP update, including within the GDOT travel demand model.

Airports

Currently, GHMPO has only one public airport, Lee Gilmer Memorial Airport (KGV). KGV is a non-towered airport that is owned and operated by the City of Gainesville. The airport maintains two paved runways and offers 81 T-hangers and 12 corporate hangars for private use. Alternatively, GHMPO residents have the option to take commercial passenger flights from Ben Epps Airport in Athens or Hartsfield-Jackson Atlanta International Airport.

Sewer

Sewer service is provided by multiple municipalities in Hall County. Some areas are served by a single municipality while others by a partnership of municipalities. Hall County Public Utilities has its own service area; it also shares sewer service districts with the cities of Gainesville and Gillsville through intergovernmental agreements. In 2020, Hall County completed an update of its *Sewer System Master Plan & Rate Study*. Since the completion of the *North Hall County Sewer System Master Plan* in 2011, and the *South Hall County Sewer District Unit Rate and Connection Fee Methodology Report* in 2008, Hall County has completed many planned projects and has expanded its sewer service in both the northern and southern ends of Hall County. The *Sewer System Master Plan & Rate Study* addresses the planning, funding, and delivery of the wastewater collection systems in the North and South Hall study areas for meeting Hall County's service goals through 2040. The following is a summary of the plan's recommendations and how it will impact future development.

North Hall

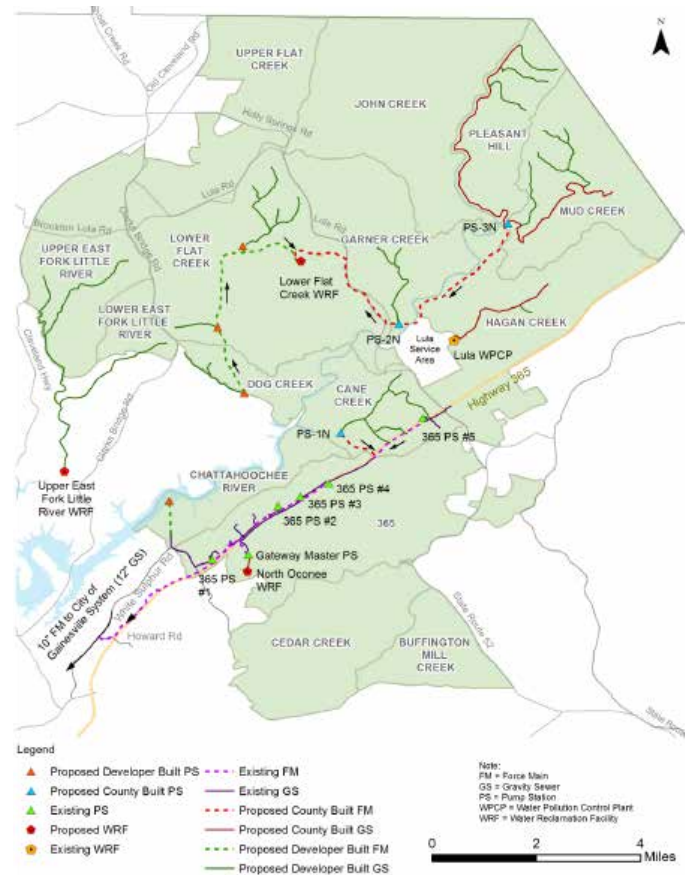
The North Hall study area consists of about 49,000 acres, extending from Cleveland Highway in the west to Joe Chandler Road in the east with SR 365 running through the middle in the northeastern direction. With the completion of the SR 365 sewer extension up to SR 52 in 2018, Hall County currently provides sewer service to the future Inland Port and surrounding area along SR 365.

Recommended under the preferred development scenario, Hall County would provide a plan for the location of the wastewater system infrastructure; however, the construction of the infrastructure will be shared between the County and private developers. Although private developers may build some of the infrastructure in this development scenario, the system would eventually be dedicated back to the County for long-term maintenance. Because of the topography of the service area, this development scenario includes both decentralized (typically west of SR 365) and centralized systems (generally along and east of SR 365).

The proposed infrastructure components include:

- Over 40 miles of gravity and force mains.
- Seven new pump stations.
- Three new water reclamation facilities.
- Purchase of additional capacity at the Lula Water Pollution Control Plant.

North Hall Proposed Sewer Infrastructure



South Hall

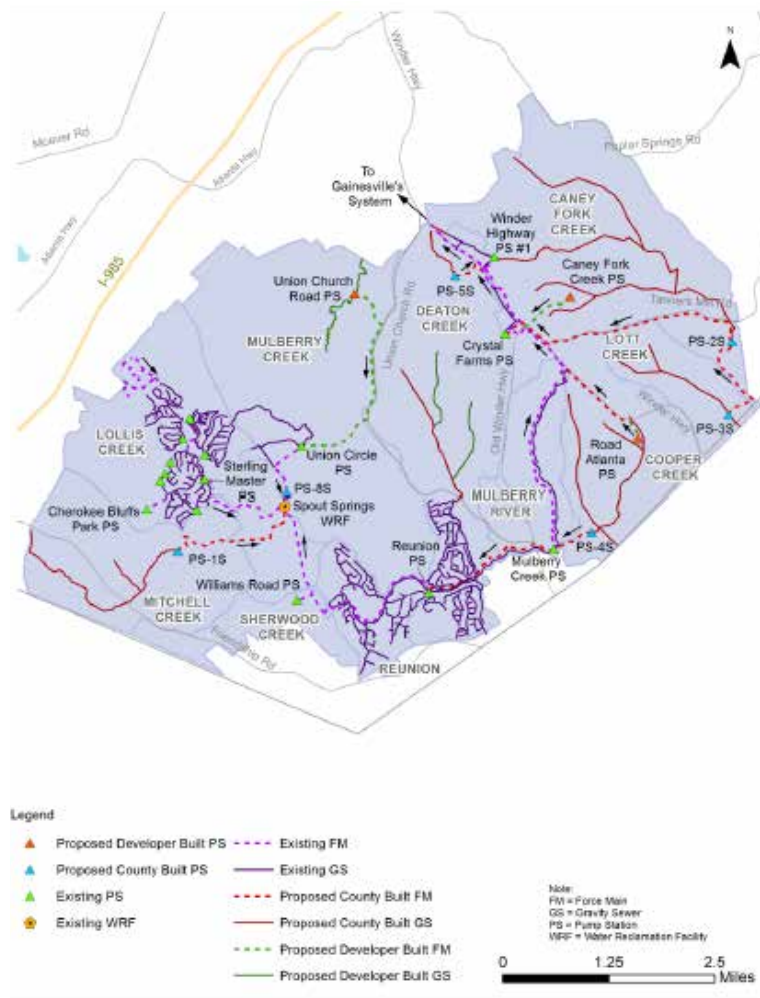
The South Hall study area consists of about 22,000 acres corresponding with the South Hall Sewer District. Major roads in this study area include SR 347/Friendship Road and SR 211/Winder Highway. Most of the current service area is in the south side and west side of the South Hall Sewer District. The expansion of the collection and pump station system along SR 347 is currently under design.

Using a hybrid/planned approach like the North Hall system, Hall County would provide a plan for the location of the wastewater system infrastructure in South Hall, the construction of which will be shared between the County and private developers. It is anticipated that private developers will build some of the infrastructure, but the system will ultimately be dedicated back to the County for long-term operation and maintenance.

The proposed infrastructure components include:

- Over 35 miles of gravity and force mains.
- Eight new pump stations.
- Upgrades at the Spout Springs Water Reclamation Facility.

South Hall Proposed Sewer Infrastructure



Sewer

Legend

Sewer Districts


 Priority Sewer Areas

 Hall County

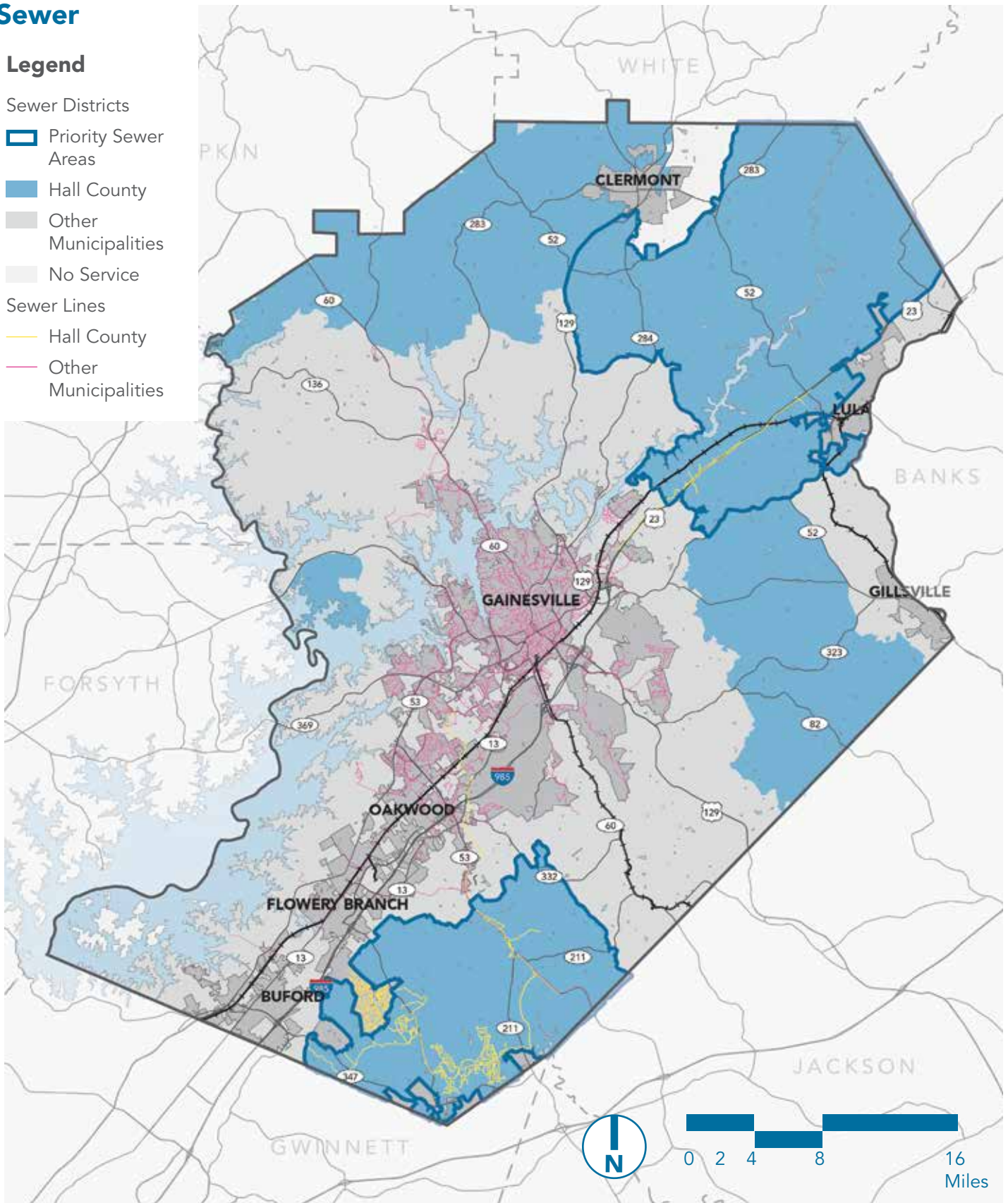
 Other Municipalities

 No Service

Sewer Lines

 Hall County

 Other Municipalities



Community Resources

Overview

Community resources refer to the people, places, and institutions that provide a service to the community. A variety of institutions can provide community resources, this section highlights those that are publicly provided by Hall County. The County's services can be divided into two overarching categories: public safety and public facilities. This section includes an overview of each of these and their primary components. By understanding what level Hall County already provides community resources, the County can adequately prepare to serve the present and future demands for these services.

Public Safety

Law Enforcement

Law enforcement seeks to ensure the safety of the general public, including both residents and visitors. This resource is provided by agencies and employees that are responsible for enforcing laws and regulations and maintaining order to manage public safety. Ensuring low crime rates not only helps a community feel safer but can also act as an agent of economic development. Furthermore, it can help keep residents' and businesses' insurance costs low. These factors can contribute to a higher quality of life for residents.

The Hall County Sheriff's Office is the main law enforcement service provider in Hall County. The Sheriff's Office is comprised of the Sheriff, the Administrative Bureau, the Enforcement Bureau, and Support Services. These groups work together to assist citizens county-wide by providing many services such as 24-hour uniform patrol, school resource officers and crossing guards, the Advance (youth education) program, neighborhood watch programs, criminal investigations, dive team, SWAT Team, warrant service unit, civil process service, courthouse security, inmate work details, community service (clean streets) bus program, and a work release program. They also manage one of the largest jails in North Georgia with a capacity of 1,134 inmates.

The Sheriff's Department also partners with local police in several municipalities within the county. The department has an emergency mutual aid assistance agreement in place with the Gainesville, Flowery Branch and Oakwood Police Departments. The Sheriff's Department oversees several buildings across the county, including a detention center, correctional institute, training facility, and two precincts on the north and south ends of the county. However, as the county's population continues to grow, it will be important for the public safety of the residents that law enforcement services are scaled to accommodate that growth. This could look like adding a precinct on the east side of the county.

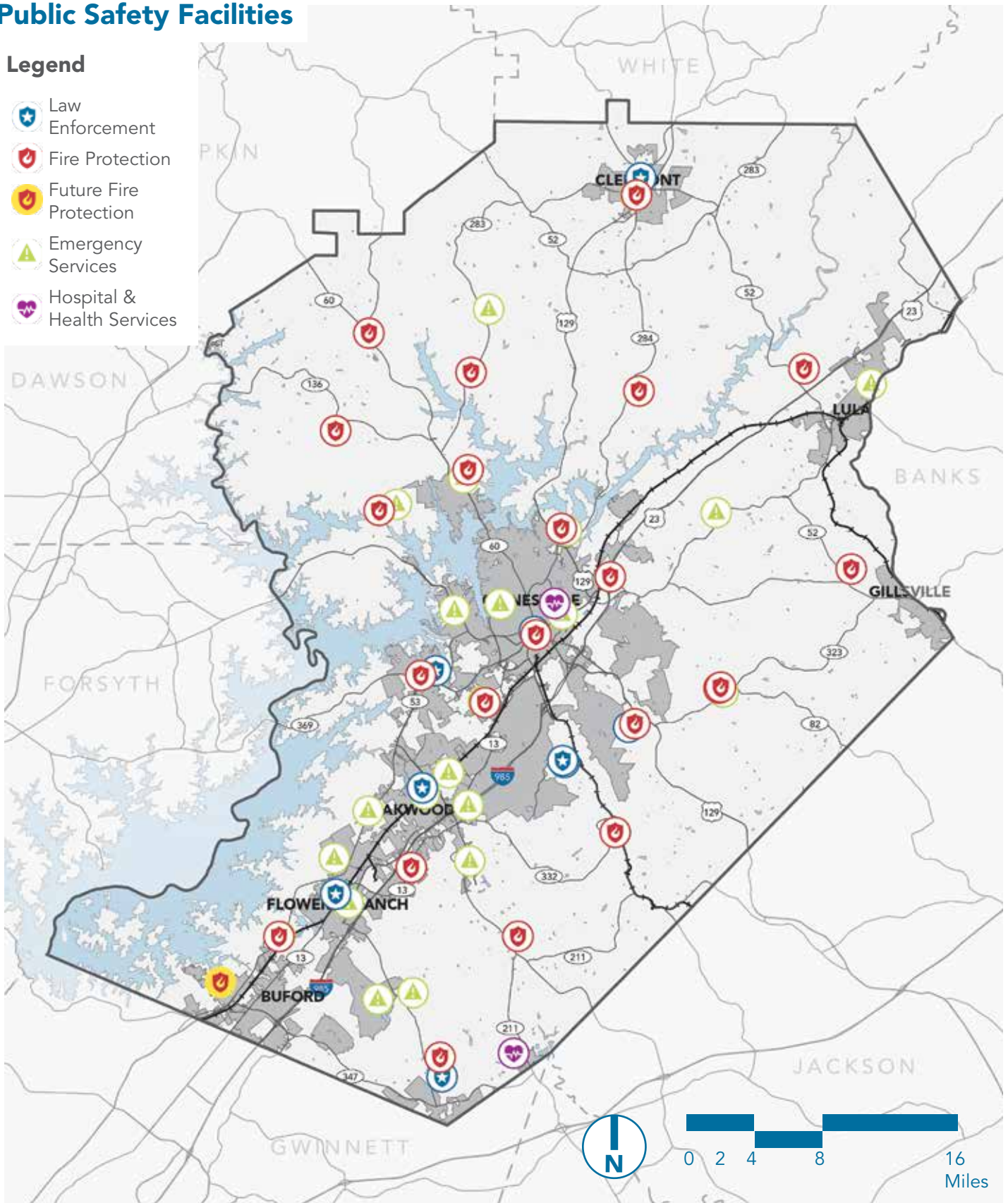
Fire Protection

Fire protection is the comprehensive approach to fire safety including fire prevention, firefighting or suppression, pre-fire planning, investigation, public education and information, and any other training or staff development. Like law enforcement, providing strong public fire protection services can lower insurance costs and improve the quality of life for Hall County residents. Currently, the Hall County Fire Rescue Department manages fire protection services for the county and municipalities other than Gainesville. The department force is comprised of 367 trained individuals who conduct both fire protection services and administering emergency medical care. Hall County has 16 fire stations across the county, as well as a training facility and a warehouse. As the county's population continues to grow, Hall County is already anticipating the growing need for quick response times. Accordingly, a 17th fire station is currently being planned near the county's southern border near Buford. Previous comprehensive plans have indicated a possible 18th station, as well. In addition to its own resources, the Hall County Fire Rescue Department has an automatic aid agreement that promotes cooperation and coordination with the Gainesville Fire Department.

Public Safety Facilities

Legend

-  Law Enforcement
-  Fire Protection
-  Future Fire Protection
-  Emergency Services
-  Hospital & Health Services



Emergency Services

Emergency services are primarily focused on ensuring the safety, well-being, and protection of residents and property during unexpected or potentially dangerous situations. They play a critical role in mitigating the impact of emergencies, providing immediate assistance, and facilitating recovery efforts. Components of emergency services include law enforcement, fire protection, emergency medical services (EMS), emergency management, public safety communication, community education and preparedness, and many more.

In Hall County, emergency management specifically is conducted by the Emergency Management Agency (EMA), which works county-wide to coordinate emergency preparedness, response, recovery, and mitigation efforts. They receive funding through the county's general funds and Federal Emergency Management Agency (FEMA) and Georgia Emergency Management and Homeland Security Agency (GEMA/HS) grants.

Public safety communications in Hall County are conducted via a contract agreement with the City of Gainesville for a county-wide communication 911 system. This work is also assisted by 15 weather sirens throughout the county. A spatial analysis indicates that an additional weather siren may be beneficial in the southern border of the county as the population and industrial sites in South Hall continue to grow. Since the development of the previous comprehensive plan, the public safety communications have been bolstered by the introduction of the Citizen Alert System, which sends messages to individuals and businesses through a wide variety of methods about severe weather, fires, floods, toxic environmental issues, and in-progress violent crimes.

Emergency Medical Services (EMS) are also provided by the County through the Fire Rescue Department, focusing on pre-hospital medical care and transportation to individuals experiencing medical emergencies such as accidents, crises, and those needing ambulance services.

In addition to the day-to-day emergency services listed above, Hall County also has a long-term planning document in place. The County worked in partnership with its municipalities to complete a 5-year update of the Hall County Hazard Mitigation Plan in 2017. To ensure Hall County continues to be eligible for FEMA funds, the Hazard Mitigation Plan will need to be updated. The greatest need historically has been mitigating floods and ensuring EMA staff numbers are increased in pace with the growing county population.

Hospital & Health Services

An important aspect of public safety is the presence and management of hospitals and health facilities. Health facilities play a crucial role in promoting the well-being of communities. The relationship between health facilities and public safety manifests in several ways, such as emergency management, but also in disease prevention and control, capacity for surge situations in times of emergency, providing mental health and social services, and protecting vulnerable populations.

Hall County contains two public medical centers: the Northeast Georgia Medical Center – Gainesville and the Northeast Georgia Medical Center – Braselton. The Gainesville center is the flagship hospital of the Northeast Georgia Medical System and holds 557 beds. The Level II Trauma center has 23 operating rooms, 32 intensive care beds, a heart center, and a women's and children's pavilion with a Level III neonatal intensive care unit. The center is currently expanding with the addition of a 927,000 square foot tower, anticipated to open in early 2025. This will make the hospital the third largest in the state by bed size and expand capacity for the growing population of not only Hall County, but across northeast Georgia as well. The Braselton center is smaller with 134 beds but offers a wide range of both general and specialty health services.

The Hall County Government Family Health Center is an additional resource located in Gainesville. The Family Health Center provides primary care for families in the county and is staffed by two doctors and a nurse practitioner. The Hall County Health Department also has a facility, located in Gainesville, from which it runs its public health services, such as cancer screenings, children's health, communicable diseases screenings,

family planning, prenatal case management, immunizations, youth dental care, vital records, Women Infants and Child (WIC) care, and environmental health care. Mental health services are provided county-wide through a nonprofit provider: Georgia Mountain Community Services. The Hall County Health Department Provision coordinates with GMCS for these services with funding derived from federal and state grants, the Hall County general fund, as well as user fees.

Public Facilities

General Government Facilities

Hall County maintains and utilizes several facilities to execute both its administrative functions and, in some cases, such as animal control, more specialized functions. In addition to the facilities mentioned under the public safety section, the County also houses a Government Center (which serves as a town hall for the county), courthouses, public works buildings, building maintenance, parks, and storage buildings. Hall County maintains 20 facilities of these types. The family health building, courthouses, judicial buildings and the Government Center are concentrated in the center of the County while animal control, parks, public works, and building maintenance are more scattered throughout the County. The facilities are cataloged online at Hall County's website, and several public spaces can be reserved by residents as a resource for their use.

Educational Facilities

Education facilities primarily consist of the schools where public education is provided for. The Hall County School District maintains primary and secondary schools. There are several higher education institutions, both public and private, located within Hall County as well. Currently, there are two publicly sponsored Pre-K opportunities in Hall County and two magnet schools, McEver Arts Academy and the World Language Academy Elementary School.

Primary & Secondary Schools

There are 38 public school facilities operated by Hall County Schools consisting of six high schools, six middle schools, and 20 elementary schools. There are eight specialized schools that are either magnet school systems or alternative schools that are run by the county and serve several grades. There are over 1,800 teachers within the system educating nearly 26,000 students. Gainesville and Buford both have their own school systems separate from the county.

The school system has its own 10-year facilities plan funded by Education Special Purpose Local Option Sales Tax, or E-SPLOST, and a general obligation bond revenue. This plan dictates where new schools will be located and when they will open. The plan also includes facility expansions and other facility maintenance needs. As of February 2023, the system has experienced several exciting updates to expand capacity and add additional resources for the students. Highlights include:

- Completed construction and opening of Cherokee Bluff Middle School.
- Initiated construction for the new Sandra Dunagan Deal Elementary School to open in Fall 2024.
- Constructed new Learning Commons at 12 schools and renovated existing Learning Commons at two schools.
- Installed air conditioning in all gymnasiums.
- Established an Agri-Business Center for all students.
- Completed the addition of security card access and cameras for all doors across all schools.
- Purchased 27 new buses.

Higher Education

Though they are not run by the county, having three institutions with post-secondary education options located within its borders is a significant addition to the community resources Hall County residents have access to. These three institutions are:

- 1. Brenau University:** Located within Gainesville, Brenau University has evolved from a private women's seminary founded in 1878 to a full university in 1992 that also holds a residential preparatory school for girls. Brenau has associates, bachelors, masters, and select doctoral programs across a range of study areas. As of 2021, Brenau University enrollment features 3,500 full-time students.
- 2. Lanier Technical College:** Publicly founded in 1964, Lanier Technical College (LTC) provides workforce development needs to the greater Lake Lanier region through technical training and adult education. LTC consists of five branches around the greater Lake Lanier area, and the Hall County campus is in Gainesville. There are over 10,000 students enrolled with most of them attending classes part time. LTC offers certificate and degree programs across nine different areas of study ranging from automotive and transportation fields to public safety and healthcare.
- 3. University of North Georgia:** The University of North Georgia (UNG) is another public university across the North Georgia area with a satellite campus in Gainesville. UNG is a member of the University System of Georgia. While UNG is one of the largest universities in the area with a total enrollment of 18,000+, about 6,500 of these students attend classes at the Gainesville campus. They host a wide variety of degree options, many of them also offered at the Gainesville campus.

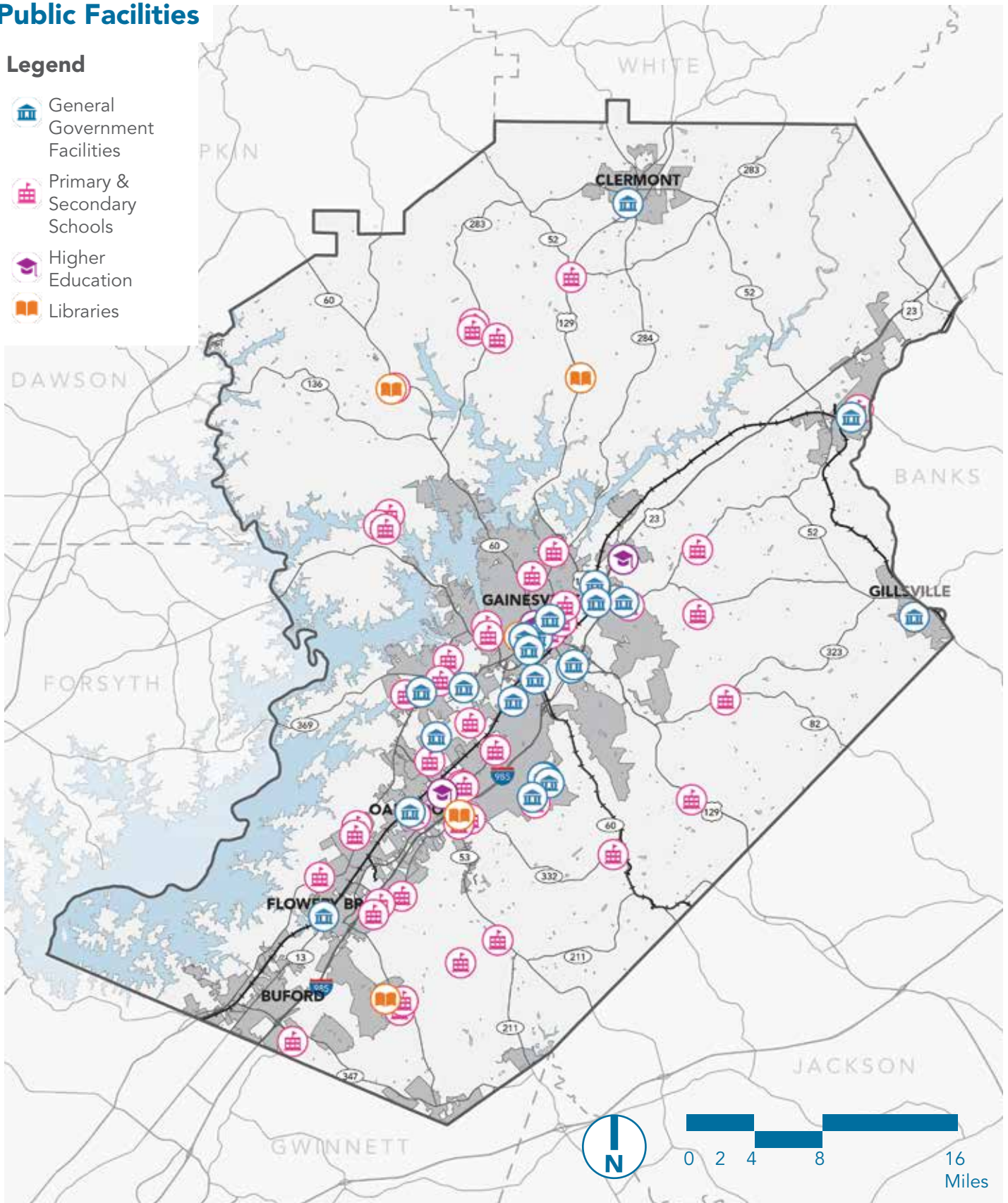
Libraries

Hall County manages its own library system featuring five branches spread throughout the county. The headquarters is in the center of the county in Gainesville. Each planning area has its own branch except for East Hall. Any future branch openings should be in East Hall to ensure residents in this area of the county have equal access to library services such as Wi-Fi services, printing, notary services, voter registration, meeting rooms for rent, and of course, checking out books.

Public Facilities

Legend

-  General Government Facilities
-  Primary & Secondary Schools
-  Higher Education
-  Libraries



Economics

Employment Characteristics

Employment by Sector

Employment	Hall County Total	Hall County (Percent)	Georgia (Percent)
Architecture/Engineering	1,554	1.5%	1.7%
Arts/Design/Entertainment/Sports/Media	1,604	1.6%	1.9%
Building/Grounds Cleaning/Maintenance	4,339	4.3%	3.6%
Business/Financial Operations	4,387	4.4%	5.6%
Community/Social Services	1,029	1.0%	1.6%
Computer/Mathematical	1,937	1.9%	3.4%
Construction/Extraction	7,195	7.1%	4.9%
Education/Training/Library	5,351	5.3%	6.4%
Farming/Fishing/Forestry	1,076	1.1%	0.5%
Food Preparation/Service Related	4,765	4.7%	5.6%
Healthcare Practitioner/Technician	4,385	4.4%	5.4%
Healthcare Support	2,439	2.4%	2.3%
Installation/Maintenance/Repair	4,023	4.0%	3.5%
Legal	390	0.4%	1.0%
Life/Physical/Social Science	341	0.3%	0.8%
Management	10,045	10.0%	10.7%
Office/Administrative Support	9,958	9.9%	11.1%
Production	13,249	13.2%	6.1%
Protective Services	1,049	1.0%	2.2%
Sales/Related	11,229	11.1%	10.5%
Personal Care/Service	1,886	1.9%	2.4%
Transportation/Material Moving	8,502	8.4%	8.8%
Total	100,733	100.0%	100.0%

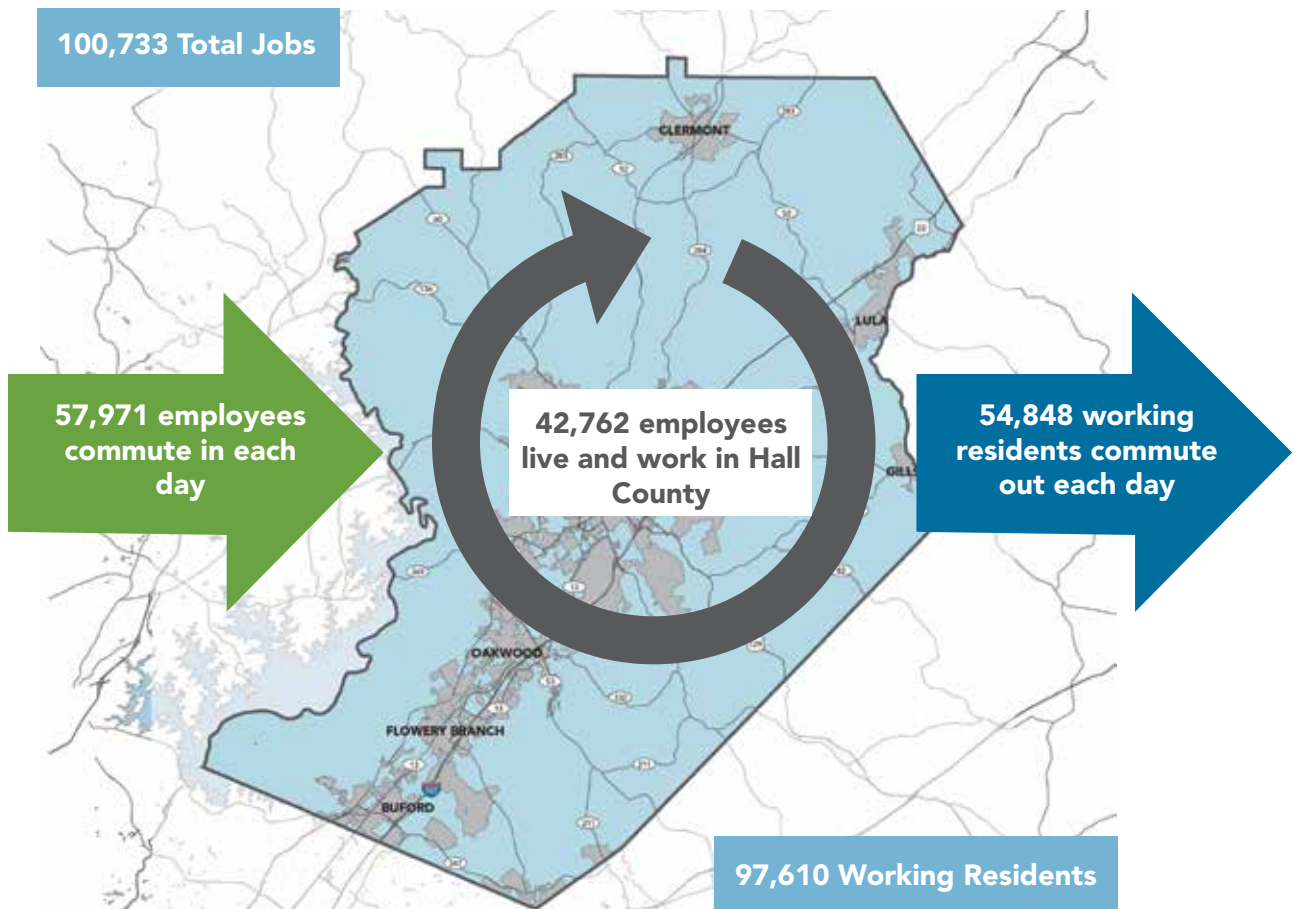
Source: KB Advisory Group based on data from Claritas Spotlight.

There are currently 100,733 total jobs in Hall County. The largest employment sectors in Hall County include:

- Production
- Sales
- Management
- Transportation
- Construction

In addition, there are 97,610 working residents. The commuting patterns show that over half (58%) of the employees working in the county commute in from elsewhere. Of the total working residents, 56% commute out each day. For employees commuting out, Gwinnett County is the destination with the highest percentage of commuting employees, at 15%. Alternatively, Gwinnett County also provides the highest percentage at 11% of the total employees commuting into Hall County each day. The majority (79%) of commuting employees drove alone on their commutes. A minimal amount of people used public transportation to commute to work.

Commuting Patterns

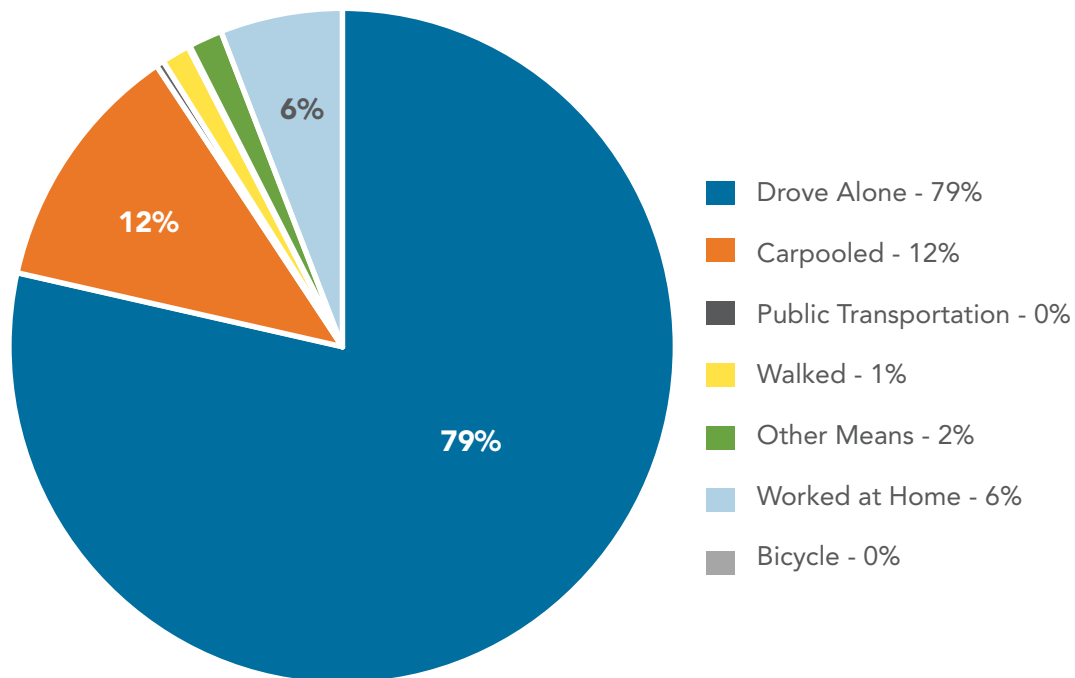


Source: KB Advisory Group based on data from Claritas Spotlight.

Commuting Patterns

	Total	Percent
Total Hall County Employment	100,733	-
Workers in Hall County Commuting from Elsewhere	57,971	58%
Workers Living and Working in Hall County	42,762	42%
Working Residents	97,610	-
Workers Living in Hall County Employed Elsewhere	54,848	56%
Workers Living and Working in Hall County	42,762	44%

Commuting Characteristics



Source: KB Advisory Group based on data from Claritas Spotlight.

Hall County Residents by Commute Destination

Destination	Percent
Hall County, GA	46%
Gwinnett County, GA	15%
Fulton County, GA	8%
Forsyth County, GA	4%
Jackson County, GA	4%
Cobb County, GA	3%
DeKalb County, GA	3%
Habersham County, GA	1%
Lumpkin County, GA	1%
Clarke County, GA	1%
All Other Locations	15%

Hall County Employees by Commute Origin

Destination	Percent
Hall County, GA	42%
Gwinnett County, GA	11%
Fulton County, GA	4%
Forsyth County, GA	4%
Jackson County, GA	3%
Cobb County, GA	3%
DeKalb County, GA	2%
Habersham County, GA	2%
Lumpkin County, GA	2%
Clarke County, GA	2%
All Other Locations	24%

Source: KB Advisory Group based on data from Claritas Spotlight.

Commercial Development

Recent Development

Real estate analysts classify commercial development as multifamily, office, retail, industrial, hospitality, and healthcare related. Under that definition, since 2017 the entire county has seen over 14 million square feet of commercial development. Over 60% of this development has been industrial, with multifamily construction a distant second. Unincorporated Hall County has seen 21.5% of all new commercial development, with most of it being industrial.

Commercial development over the past five years has predominantly clustered in the following locations:

- Within two miles of I-985
- In the center or southwestern portions of the county
- Within or near municipalities

Commercial Development by Location & Type (2017-present)

	Multifamily	Office	Retail	Industrial	Hospitality	Healthcare	Total
Unincorporated	492,156	24,654	268,988	2,133,751	20,000	100,000	3,039,549
Gainesville	2,204,137	68,028	69,884	946,888	64,198	88,493	3,441,628
Braselton	250,000	60,010	196,482	0	0	0	506,492
Buford	0	0	1,800	3,499,229	0	0	3,501,029
Oakwood	320,000	35,138	14,078	1,050,200	0	0	1,419,416
Flowery Branch	699,000	0	6,253	1,492,688	0	0	2,197,941
Total	3,965,293	187,830	557,485	9,122,756	84,198	188,493	14,106,055

Source: KB Advisory Group based on data from CoStar

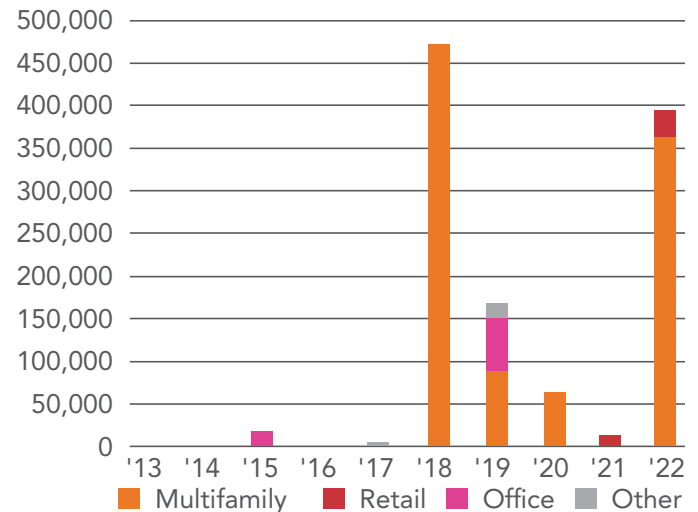
Hall County Universities: Brenau University

Higher education institutions are known to be regional economic development generators. A one-mile radius around Brenau University in Gainesville was surveyed to determine recent development trends in proximity to the school. Out of 7.3 million square feet of real estate inventory in the area, 15% of the total was added in the last decade, over 60% of which was multifamily.

Commercial Real Estate SF Growth, 1-Mile Radius Around Brenau University

Real Estate Type	SF Added Last Decade	Last Decade as Percent of Total	Total Inventory (SF)
Multifamily	981,907	60.5%	1,624,127
Retail	49,935	4.4%	1,146,404
Office	75,937	2.9%	2,641,804
All Others	20,400	1.1%	1,888,594
Total	1,128,179	15.5%	7,300,929

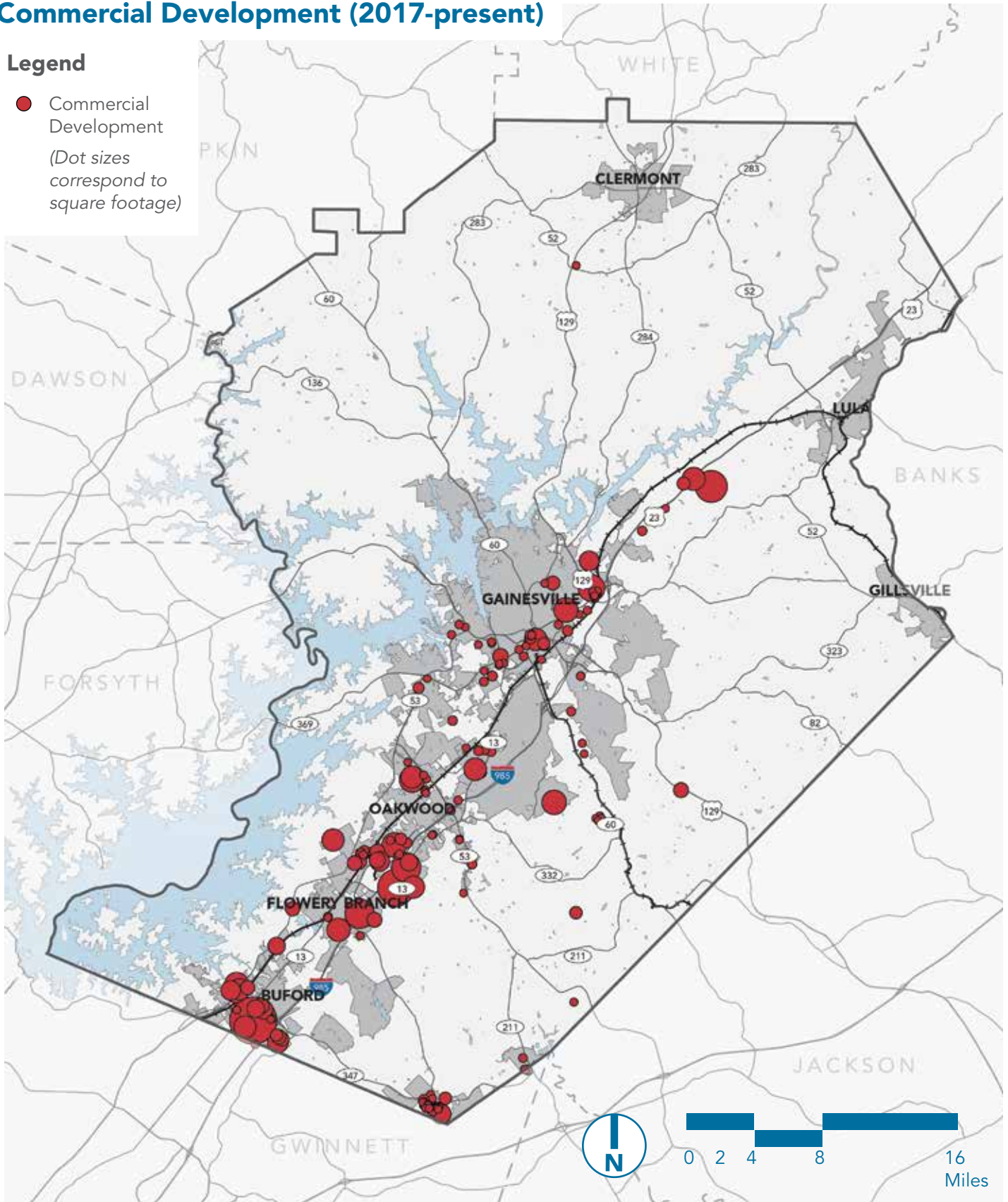
Source: KB Advisory Group based on data from CoStar



Commercial Development (2017-present)

Legend

- Commercial Development
(Dot sizes correspond to square footage)

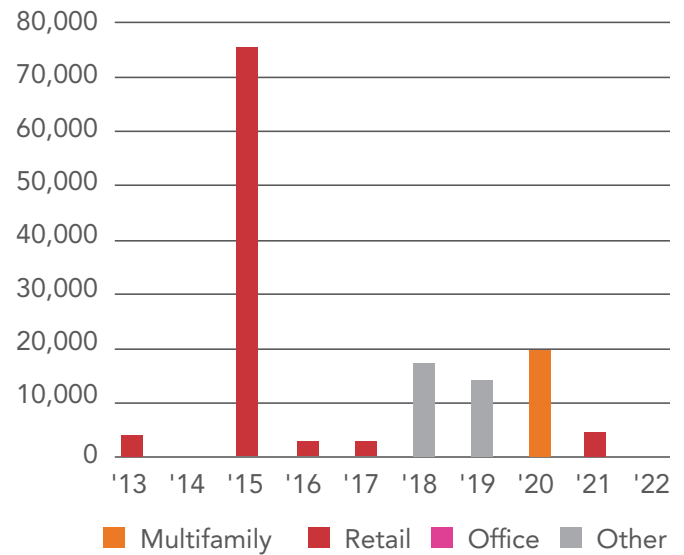


Hall County Universities: UNG Gainesville

A one-mile radius around the UNG-Gainesville campus was surveyed. Only 3.4% of the total commercial real estate around the UNGG campus has been built in the last ten years. Of this recently built inventory, retail is the largest single sector, with over 85,000 square feet of inventory added.

Commercial Real Estate SF Growth, 1-Mile Radius Around UNG Gainesville

Real Estate Type	SF Added Last Decade	Last Decade as Percent of Total	Total Inventory (SF)
Multifamily	20,000	2.1%	960,093
Retail	86,510	8.7%	989,052
Office	0	0.0%	328,696
All Others	32,710	1.9%	1,767,362
Total	139,220	3.4%	4,045,203



Source: KB Advisory Group based on data from CoStar

Development Pipeline

An additional roughly five million square feet of commercial development is either proposed or currently under construction. Over 60% of this new inventory is industrial, with multifamily again being the second largest figure. Almost 70% of this new inventory will be in unincorporated Hall County but will still be close to I-985 and the cities in the center and south of the county.

Commercial Development by Location & Type (2017-present)

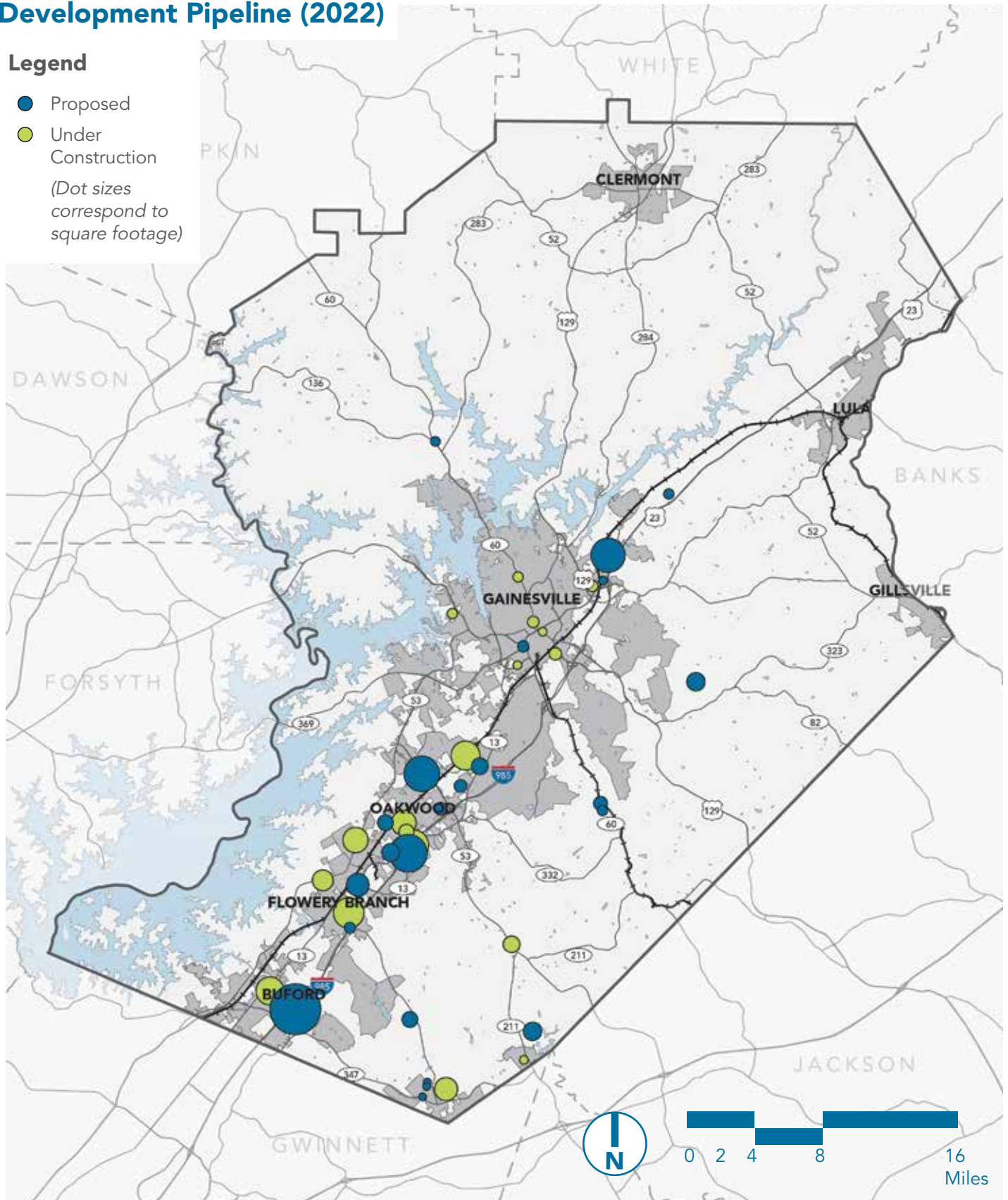
	Multifamily	Office	Retail	Industrial	Hospitality	Healthcare	Total
Unincorporated	1,165,500	122,500	28,055	2,046,206	35,000	15,000	3,407,261
Gainesville	461,000	0	10,542	414,375	95,474	0	981,391
Braselton	0	9,000	8,900	5,000	0	0	22,900
Buford	0	0	0	261,396	0	0	261,396
Oakwood	0	0	0	546,866	35,343	0	582,209
Flowery Branch	0	9,000	8,900	5,000	0	0	22,900
Total	1,621,500	140,500	56,937	3,278,843	165,817	15,000	5,278,057

Source: KB Advisory Group based on data from CoStar

Development Pipeline (2022)

Legend

- Proposed
- Under Construction
(Dot sizes correspond to square footage)



Broadband

Overview

Broadband refers to an active, high-speed internet connection. More technically speaking, however, broadband is defined as 25 megabits per second (Mbps) download speed and a 3 Mbps upload speed. For instance, a user could easily load a high-quality YouTube video at this speed. This is how the state of Georgia defines broadband, and in 2018, the state launched the Georgia Broadband Deployment Initiative (GBDI) in recognition of how vital broadband is to thriving communities.

It is important to provide quality broadband coverage across the entire county to compete in the 21st century. By including strategies and proposed policies in this comprehensive plan, Hall County is taking the first step toward becoming designated as a broadband-ready community. While the county enjoys a large coverage of broadband service at 98%, the 2% of the county that is not serviced by broadband represents 2,096 locations, as measured by addresses.

Georgia's Broadband Deployment Initiative (GBDI)

GBDI was launched in 2018 to promote and deploy broadband to unserved areas. GBDI is an inter-agency effort between the Georgia Department of Community Affairs (DCA), Georgia Technology Authority (GTA), Department of Economic Development (DEcD), State Properties Commission (SPC), and Georgia Department of Transportation (GDOT). DCA and GTA lead this group and coordinate stakeholders such as providers and local governments to expand access. DCA requires comprehensive plans to have a broadband component ensuring that broadband integration and prioritization are state-wide.

Detailed Broadband Conditions

The map on the following page represents the state's most recent data, published June 30, 2023. An interactive version of this map, which includes detailed locations of the unserved areas and data

on the entire state of Georgia, can be found on the GBDI website. Hall County enjoys extensive broadband coverage (orange), about 98% of the county. However, areas in North Hall and East Hall remain unserved (white). It should be noted that many of the unserved locations in these areas are largely undeveloped.

The map is organized by census blocks within the county. For this map, areas served are defined as having a "broadband definition of 25 Mbps down and 3 Mbps up, and where the broadband service is available to more than 80% of locations in a census block." Any census blocks that do not meet these standards are classified as unserved. The areas within the county that are neither served nor unserved are classified as "no location," meaning there is no commercially available source for the data.

Service Statistics Summary

- Served locations: 85,792
- Unserved locations: 2,096 (2% of population)

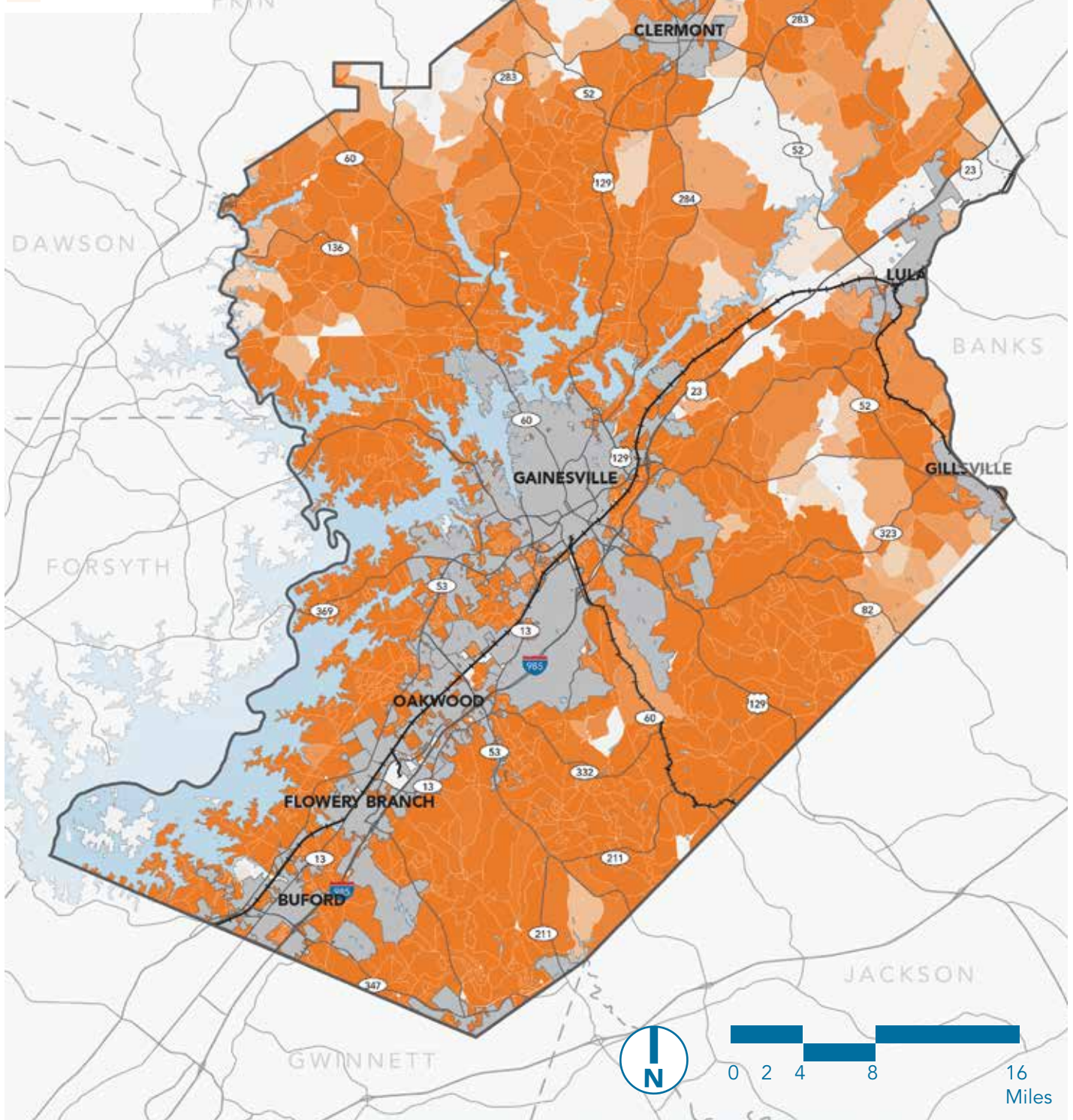
Broadband Ready Community

To be eligible for funds at the state and federal level to expand broadband access, the County can pursue designation by DCA as a "Broadband Ready Community." The County currently does not qualify for this designation, but by including Broadband as part of the Comprehensive Plan, the County has taken the first step toward joining 34 other counties that are designated Broadband Ready Communities. The designation aims to show that the County has taken steps to reduce obstacles to broadband infrastructure investment. The next step toward becoming a Broadband-Ready Community is adopting the model ordinance outlined in O.C.G.A. §50-40-40.

Broadband Service Map

Legend

Level of Service



Parks, Recreation, & Greenspace

Overview

The County's *Parks Facilities Master Plan* (2019) defines greenspace as "undisturbed or minimally developed natural areas that are addressing ecological and natural system needs; this land is devoted primarily to ecosystem services, biodiversity, and wildlife habitat/travel corridors; Greenspace can include outdoor recreation, historic, and/or educational activities that have limited or minimal impact on natural systems/habitat; land designated as greenspace generally includes some level of permanent protection from development."

In 2005, the Gainesville-Hall Chamber of Commerce undertook a strategic planning initiative that identified several "Big Ideas" for creating a desired vision for the county by the year 2030. One of the Big Ideas was the creation of the Greenspace Initiative, a group of volunteers that has been active in greenspace planning and advocacy, as well as the development of the Highlands to Islands Multi-use Trail system. In 2013, the committee developed a Greenspace Report and Greenspace Vision Map, which proposes a series of greenways, areas for accommodating additional regional parks, watersheds and viewsheds for protection. The report's recommendations include the creation of a prioritized, phased implementation plan that gradually increases the amount of the county designated as permanently protected greenspace (whether trails, parkland, conservation easement, etc.) from 6.6% to 20%.

Inventory

Hall County currently has 836 acres of parkland (across 22 parks) and 1,292 acres of greenspace. Within this portfolio, the Hall County Parks & Leisure Services manages:

- ① Alberta Banks Park
- ② The Allen Creek Soccer Complex, which is jointly managed with the Gainesville Parks and Recreation Agency
- ③ Butler Park
- ④ Cedar Creek Reservoir
- ⑤ Cherokee Bluffs Park
- ⑥ Chicopee Woods Agricultural Center
- ⑦ Cool Springs Park
- ⑧ East Hall Community Center
- ⑨ Hog Mountain Sports Complex at Flowery Branch High School
- ⑩ Mulberry Creek Community Center and Park
- ⑪ Murrayville Park
- ⑫ North Hall Community Center and Park
- ⑬ Platt Park
- ⑭ Sardis Park and Sports Complex at Chestatee High School and Sardis Elementary School
- ⑮ Spout Springs Sports Complex at Cherokee Bluffs High School
- ⑯ Tadmore Park
- ⑰ Williams Mill Greenspace




Five leased properties from the Army Corps of Engineers, including:

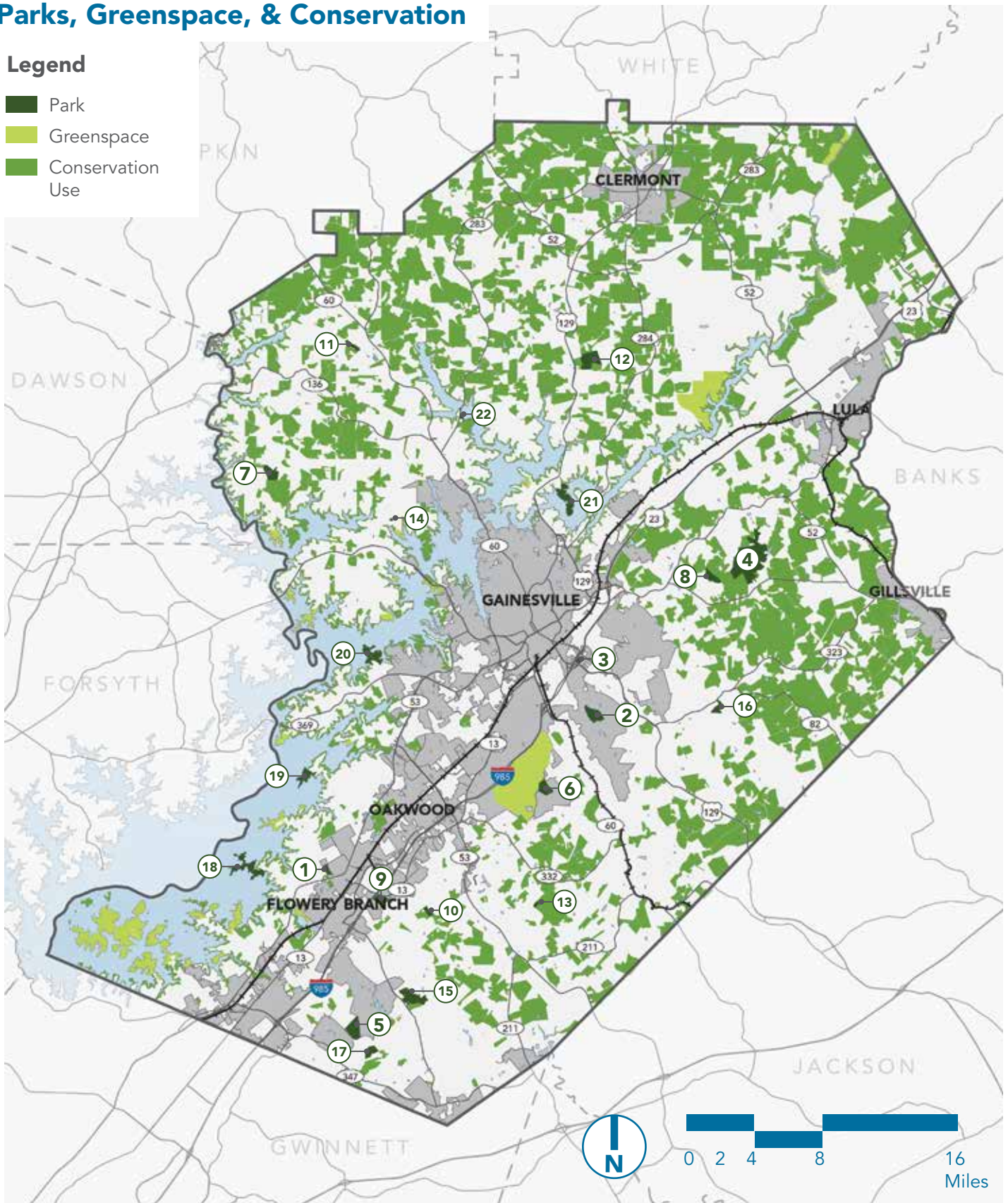
- ⑱ Aqualand Marina
- ⑲ Sunrise Cove Marina
- ⑳ River Forks Park and Campground
- ㉑ Laurel Park
- ㉒ Wahoo Creek Park

In addition to County-owned and operated facilities, there are two state parks in the county used as greenspace: Don Carter State Park and Mossy Creek State Park. The map on page 85 shows where these parks, facilities, and greenspace are located.

Parks, Greenspace, & Conservation

Legend

-  Park
-  Greenspace
-  Conservation Use



Analysis

The *Parks Facilities Master Plan* conducted a gap analysis on park land and greenspace to identify the difference between existing resources and the resources needed to meet the community's needs now and in the future. The gap analysis evaluated the County's inventory, data trends, and projected needs.

Based on National Recreation and Park Association (NRPA) benchmarks, a community the size of Hall County should have 43 parks, greenspaces, and natural areas. Hall County has 26 to 27 fewer parks than the NRPA benchmark. By 2030, this need will grow to 57, which translates to a need for 31 new parks, greenspaces, and natural areas.

Based on NRPA benchmarks, a community with the population size of Hall County would have 8.5 acres of park land per 1,000 residents, or 1,369 acres of park land. Hall County has 5.2 acres of park land per 1,000 residents, or 836 total acres of parkland. This is 3.3 acres per 1,000 people, or 533 total acres less than the benchmark.

Based on a Community Greenspace benchmark, a community with a population the size of Hall County should have 1,292 acres of greenspace based on a level of service of 8.6 acres per 1,000 residents. Currently Hall County has the right amount of land, but this number will need to increase as the population grows.

Lastly, based on NRPA and Community Greenspace benchmarks, the amount of property (or acreage under conservation/recreational easement) needed by 2030 is projected to be a total of 3,228 acres of available acreage:

- 1,605 acres of parkland
- 1,623 acres of greenspace

By 2030, Hall County is projected to have a total deficit of 1,100 acres of park land and greenspace:

- 769 acres of park land
- 332 acres of greenspace

Gap Analysis

NRPA Classification	NRPA Acres/1,000 residents	NRPA Benchmark (Acres)	Existing Acres	Existing Gap (2018)	Projected Acres Needed (2030)	Projected Gap 2030
Mini-Parks/Play Lots	0.10	16	1	(16)	19	(18)
Neighborhood Parks	1	113	13	(100)	132	(119)
Community Parks	4	564	85	(478)	661	(575)
Regional Parks & Specialty Parks	4	676	737	61	793	(56)
Total		1,369	836	(533)	1,605	(769)

Source: *Parks Facilities Master Plan*



Natural Resources

Environmental Planning Criteria

The state of Georgia requires comprehensive plans to consider natural resources in the environment. The Georgia Department of Natural Resources (DNR) developed Rules for Environmental Planning Criteria (Chapter 391-3-16) that establish minimum standards that must be used. These minimum standards and procedures, also known as Part V Criteria, are required under the Georgia Planning Act to be used by local communities in the development of comprehensive plans. In addition, the Georgia DCA's Minimum Standards and Procedures for Local Comprehensive Planning (Chapter 110-2-1) require local governments to review the Part V Criteria to determine if there is a need to adapt development regulations to address protection of the following natural resources:

- Water Supply Watersheds
- Groundwater Recharge Areas
- Wetlands
- Protected Rivers
- Protected Mountains

The Compliance with the State Environmental Planning Criteria table in this section indicates whether these natural resources are present in Hall County and if the county has implemented protection efforts.

Regional Water Plan

DCA's Minimum Standards and Procedures for Local Comprehensive Planning require local governments to review the Regional Water Plan when preparing a comprehensive plan to determine whether additional or modified regulations/actions are needed. The Metropolitan North Georgia Water Planning District (MNGWPD) coordinates regional planning efforts that address long-term water quality protection and adequate water supply. Its member jurisdictions include 15 counties and 95 cities. In June 2017, a consolidated Water Resource Management Plan was approved by MNGWPD.

Other Natural Resources

Floodplains

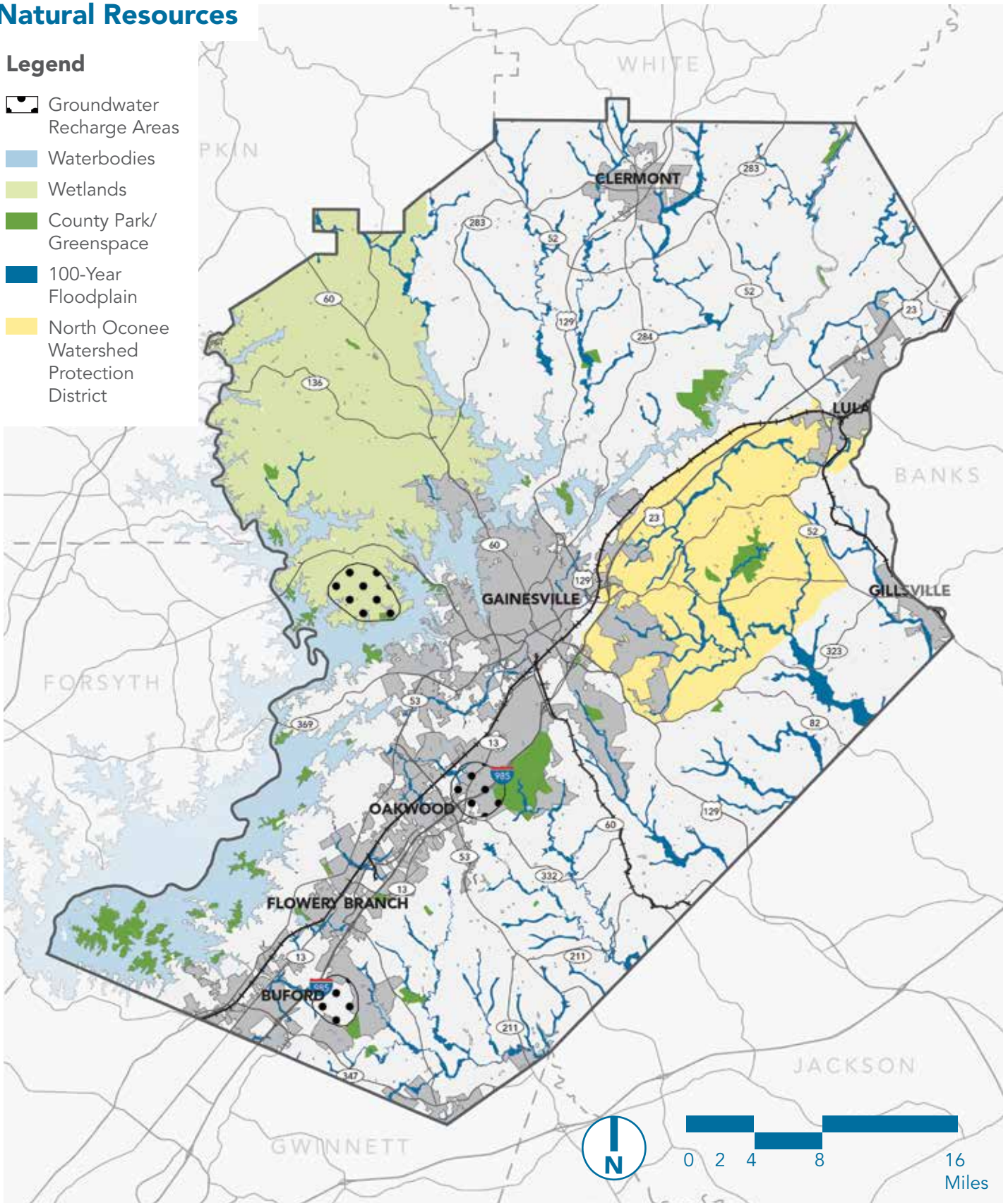
A floodplain is any land susceptible to being inundated by water from any source. Floodplains serve three major purposes: natural water storage and conveyance, water quality maintenance, and groundwater recharge. Unsuitable development can prevent floodplains from serving their purpose. For example, fill material placed in the floodplain can eliminate essential water storage capacity, causing water elevation to rise, resulting in the flooding of previously dry land. Hall County's 100-year floodplains are shown on the Natural Resources Map on page 89. The 100-year floodplain is an area that will be inundated by the flood event having a 1% chance of being equaled or exceeded in any given year.

The County has adopted a Floodplain Management/Flood Damage Prevention ordinance, which sets forth standards for development within the floodplain. A community's floodplain management activities, including having effective ordinances in place, can make it eligible to participate in the National Flood Insurance Program's (NFIP) Community Rating System (CRS). The CRS program is a voluntary incentive program that recognizes and encourages activities that exceed the minimum NFIP requirements. Depending upon the level of participation, flood insurance premium rates for policyholders can be reduced up to 45%. Hall County currently does not participate in the CRS program.

Natural Resources

Legend

-  Groundwater Recharge Areas
-  Waterbodies
-  Wetlands
-  County Park/ Greenspace
-  100-Year Floodplain
-  North Oconee Watershed Protection District



Compliance with State Environmental Planning Criteria

Resource	Definition ¹	Location	Local Protections
Water Supply Watershed	The area of land upstream of a governmentally owned public drinking water intake; a "small water supply watershed" has less than 100 square miles of land within the drainage basin upstream of a governmentally owned public drinking water supply intake.	The North Oconee Water Supply Watershed Protection District (a small water supply watershed in East Hall).	Watershed Protection Ordinance: Yes.
			Typical provisions: <ul style="list-style-type: none"> • Buffer and impervious surface requirements for streams within a 7-mile radius of a water supply reservoir.
Groundwater Recharge Areas	Any portion of the earth's surface where water infiltrates into the ground to replenish an aquifer.	As delineated by the DNR in Hydrologic Atlas 18, 1989 edition, there are three small, dispersed areas of low pollution susceptibility.	Groundwater Recharge Area Protection Ordinance: Yes.
			Typical provisions: <ul style="list-style-type: none"> • Septic tank regulations, including minimum lot sizes for new houses. • Special requirements for uses with on-site hazardous materials.
Wetlands	Areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.	County-wide, as delineated by the U.S. Fish and Wildlife Service National Wetlands Inventory; especially prominent in the Murrayville/Sardis Area.	Wetlands Protection Ordinance: Yes.
			Typical provisions: <ul style="list-style-type: none"> • Uses associated with contaminants are prohibited. • Local development permit is required for regulated activity.

Resource	Definition ¹	Location	Local Protections
Protected Rivers	Any perennial river or watercourse with an average annual flow of at least 400 cubic feet per second as determined by appropriate U.S. Geological Survey documents.	Chattahoochee River.	<p>River Corridor Protection Buffer:</p> <ul style="list-style-type: none"> No (county stream buffer requirements currently apply: 50' vegetative buffer and additional 25' setback for impervious surfaces). <p>Key provisions of a river corridor buffer per state model ordinance:</p> <ul style="list-style-type: none"> 100-foot buffer Limits on land disturbance within the buffer
Protected Mountains	All land area 2,200 feet or more above mean sea level, that has a slope of 25% or greater for at least 500 feet horizontally, and shall include the crests, summits, and ridge tops which lie at elevations higher than any such area.	There are no protected mountains in Hall County.	Not applicable to Hall County.

¹ Definitions taken from DNR Rules for Environmental Planning Criteria (Chapter 391-3-16)

Impaired Waters

The Clean Water Act requires the Georgia Environmental Protection Division (GAEPD) to monitor the quality of freshwater rivers, streams, and lakes. Waterbodies that do not support their designated uses (e.g., recreation, water supply, aquatic life) due to poor water quality are included on a list of impaired waters, also known as the 303(d) list of waters. Impairments must be addressed through the development of a Total Maximum Daily Load (TMDL), which sets a pollutant budget and outlines strategies for corrective action.

Lake Lanier is composed of five segments, one of which (Browns Bridge Road/SR 369) is on the 303(d) list for chlorophyll A. Chlorophyll A is a pigment in algae that is used as an indicator of the potential presence of nutrients in a waterbody that causes excess algal growth. The State of Georgia includes this segment of Lake Lanier on its list of priority waters for protection; however, a TMDL will be written for the entire lake.

Historic Resources

Inventory of Historic Resources

Historic resource surveys provide a working base for communities in devising a local preservation strategy. In 2012 a survey of unincorporated Hall County was conducted by FindIT, a state-wide cultural resource survey program sponsored by the Georgia Transmission Corporation (GTC) in partnership with the Georgia Department of Natural Resources (DNR), and the Historic Preservation Division. The program is housed in the College of Environment + Design at the University of Georgia.

The Historic Resources Map in this section shows the locations of the surveyed resources, which include buildings and cemeteries. The buildings are categorized by age: those built before 1900; between 1900 and 1950; and, after 1950. The public can view the resources and detailed information from the survey on DNR's official web-based database system: NAHRGIS (Natural, Archaeological, and Historic Resources Geographic Information Systems).

National Register of Historic Places

The National Register of Historic Places (National Register) is the official list of the nation's historic and archaeological resources worthy of protection. A program of the U.S. Department of the Interior's National Park Service, the National Register is intended to identify, evaluate, and protect historic places. As an honorary designation, National Register status places no obligations or restrictions on private owners. However, to take advantage of incentive-based preservation programs such as the 20% Federal Historic Preservation Tax Incentives Program, rehabilitation projects must retain a property's historic character by following the Secretary of the Interior's Standards for Rehabilitation.

The National Register includes two historic resources in unincorporated Hall County (see Historic Resources Map): Healan's-Head's Mill and the Beulah Rucker School/House.

Healan's-Head's Mill

Located on Whitehall Road at the North Oconee River, the 1850 grist mill (and supporting buildings on the 4-acre property) was listed on the National Register of Historic Places in 1990. It was purchased by Fred and Burnice Healan in the 1960s and used as an antiques store.

In 2003, Hall County purchased the mill and four acres of surrounding land using grant funding from the Trust for Public Land. The County, along with a group of interested residents (known as Friends of Healan's-Head's Mill), is undertaking a multi-phased project to restore the mill. Plans include stabilization, which is being funded by the 2015 Special Purpose Local Option Sales Tax (SPLOST) referendum.





Future phases include additional property acquisition, renovations to make the mill operational, and construction of a Visitor's and Heritage Center and walking trails near the mill.

Beulah Rucker School/House

The circa 1915 Georgian cottage is located at 2110 Athens Highway, which is in the Morningside Heights community. The building was used as a house and school by Beulah Rucker, a noted educator who established a school for African American children. The school was one of only a few available to African American children and at one time was the only high school. It was listed on the National Register in 1995. It was rehabilitated by the Educational Foundation and Museum of Beulah Rucker Inc. and is currently in use as a museum.

Historic Resources Map

Legend

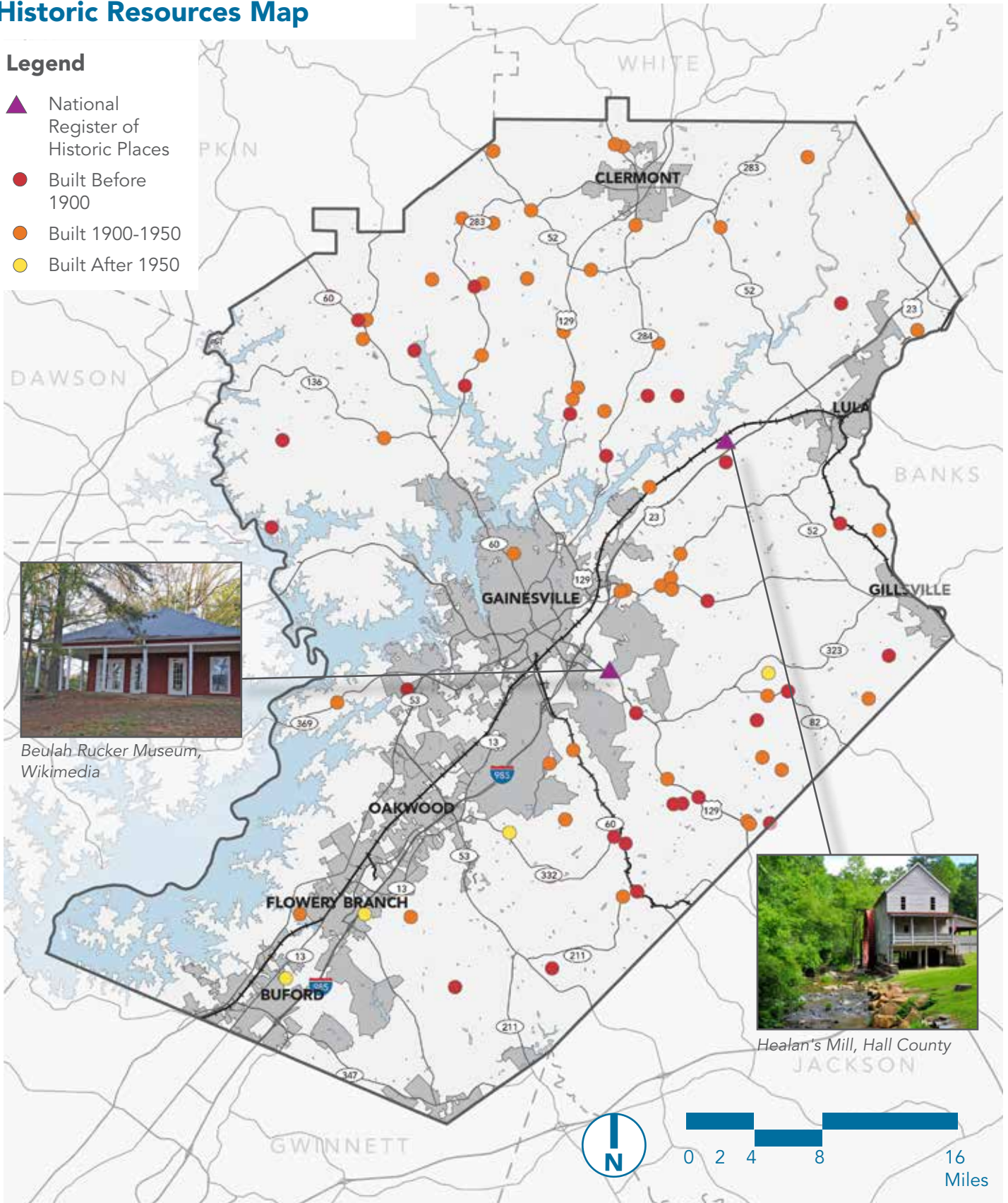
-  National Register of Historic Places
-  Built Before 1900
-  Built 1900-1950
-  Built After 1950



Beulah Rucker Museum, Wikimedia



Healan's Mill, Hall County



Susceptibility to Change

Overview

Susceptibility to change refers to the likelihood that a piece of land will see some level of change within a given timeframe. A susceptibility to change analysis was conducted to determine which tax parcels in Hall County's digest are most likely to see new development or major land use changes in the short term (less than 10 years), which ones could see more minor or longer-term changes, and which ones are most likely to remain as they are. The results of this analysis highlighted which areas of the county can expect to experience future growth, and then were compared to community input to inform future development recommendations. Parcels that have a low susceptibility to change include those with structures not in need of rehabilitation, newly constructed or renovated buildings, newer or high-quality housing, and civic uses like churches, public and institutional uses like schools, parks, and historic structures. High susceptibility, in this case, indicates vacant parcels and/or buildings, parcels in which the land value exceeds the building value, and structures either showing obvious signs of deterioration or failing. The map on page 97 shows the results of the analysis.



Low Susceptibility

- Newly constructed buildings
- Stable/established neighborhoods
- Tax-exempt uses like parks, churches, and schools
- Buildings/properties in good condition and/or well-maintained



Medium Susceptibility

- Land uses that could relocate (i.e., commercial or industrial)
- Less stable neighborhoods
- Vacancy (either the building or land)
- Buildings/properties starting to show some cosmetic decline or signs of decay
- Likely to see minor changes in the short term, or major changes in the long term



High Susceptibility

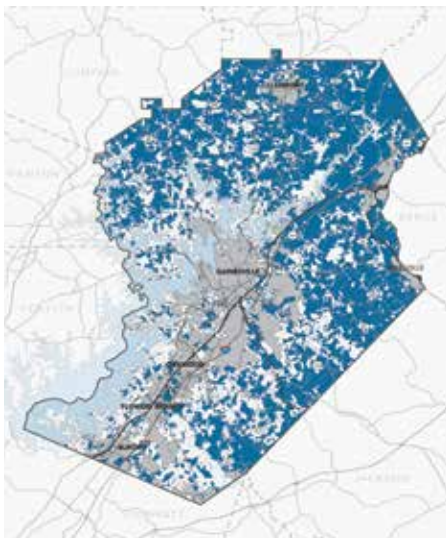
- Vacancy (either the building or land)
- Agricultural land with no improvements
- Properties with declining values
- Larger tracts of land (greater than 20 acres)
- Buildings/properties in fair to poor condition and showing obvious signs of decay

Methodology

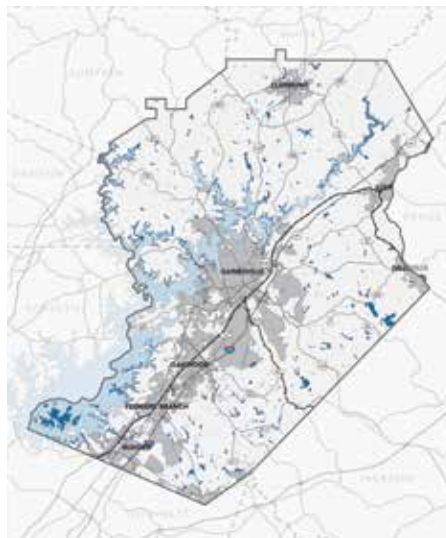
Susceptibility was determined based on nine factors and graded depending on how likely they were to influence susceptibility:

- Land value versus building value
 - 1 = building value is greater than land value
 - 2 = building value is less than land value
- Stability in value
 - 1 = value as compared to previous tax year is the same or greater
 - 2 = value as compared to previous tax year is less
- Land uses
 - 1 = residential uses, utilities, conservation areas, and tax-exempt uses such as schools, parks, and places of worship
 - 2 = agricultural, commercial, and industrial uses, along with vacant lands
- Presence of water
 - 1 = parcels with water, and more than 50% of their area lies within a body of water, stream buffer, or floodplain
 - 2 = parcels with water, and less than 50% of their area lies within a body of water, stream buffer, or floodplain
- Acreage
 - 1 = parcels with acreages of less than 20 acres
 - 2 = parcels with acreages of more than 20 acres
- Ownership
 - 1 = owned by a private individual or organization
 - 2 = owned by the County, City government, public utility company, or Hall County Schools

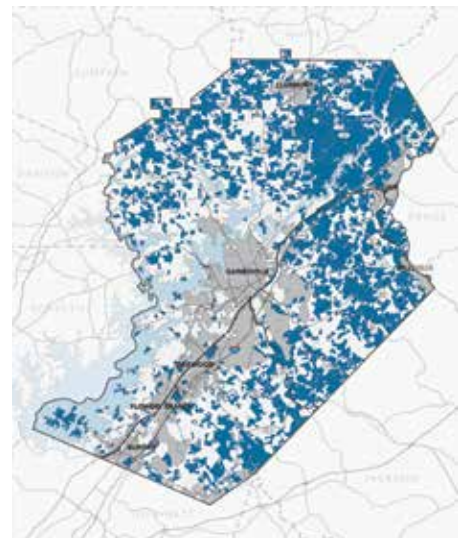
Susceptible Land Uses



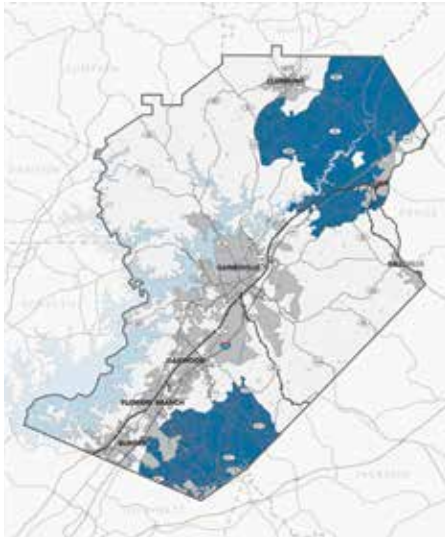
Presence of Water



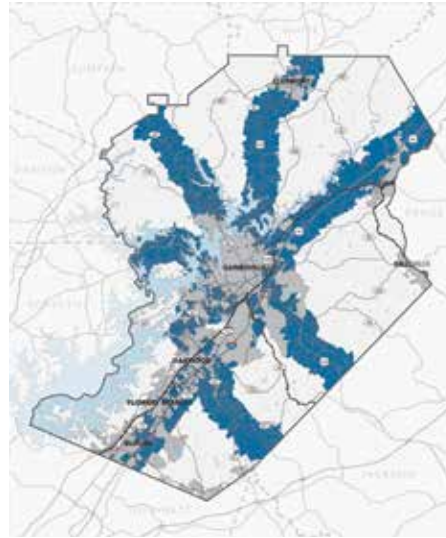
Parcels Over 20 Acres



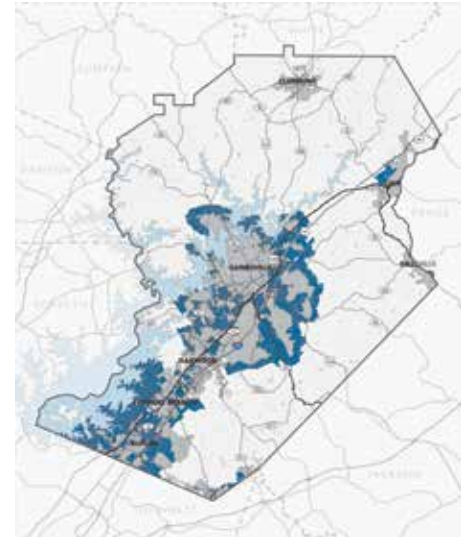
Sewer Priority Areas



Proximity to Major Roads



Spheres of Influence



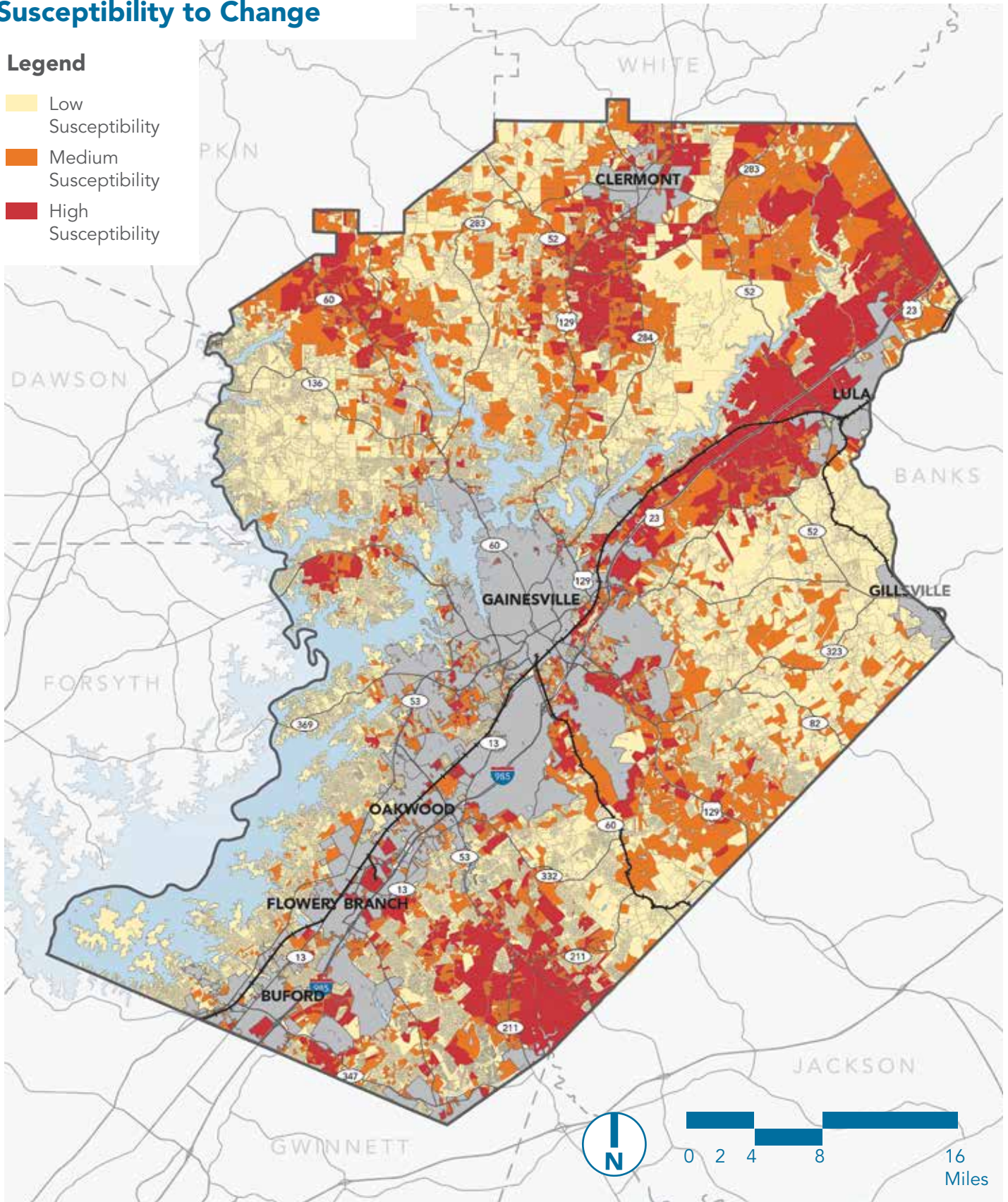
- Location within a priority sewer area identified by the *Sewer Master Plan and Rate Study* (see page 67 for more information)
 - 0 = parcels in a sewer district not controlled by Hall County
 - 1 = parcels in Hall County's sewer district
 - 2 = parcels in Hall County's sewer district and lie within either the North Hall or South Hall priority sewer area
- Proximity to a principal arterial or interstate based on the Functional Classification map on page 55
 - 0 = parcels more than two miles from a principal arterial or Interstate
 - 1 = parcels between one and two miles from a principal arterial or Interstate
 - 2 = parcels less than one mile from a principal arterial or Interstate
- "Sphere of influence"
 - 0 = all other parcels
 - 1 = parcels within the "sphere of influence" of a city as noted in those cities' comprehensive plans (Gainesville, Oakwood, Flowery Branch, Buford, Braselton, and Lula)

The values described above were assigned for each parcel were put into an attribute table on ArcGIS and the numbers were added. Total values ranged from 6 to 15 and were analyzed for "natural breaks" to inform low, medium, or high susceptibility. The resulting map was analyzed for "inconsistencies," such as areas that were designated as highly susceptible to change but are realistically not going to see tremendous change (like residential subdivisions), and then corrected accordingly.

Susceptibility to Change

Legend

- Low Susceptibility
- Medium Susceptibility
- High Susceptibility



Results

The table, the map on page 97, and the maps on the facing page show the breakdown of susceptibility both county-wide and in each of the six planning areas.

The area of the county with the most land that is highly susceptible to change over the next ten years is the Chestnut Mountain/Candler area. This area is most impacted by the presence of SR 211/Winder Highway, its proximity to both Gainesville and Braselton, a high number of large lots, and very little water. Neighboring Jackson County, one of the state's fastest growing counties, will likely have a spillover effect on growth in this area, especially along SR 53 headed into Gainesville.

The East Hall area is also expected to change a lot over the next decade. This is due to its proximity to SR 365/Cornelia Highway and the number of large tracts of agricultural land. The construction of the new Inland Port along SR 365/Cornelia Highway will impact this area even greater. The Inland Port will bring an influx of industrial, office, and flex land, which will generate both jobs and new demand for housing and services.

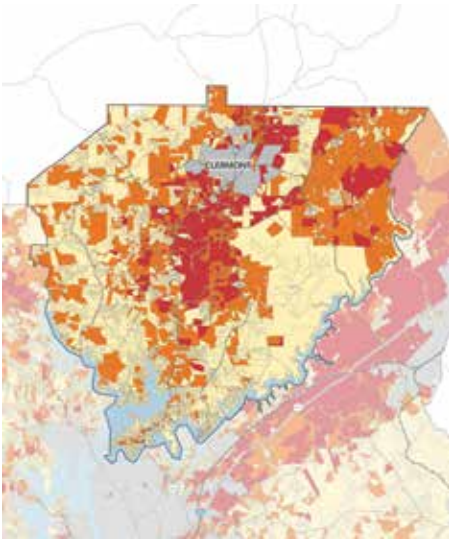
The Gainesville Area will also change, although likely not as much as Chestnut Mountain/Candler and East Hall. As the county grows in population, Gainesville is likely to absorb around 20% of that growth, either within its existing city limits or future annexations. There are undeveloped tracts touching the city's boundaries that could see new development, along with pockets of underutilized land that could see redevelopment.

As a whole, the county's future growth patterns are concentrated mostly along principal roads, near existing cities, and in areas with sewer access or that will eventually have sewer access. Developers will seek to build new residences and commercial properties on large tracts of land of at least 20 acres. This analysis will inform future land use recommendations in different areas of the county, particularly as it relates to density, use, and zoning.

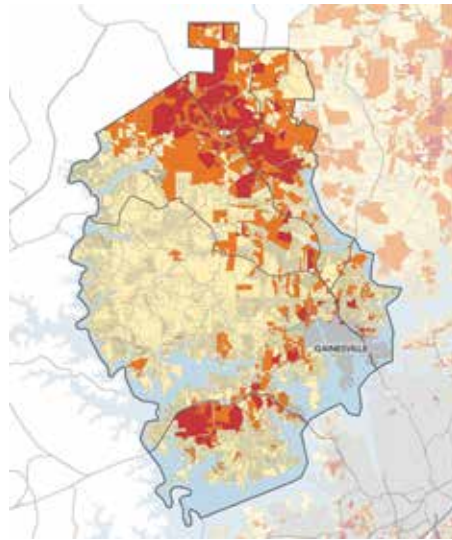
Susceptibility to Change Analysis Results

Susceptibility Level	Acreage	Percentage
COUNTY-WIDE		
Low	111,619.5	55.10%
Medium	52,881.4	26.10%
High	38,071.6	18.79%
NORTH HALL		
Low	28,757.4	52.64%
Medium	1,8210.5	33.33%
High	7,663.1	14.03%
MURRAYVILLE/SARDIS		
Low	2,1032.8	66.58%
Medium	6,768.8	21.43%
High	3,789.1	11.99%
GAINESVILLE AREA		
Low	7,859.8	50.38%
Medium	4,467.1	28.64%
High	3,273.1	20.98%
EAST HALL		
Low	27,421.1	48.49%
Medium	15,130.0	26.75%
High	14,002.3	24.76%
CHESTNUT MOUNTAIN/CANDLER		
Low	11,608.4	51.05%
Medium	4,585.6	20.16%
High	6,546.7	28.79%
SOUTH HALL		
Low	14,939.9	69.63%
Medium	3,719.4	17.33%
High	2,797.3	13.04%

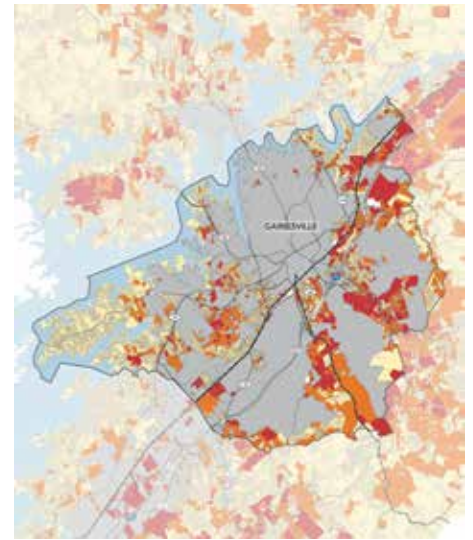
North Hall



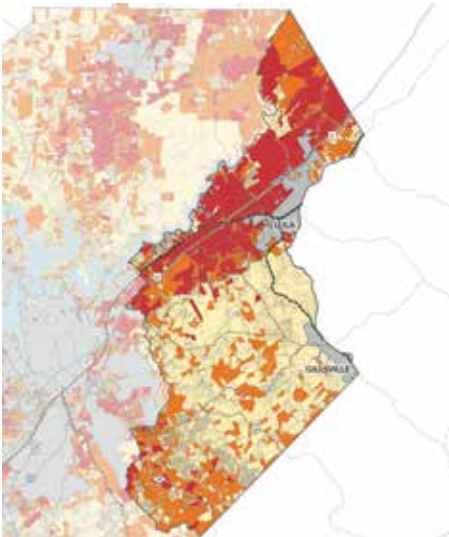
Murrayville/Sardis



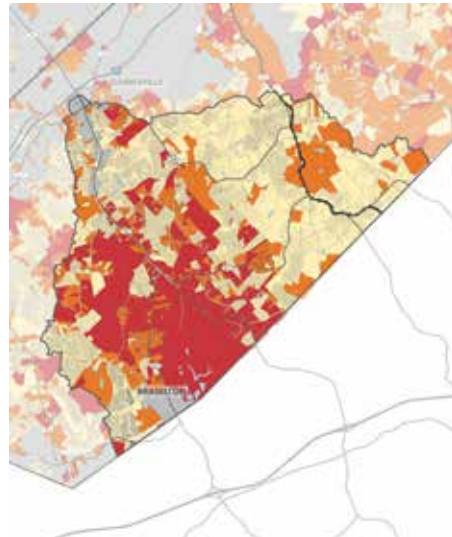
Gainesville Area



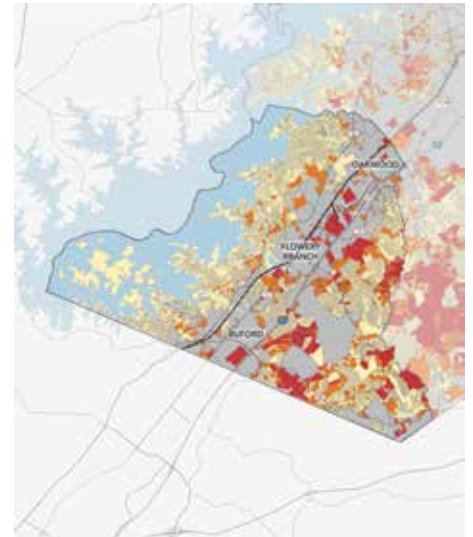
East Hall



Chestnut Mountain/Candler



South Hall



The Takeaways

This chapter evaluated existing conditions in Hall County to begin identifying the challenges and opportunities. This analysis included many topics: demographics, land use, housing, transportation, infrastructure, community resources, economics, commercial development, broadband, parks and recreation, greenspace, and natural resources. The findings informed the final analysis, looking at the susceptibility to change throughout the county at the parcel level. The highlights from each analysis area are summarized below.

- Some trends in the analysis applied to the entire county – possibly one of the most important is that Hall County’s **population** is growing quickly, more quickly than the rest of the state. If trends continue, the county could have over 382,000 residents by 2050, an increase in 120,000 residents in the unincorporated areas alone. For the most part, this population enjoys more wealth, larger household sizes, and more children than the rest of the state. However, to continue to support high median incomes and large household sizes amidst a rapidly growing population, Hall County service providers will need to strategically plan how to scale up their resources to meet increasing demand.
- Analysis of Hall County’s **existing land use patterns** shows an agricultural county with just under 50% of the land devoted to agriculture and roughly 30% devoted to residential uses. About 8% of the land in the county is vacant. The ongoing UDC update will help with zoning issues and ensure Hall County’s legal land uses reflect the context of today and plan for tomorrow.
- Hall County’s **housing supply** was primarily built before 2000 and consists of mostly single-family houses. Recent development has been concentrated in South Hall. The rapid population growth combined with a lack of housing built in the last 20 years has led to drastic price increase in housing. The average new for-sale housing prices have increased by \$115,000 since 2017, and rents have increased by about 30% since then. The supply and demand discrepancy has led to housing attainability pressures that Hall County must address now to ensure they aren’t further exacerbated by future population growth.
- The county’s **transportation network** provides opportunities for both personal vehicle and freight movement. The current level of service (LOS) across the county is good despite most roads having one or two through lanes. However, future demand modeling shows that the combined freight traffic increases and the personal vehicle traffic increases from population growth will decrease the LOS across the county’s roads significantly in the next 20 years if proper planning isn’t coordinated with the county or the GHMPO, and if other modes of transportation are built out. There are limited multimodal transportation options in Hall County: only one transit provider, a lack of cohesive sidewalk network in unincorporated areas, and few bike lanes. Recent studies have examined expanding trail and freight options to ease these pressures.
- A 2020 study has identified challenges and opportunities for improvement of Hall County’s **sewer infrastructure**. Implementing the proposed expansions of the 2020 *Hall County Sewer Master Plan & Rate Study* will ensure that growth is sustainable, and making regular updates will ensure that the proposed system expansions can continue to keep up with additional residential, commercial, and industrial growth.
- In line with the themes from other analysis areas, Hall County’s anticipated population growth will increase demand for its **community resources**, such as schools, libraries, and public safety. Many of the county’s current resources are clustered in the Gainesville Area and South Hall areas, which are the most populous. However, many of the other planning areas lack the same access to resources that Gainesville and South Hall enjoy. Expanding services to more rural areas such as East Hall, the Chestnut Mountain/Candler area, and the Murrayville/Sardis area can help provide a higher quality of life for all Hall County residents while ensuring enough resources for future populations.

- Analyzing **economic trends** in the county produced two critical takeaways for the comprehensive plan to consider. The first is that the top five largest employment sectors – production, sales, management, transportation, and construction – don’t necessarily align with the top land use, agriculture. Additionally, there is a fair amount of commuting between Gwinnett County and Hall County workers. Though about 42,000 Hall County residents commute to their jobs within Hall County, 55,000 workers commute outside of the county each day. Almost 80% of commuters travel alone in their vehicles as transit options within the county and region are limited. The County should consider expanding transit options and developing jobs near transit centers to keep residents within the county for work, reducing commute times.
- **Commercial development** has grown significantly in the last five years, aligned with the economic trends more closely than the existing land use trends. Much of the commercial development has been industrial, but there has been a notable amount of multifamily as well. Most of the development is in unincorporated Hall County near I-985 and near the cities. Current and proposed construction projects show these trends will likely be maintained into the future.
- Hall County enjoys comprehensive **broadband coverage** in 98% of areas, but unserved areas are concentrated in North Hall and East Hall. To unlock state funding to help expand broadband coverage in these areas, Hall County should explore the DCA's Georgia Broadband Program.
- A gap analysis on **parks, recreation, and greenspace conservation** was conducted in 2019 as part of the *Parks & Facilities Master Plan*. Several categories fell short of goal acreage per resident benchmarks, such as the number of parks, greenspaces, natural areas, and overall acreage devoted to these areas. To meet current and future demand for these amenities, Hall County will need to significantly increase resources to expand parks, recreation, and greenspace across the county over the next 20 years.
- Hall County contains many valuable **natural resources**, and residents are particularly proud that Lake Lanier is partly in the county. Hall County meets several state standards for waterway protection. However, additional protections could be implemented to promote the benefits of its natural resources and further protect them amidst growing development. Specifically, buffers on streams and rivers could be expanded to the state-recommended 100 feet rather than the current 50 feet.
- Hall County also has several **historic resources**, with two key sites on the National Historic Register. The county is actively involved in refurbishing Healan-Head’s Mill using SPLOST funds, and a local nonprofit actively maintains the other site, Beulah Rucker School House. The County’s support of both sites is critical to preserving Hall County’s diverse and rich history for current and future residents.
- The final analysis done throughout the county was a **susceptibility to change** analysis, which incorporated key findings and data from other existing conditions study areas. County-wide, about 20% of the land is susceptible to change, but those areas are concentrated in several planning areas. The Chestnut Mountain/Candler planning area was the most susceptible to change, followed by East Hall. Gainesville also had a notable susceptibility to change. As the most recently developed, South Hall is not very susceptible to change, as is the Murrayville/Sardis and North Hall areas due to their lack of access to infrastructure. Understanding which specific areas are most susceptible to change and what vision the residents of those areas have for their future paved the way for more precise land use recommendations in the "Future Land Use Strategy" chapter starting on page 154.

CHAPTER 3: COMMUNITY INPUT



Overview 104

Community Input Survey 107

Steering Committee Meetings 114

Public Meetings 118

The Takeaways 125

COMMUNITY INPUT

Overview

Community input is vital to ensuring that the Comprehensive Plan represents the community's interests. Not only is the input itself important, but the amount of input received ensures that the Hall County Board of Commissioners (BOC) have full confidence in the plan being the best resource in informing their decisions on future development.

To receive as much community input as possible, Hall County hosted a multitude of options for public input, occurring in almost every month of the planning process. The timeline was as follows:

November 2022	December 2022 & January 2023	February 2023	March 2023	April 2023	May 2023
Steering Committee Meeting # 1 (Virtual) Kick-Off Meeting/Public Hearing #1 Survey goes live	N/A	Steering Committee Meeting #2 Survey closes	Forward Thinking Workshops	N/A	Forward Action Workshops
June 2023	July 2023	August 2023	September 2023	October 2023	November 2023
Citizens Advisory Committee Meeting	Inter-governmental Advisory Committee Meeting	Steering Committee Meeting #3	Technical Advisory Committee Meeting	Draft Plan Open House	Steering Committee Meeting #4

Outreach Methods

Meaningful community involvement is a crucial part of any planning process. The planning team hosted a variety of in-person and virtual options to maximize engagement accessibility. The following techniques were used to gather input from stakeholders within Hall County:

- A dedicated project website that was linked to the Hall County website
- A series of online surveys to assess initial public opinion and gather input on types of improvements needed
- Steering Committee meetings
- Public meetings
- A "Meeting-in-a-Box" Toolkit
- Three Advisory Committees

Community Input by the Numbers



>12,500
website
visits



>1,300
total survey
responses



6
public
meetings



>200
meeting
participants



7
advisory
meetings



>2,200
comments
made

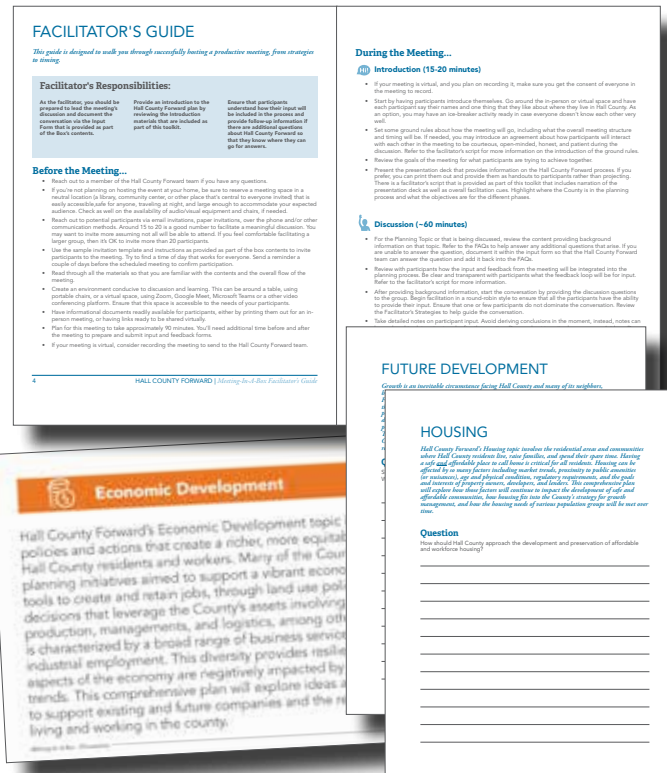
Marketing

The planning team worked with County staff to conduct marketing and communications for events. The Hall County website was used to promote meetings and online surveys. Social media platforms were also used to advertise meetings and the survey. The local news outlets printed press releases about the planning process and disseminated legal meeting notices. The County went to local events, like ballgames, to promote the Meeting-in-a-Box toolkit and virtual workshop activities. Some materials were translated to reach residents and stakeholders who speak Spanish as their native language.



"Meeting-in-a-Box" Toolkit

The "Meeting-in-a-Box" toolkit was intended to help interested stakeholders share ideas in a way that is more comfortable and suitable to their schedules. The toolkit was designed to provide input on the plan and all of its elements. All the necessary materials were hosted on the plan's website including the presentations, activities, and a "how-to" video on how to use the toolkit. A meeting facilitator could choose to host a meeting either virtually or in-person using the toolkit's facilitator guide and the materials provided could be adapted to either medium. The toolkit was used five times and reached over 100 people. This engagement opportunity was open through the end of 2023 to gather as much feedback as possible as the plan was developed.



Community Input Survey

The online survey was released at the first public meeting on November 14, 2022, and was closed on February 28, 2023. The survey was posted as six identical surveys, one for each planning area, to receive specific feedback on each of the individual planning areas. An additional survey was specifically designed for local youth/students. Respondents were allowed to fill out the survey for more than one planning area, but most filled out the survey corresponding to where they lived. A total of 630 responses were received across the six planning areas.

Results

Several themes emerged across each of the six planning areas: Gainesville, South Hall, Chestnut/Candler, North Hall, East Hall, and Murrayville/Sardis. The greatest overall concern residents expressed was about the rate and type of development being approved and built, and whether it aligned with the existing infrastructure capabilities, particularly roadways. There was a shared sentiment that the county's infrastructure was not actively being updated to match the new, increased demand brought about by rapid growth trends. Furthermore, respondents were concerned about the impacts of current development patterns on the environment and the county's character.

Regarding development types, the main development type respondents felt had too much growth was industrial, followed by multifamily housing. They indicated a preference to see more greenspace preservation and businesses, like restaurants, brought in throughout the county.

Specifically related to transportation, participants responded neutrally on the existing network but identified reducing traffic congestion at intersections and along key corridors, and overall improvements to enhance traffic flow as top priorities for transportation-specific planning in the future.



60 responses



81 responses



115 responses



64 responses



105 responses



198 responses



7 responses

630
total
responses

Many of the respondents indicated their favorite aspect about where they live is its general level of safety but were concerned that new development would potentially lead to an increase in crime. Finally, residents across planning areas shared concerns over rezoning applications being approved without public understanding behind the rationale. Respondents consistently indicated they were wary of the planning and zoning process as they felt that the BOC were not executing the residents' previously expressed vision.

NORTH HALL

The North Hall survey received 105 responses. Most respondents lived in North Hall, and they identified the area's character as being rural but changing. The residents expressed a desire for the future character of North Hall to remain rural with little change. Overwhelmingly, resident's favorite aspects about North Hall were its overall character and its general level of safety, which they prefer to be preserved.

There was not an overwhelming majority of what residents liked least, but the top responses were difficulty walking/biking to places (36%) and lack of housing affordability (31%). Comments suggested that rapid growth was also concerning.

Similar to other areas, survey respondents felt that not enough restaurants were being developed. However, they went further to extend this concern to retail as well. The lack of preservation for farms and woodland areas was a close third.

About half of the respondents thought there was too much "residential hybrid" development and multifamily apartments. This question in particular raised comments centered on preserving the rural character. 71% of North Hall residents signaled that the County should prioritize maintaining the quality of county services over the next 10-20 years.

In the transportation section of the survey, specific points of conflict identified were US 129/Cleveland Highway and SR 60/Thompson Bridge Road. There was a general concern about the overall quality of the road network and lack of sidewalks.

Respondents thought a lot of improvements to enhance mobility were important, but reducing traffic congestion at intersections and along key corridors, and improvements to enhance traffic flow, were the main two priorities for improvement to this area (84% and 80%, respectively). The comments did pick up on the lack of public transit service in North Hall and requested some increase in service.

The housing questions indicated that North Hall residents believe that the most important housing type was neighborhoods with open space (76%). They indicated the least important was multifamily apartments, townhouses, and accessory dwelling units (ADUs). 77% of respondents did not want to prioritize multifamily housing.

The final comments also highlighted broadband and cellular connectivity issues in North Hall as well as hyper-specific issues with the local Dari Spot restaurant and its surrounding neighborhoods.



87% OF NORTH HALL RESIDENTS WANT TO PRESERVE ITS RURAL CHARACTER

MURRAYVILLE/SARDIS

The Murrayville/Sardis survey received 64 responses, almost entirely from those who lived in the area. 61% of residents felt the area's character was rural but changing. About 38% of respondents thought this area had gotten worse while 34% felt it had stayed the same. Residents' favorite things about the area were its level of safety, proximity to basic services (schools, groceries, medical, etc.), and its overall rural character.

Qualities identified for improvement in the area were difficulty walking and biking to places (41%) and overall cleanliness and maintenance (33%).

Residents indicated there have been too many residential hybrid neighborhoods. The comments expanded on this selection by citing the lack of infrastructure (water and road) and current traffic problems. Notably, 60% think there has been just the right level of single-family residential development. Murrayville/Sardis residents also indicated the top priority for the County over the next 10-20 years should be maintaining the quality of County services.

Turning to transportation, over 80% of respondents thought reducing traffic congestion at intersections and along key corridors and improvements to enhance traffic flow were the main two priorities for improvement to this area.

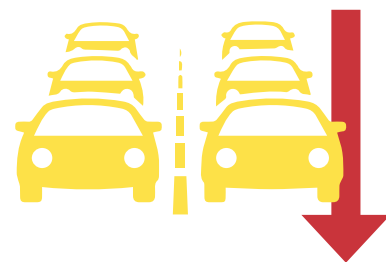
In terms of housing, the residents felt the only important housing type was neighborhoods with open space (78%) while the same number of respondents did not believe it was important to offer townhouses or multifamily housing.

Further housing comments raised concerns about abandoned mobile homes in the area and general code enforcement. Concluding comments were concerned about road and property maintenance by the County and fears of losing the area's rural character.

RESIDENTS SAID THE MOST IMPORTANT HOUSING TYPE FOR MURRAYVILLE/SARDIS IS NEIGHBORHOODS WITH OPEN SPACE



80% WANT TO SEE TRAFFIC CONGESTION REDUCED AT KEY INTERSECTIONS



GAINESVILLE AREA

Similar to the other surveys, most of the 116 respondents lived in the area, but a notable number also worked or owned property in the area, making this survey's respondents more unique.

The majority of respondents described the area as suburban, with an emphasis on businesses. However, the majority preferred it to be suburban with an emphasis on residential in the future.

The majority of survey responses indicated the area had improved in the last 5-10 years, with some of its best features being its access to parks, recreation, and trails (67%), and proximity to basic services (schools, groceries, medical, etc.) (78%).

The majority had the most issues with the challenge of driving to places and wanted that to be prioritized as an issue to be resolved. When exploring what types of development there had been too much or too little of, comments showed a desire to redevelop around this area rather than build new developments. Respondents desire what is already in the area to be well maintained.

The top three priorities for the future for those living and working in the Gainesville Area were increasing safety and security, maintaining parks, recreation, and open space, and maintaining the quality of County services.

For transportation in the Gainesville Area, most felt the number one issue was traffic, followed by a lack of alternative mobility options (bike lanes, walking, transit). Jesse Jewell Parkway was an area-specific hotspot identified as needing close planning attention.

Similar to all other areas in the county, top priorities for transportation planning in the next 10-20 years were improvements to enhance traffic flow and reducing traffic congestion at intersections along key corridors (93% and 96%, respectively).

Also similar to the rest of the county, the most important types of housing identified by respondents were neighborhoods with open space (77%). However, housing geared toward first time homebuyers was also considered to be important here. Gainesville area residents shared similar concerns with their neighbors in regard to crime as a possible negative side effect to the rapid development in the county.

TOP PRIORITIES FOR THE GAINESVILLE AREA:

1. INCREASE SAFETY
2. MAINTAIN PARKS
3. QUALITY COUNTY SERVICES



EAST HALL

This survey received 81 responses, the majority of which were by residents who lived in East Hall. About three-quarters of the residents indicated that East Hall's character was rural but changing. Even more of the respondents preferred its character to remain rural with little to no changes into the far future.

About half the residents think the area has gotten worse while the remaining respondents were split between East Hall improving or staying the same.

Respondents' favorite things about East Hall were its overall character and affordability. There were concerns over safety and overall cleanliness and maintenance that those in East Hall indicated wanting improvement. Many of the open-ended survey questions received comments that expanded on these issues of maintenance and cleanliness in greater detail.

East Hall residents were aligned with their counterparts in other areas of the county with regards to concerns about warehousing and industrial development in their area and a lack of environmental preservation or new business, particularly restaurants.

The majority of East Halls residents wanted maintaining the quality of County services and increasing safety and security as the top priorities for the County over the next 10-20 years.

Regarding transportation, East Hall residents shared some specific concerns around the traffic and maintenance on SR 365/Cornelia Highway, especially with regards to the incoming Inland Port. Similar to the rest of the county, they also want to prioritize reducing traffic congestion at intersections and along key corridors and improvements for enhancing traffic flow.

Lastly, East Hall would prefer to see more senior housing (53%) and houses on large estate lots (51%) in their area.

Some additional comments felt that East Hall hadn't received the same intentional maintenance

and planning priority as other areas in the county and would like further investment by the County's government in terms of maintaining and improving the area, less so in developing it.

50% + OF EAST HALL RESIDENTS WANT TO SEE MORE SENIOR HOUSING



EAST HALL ALSO WANTS MORE INTENTIONAL PLANNING



CHESTNUT MOUNTAIN/CANDLER

Sixty-eight percent of the 60 respondents to the Chestnut Mountain/Candler survey were residents of the area. The majority of those who took the survey felt that the area's character was rural but changing, and even more would like it to remain that way with little to moderate change.

There wasn't agreement on whether the County has improved or not: about 60% thought it stayed or improved (split evenly between the two options), but 40% thought the area had gotten worse.

Residents and those who work in the Chestnut Mountain/Candler area identified preserving the overall rural character of the area and its proximity to basic services such as schools, groceries or medical access, as two qualities they liked about it, and that they would want to see prioritized in the future.

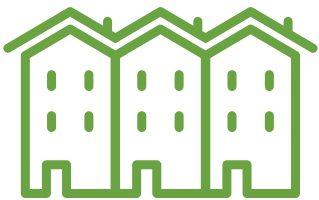
There was not one item that singularly stood out as being the least liked aspect of the area, or the highest priority for improvement. However, there were some general comments about the lack of connectivity driving from the area to other parts of the county and the lack of multi-modal transportation options, such as access to trails, bike lanes, walking, etc. Other prominent themes in the comments were that the area was becoming overly developed, yet not affordable to the residents.

Specific to the issue of over-development, residents shared there has been too much multifamily housing developed, as well as too much warehousing and manufacturing developed in the last 5-10 years. Similar to the rest of the county, they supported more preservation of farms and woodlands and additional community-serving businesses, including restaurants.

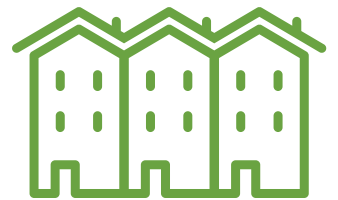
Chestnut Mountain/Candler area residents identified the following priorities for County-wide governance: maintaining the quality of County services, land use and zoning, and maintaining parks and open space.

Residents felt neutral towards the transportation network as a whole in the area, but they would like better road maintenance. They wanted to reduce traffic congestion at intersections and along key corridors, in line with their neighbors in other areas of the county.

Respondents indicated housing preferences in line with their desire to maintain the rural character of Chestnut Mountain/Candler. The primary house type desired was neighborhoods with open space (75%) followed by houses on large estate lots (62%). Comments also brought up the issue of accessibility to greenspace in this area, and desire for more intention around not just preserving it, but accessing it as well.



RESIDENTS FELT TOO MUCH
MULTIFAMILY HAD BEEN
DEVELOPED HERE, CHANGING
ITS RURAL CHARACTER.



SOUTH HALL

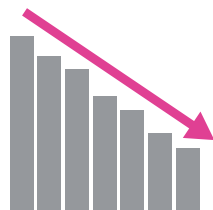
The South Hall area survey had the most responses at 198. Of those who responded, the vast majority lived in South Hall (93%), while almost one-third owned property in the area, and one-fifth also worked there.

There wasn't a decisive character selection from the survey, but just under half of respondents said South Hall was suburban with an emphasis on residential. However, suburban with an emphasis on business, and rural but changing where a close second and third (36% and 31%, respectively).

Most would like South Hall to be suburban with an emphasis on residential (48%), but a notable number would like it to be rural with little change (33%). Unique to South Hall, the majority think the area has gotten worse in the last 5-10 years (70%).

Residents' favorite characteristics about South Hall were the general level of safety and overall character of the area. South Hall residents indicated they'd like to see the difficulty of driving to places improved. These comments were aligned with concerns across the county about industrial and warehouse growth, multifamily development growth, and consequent impacts on the road infrastructure.

70% OF RESPONDENTS FELT THAT CONDITIONS IN SOUTH HALL HAVE GOTTEN WORSE IN THE LAST 5-10 YEARS



The following question confirmed those comments: the majority thought there was too much residential hybrid development (70%), too much multifamily development (80%), and too much warehousing development (82%) in their area of the county.

From the open-ended responses provided, South Hall residents were particularly concerned about the decisions made by the BOC and planning staff in regard to development in the area not in line with previous comprehensive plans. They cited not only Hall County leadership, but also that of neighboring counties like Gwinnett and Barrow, and municipal leadership in the Cities of Oakwood and Flowery Branch. This manifested in South Hall residents identifying zoning and land use, maintenance of parks and recreation spaces, and quality of County services being the top items for the County to prioritize in the next five to ten years.

Regarding transportation, most people were neutral about the transportation network. Specific comments highlighted the lack of public transit or multi-modal options, roads accommodating growth, and traffic. They also identified specific hot spots for transportation issues at McEver Road, Mundy Mill Road, SR 347/Friendship Road, Spout Springs Road, Hog Mountain Road, and SR 13/Atlanta Highway. South Hall residents were keen for all areas of transportation planning to be employed, but, in line with the rest of the county, the number one priority was improving key corridors and enhancing traffic flow.

Regarding housing, South Hall residents supported more neighborhoods with open space most, and houses on large estates was a distant second. They least wanted to see multifamily houses, townhouses or houses geared toward renters. Many additional comments brought up golf cart trails as a future area for planning to consider.

Steering Committee Meetings

Overview

The County chose over 40 people, including residents, representatives of local interest groups, representatives of County departments, business leaders, and leadership from the municipalities within Hall County to serve on the Steering Committee. This committee consisted of three Advisory Committees: The Citizens Advisory Committee, the Intergovernmental Advisory Committee, and the Technical Advisory Committee. The responsibilities of the Steering Committee at large were to:

- Represent their group or agency's interests.
- Contribute to the development of plan recommendations.
- Provide feedback on the plan recommendations.
- Assist with community outreach.

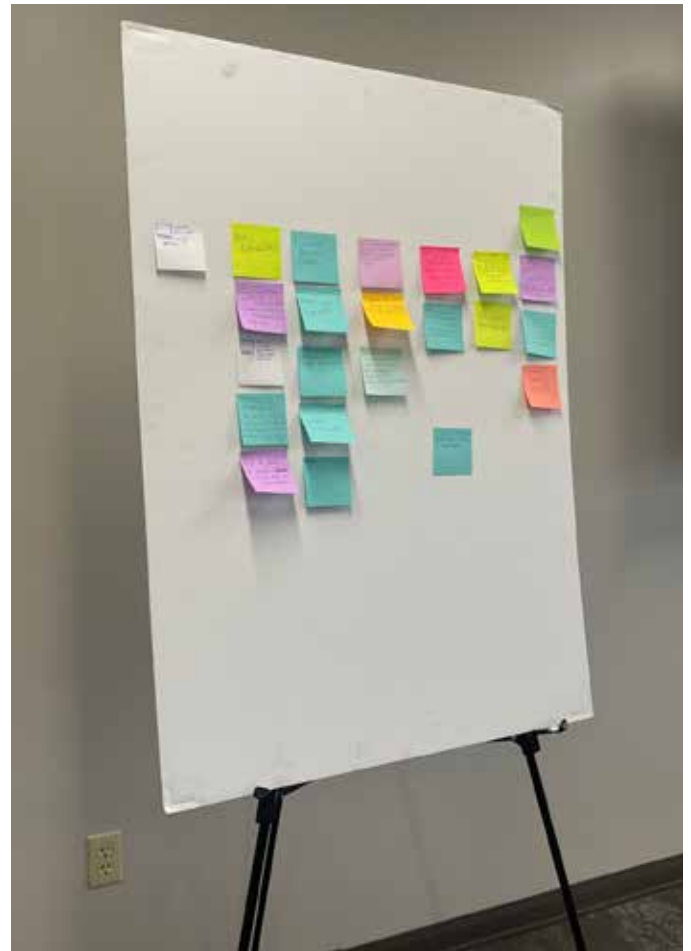


Each advisory committee had further responsibilities specific to their role within the comprehensive plan context. The entire Steering Committee met four times throughout the process. At the meetings, the Steering Committee reviewed and gave input on ideas before they were presented to the public, and they were given opportunities to speak about new information as it arose. The following pages summarize each meeting.

Steering Committee Meeting #1

The first Steering Committee meeting took place on November 14, 2022, before the Kick-Off Meeting later that evening. The objective of the meeting was to introduce the committee members to the comprehensive plan process, their role, the schedule of the planning process, and the public participation plan. The planning team also presented the existing conditions analysis and answered questions. The meeting ended with two activities formed to collect input from the Steering Committee on what they want to prioritize or leave out in the plan.

A key takeaway from the meeting was that the plan should reflect the unique contexts of communities within Hall County, and the committee particularly highlighted that economic drivers, local municipalities' plans, and existing infrastructure conditions as top contexts to consider. Another key takeaway from the first Steering Committee meeting was the identification of seven priorities: attainable housing, multi-modal transportation options, infrastructure expansion, maximizing the land use/transportation connection, flexibility in new growth and density, greenspace, and economic development.



Steering Committee Meeting #2

The second Steering Committee meeting took place on February 21, 2023, via Zoom. The objective of the meeting was to update the committee on the process to-date, introduce new engagement opportunities for them to promote such as the Meeting-in-a-Box toolkit, follow up on existing conditions, and share preliminary survey results. The planning team conducted additional input activities that aligned steering committee priorities with those of the community and then facilitated a strategy discussion on how to accomplish the identified priorities. The input gathered assisted the planning team in fine-tuning the plan's goals and creating preliminary recommendations.

Citizens Advisory Committee Meeting

The Citizens Advisory Committee (CAC) within the larger Steering Committee met virtually as a group on June 6, 2023. The objective of the meeting was to update the CAC on the comprehensive plan process, recap the public input already received, and receive input on the preliminary future land use strategy and goals that make up the plan. Through live polling, the planning team received feedback from the CAC on the draft goals developed for the plan. This input informed the final goals for the plan.

Intergovernmental Advisory Committee Meeting

The Intergovernmental Advisory Committee (IAC) within the larger Steering Committee met virtually as a group on July 28, 2023. Representatives from each municipality in the county were invited to participate. The objective of the meeting was to inform the IAC on the planning team's comprehensive plan process, present what the team had learned from the community thus far and receive the advisory committee's thoughts and input regarding the plan. After achieving those objectives, the IAC meeting served as a great opportunity for the City of Gainesville, the City of Oakwood, and Hall County to coordinate issues related to land use and housing affordability. Current challenges, such as public perceptions around multifamily housing, were explored in depth, and the City of Gainesville welcomed Hall County as future collaborators on their upcoming affordability and homelessness projects.

The conversation also explored the issue of annexation, which both the Cities of Oakwood and Gainesville indicated that they are shifting from a less aggressive strategy to a more strategic one. There were several opportunities identified for the group to follow up on in the future.

Steering Committee Meeting #3

The third Steering Committee meeting took place virtually on August 11, 2023. The objective of the meeting was twofold: to gain detailed feedback on revised goals and implementation strategies and to get initial feedback on the first round of proposed land use maps. The feedback was collected through two activities. The first was a live polling activity to gauge approval of the revised goals and implementation strategies, which was very positive but led the team to add further specificity to some of the strategies. The second was an online mapping survey to be completed after the meeting to collect feedback on the appropriateness of the proposed character areas and future land use designations. This feedback led the team to re-define housing densities in the more rural residential character areas and add specificity to certain commercial land uses.

Technical Advisory Committee Meeting

The Technical Advisory Committee (TAC) met virtually on September 15, 2023. The objectives of the meeting were understanding ongoing projects in the county that should be incorporated into the comprehensive plan and brainstorming future action items in line with the goals and implementation strategies. This was conducted through virtual break-out rooms. One conversation was focused on the growth management, housing attainability, safety and security, and economic development goals, and the other group was focused on the parks and recreation, conservation, infrastructure, and multi-modal transportation goals. The feedback collected identified several future studies for specific areas in the county related to transportation and infrastructure issues as well as identified areas for Hall County to partner with other entities to accomplish its goals.

Steering Committee Meeting #4

The fourth and final Steering Committee meeting took place virtually on November 7, 2023. The objectives of the meeting were to provide the committee with an update on the comprehensive plan process, outreach, and analysis, as well as walk the committee through the draft plan, discuss the plan's action items, and get the committee's feedback. Most of the action items for each goal were well received, with the Resource & Greenspace Conservation Action Items the focus of conversations around possible edits. The committee also provided written feedback to Chapters 4 and 5 of the plan, which were incorporated where possible.

Public Meetings

Hosting public meetings is essential to gathering feedback in real time to influence plan recommendations appropriately. They also can help make the planning process more accessible to both residents and stakeholders. The planning outreach process had multiple public input meetings, summarized below.

Virtual Kick-Off Meeting | Public Hearing #1

The plan's Kick-Off Meeting and first Public Hearing took place virtually on November 14, 2022. Over 35 people participated in the Kick-Off Meeting. The purpose of was to introduce the public to the comprehensive plan process, discuss the scope and schedule of the plan, present the existing conditions analysis, and encourage public involvement in the process. Several online activities were presented for those present to share their input on the strengths and concerns for Hall County. These activities stayed open over the next couple of months to reach those who were unable to participate live. The meeting was advertised to the public digitally and in local newspapers ahead of November 14.

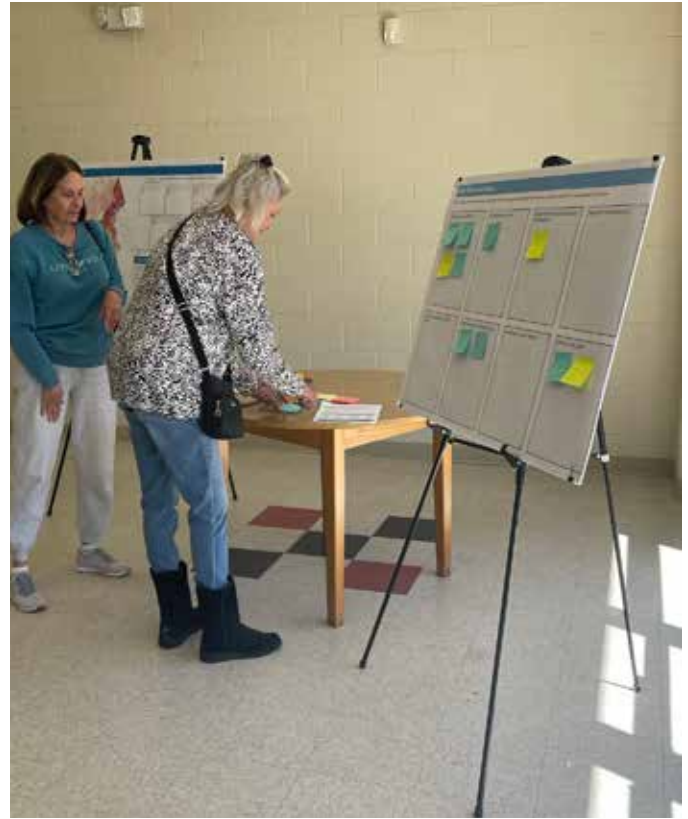
What Did We Learn at the Kick-Off Meeting?

- The County should learn from neighboring counties' mistakes in handling growth to protect Hall County's rural character.
- The comprehensive plan needs to balance growth with infrastructure, as well as nature. It was suggested that the plan promote slower growth that can catch up with the infrastructure being built and encourage more responsible rezonings.
- Hall County urgently requires workforce housing for individuals earning \$20/hour or less.
- There are concerns that new housing targeted to low- and middle-income earners won't truly be affordable.
- SR 211/Winder Highway and SR 13/Atlanta Highway were identified as roadways that need the most improvement.
- The community cites the county's beautiful landscapes, including Lake Lanier, the trees, and wildlife, as their favorite thing about the county.
- Residents enjoy easy access to shopping, hospitals, and roads. They also appreciate the proximity to both the North Georgia mountains and Atlanta.
- There are concerns about a rise in crime in some areas of the county.
- Residents don't like how poorly development has been planned along I-985.
- The community identified the challenge in connecting places to each other and a lack of multi-modal transportation modes.
- There were suggestions to extend WeGo transit hours and tailor transportation schedules to shifts of nearby employers.
- The community would support more multi-use trails for recreational purposes.
- There were suggestions to improve walkability by providing more sidewalks and protected bike lanes in areas that already see a lot of pedestrians or may in the future.
- Residents prefer that industrial areas be kept separate from their neighborhoods.
- Greenspace and agricultural preservation are a major concern.

Forward Thinking Workshops

These two public workshops took place on March 14, 2023: one in the morning at 11:30am at Mulberry Creek Community Center, and the other at 5:30pm at North Hall Community Center. These workshops included updates on both the comprehensive plan process and Unified Development Code processes, as well as an overview of the survey results and existing conditions analysis. The rest of the workshop focused on a question-and-answer period and time for input activities.

During the question-and-answer period, some key topics that came up were warehouses, developments, population growth, city annexations, Lake Lanier, and buffers. The first input activity involved placing sticky notes describing the key priority topic areas. The second activity had a designated board for each of the six areas of the county that shows the results of a susceptibility to change analysis and key responses from the community input survey. Participants had an opportunity to answer two questions on the boards: how much growth and new development should the county pursue for that area, and what should the top three considerations for new development be in the area? Most felt the county should pursue very little growth, especially in South Hall, North Hall, Murrayville/Sardis and Chestnut Mountain/ Candler areas. In the Gainesville Area and East Hall, participants indicated they felt Hall County should pursue growth with a "business as usual" approach. The top three considerations for new development in the county were pursuing higher quality development, greenspace protection, and curbing sprawl or pursuing "smart growth" principles. These activities were later put online on the comprehensive plan website to provide an opportunity for those who were unable to attend the meetings to give their input. The information collected from the 30 participants was used to inform the goals for the key priority topics, as well as how the plan should approach growth and development in each of the six areas of the county.



Forward Action Workshops

The Forward Action Workshop served as the second series of public meetings. The in-person workshops were held on May 9, 2023: the first at the River Forks Park at 11:30am, and the second at the Hall County Government Center at 5:30pm. The workshop presented updates on the comprehensive plan process, and overview of the priorities driving the plan, a discussion on trade-offs for each of the main topic areas, and activities to help participants consider where different types of developments can happen throughout the county. The activities included polling questions on priorities and an activity focused on understanding what areas in the county should be prioritized for what kinds of growth. After the in-person meetings, the activities were uploaded to the comprehensive plan website to expand accessibility and increase public participation. The activities were live on the public website until August 4, 2023. Both in-person and online participation combined gathered over 250 participants. There are several key findings from this engagement, summarized below and on pages 121 and 122. These findings helped inform the plan recommendations and, later, the future land use strategy and UDC recommendations.

What Did We Learn at the Forward Action Workshops?

- Most of the county favors large-lot, rural houses (defined as greater than one acre). This was not only true for the aggregated results across all the planning areas, but for all the individual planning areas as well, except for the Gainesville Area, which favored more residential over commercial developments.
- There was more diversity among the planning areas in terms of preferred commercial developments.
- More rural planning areas, such as North and East Hall, and Murrayville/Sardis area preferred rural highway retail and services.
- More suburban areas such as South Hall and the greater Gainesville area preferred walkable, mixed-use retail centers.
- The Chestnut Mountain/Candler area was the only one to prefer low-density offices.
- Hall County residents are passionate about greenspace, and again, there was variation in preferences across the planning areas, following similar breakdowns between rural and suburban areas that the commercial developments saw.
- Protected, undeveloped land was very popular in rural areas, and trails—both paved and unpaved—were popular throughout all areas of the county.
- North Hall had a slight preference for agricultural and farmland over other areas in terms of greenspace.
- East Hall, Chestnut Mountain/Candler, and Murrayville/Sardis selected protected, undeveloped land as their ideal greenspace type.
- In keeping with its level of development, the Gainesville Area preferred plazas and squares the most.
- South Hall residents were interested in trails, both paved and non-paved.
- Hall County residents across all areas agreed that Consumer-Facing was the most acceptable type of industrial development. The only outlier was once again the Gainesville Area, which was more interested in flex space, or developments that feature a hybrid of industrial and office spaces.

The tables below and on the next page graphically show the results of the Forward Action Workshop activities as they pertained to preferred future development types. The darker the blue, the more positive responses that development type received for that specific area of Hall County.

Residential Development Types	South Hall	North Hall	East Hall	CM/C	Gainesville	M/S
Large-Lot, Rural Homes (over 1 acre)						
Lakeside Home						
Medium/Large-Lot Suburban-Style Home (under 0.5 acres)						
Smaller Homes on Smaller Lots (under 0.25 acres)						
Conservation Subdivision						
Attached Homes (Townhouses)						
Smaller Apartment Complexes (4-8 units)						
Larger Apartment Complexes (9+ units)						
Residential Over Retail						

Commercial Development Types	South Hall	North Hall	East Hall	CM/C	Gainesville	M/S
Rural Highway Retail & Services						
Low Density Office						
Medium to High Density Office						
Sidewalk-Oriented Retail						
Two-Story Retail Centers						
Car & Automobile Sales						
Big Box Retail						
Retail Center Anchored by Grocery						
Walkable, Mixed-Use Retail Center						

Industrial Development Types	South Hall	North Hall	East Hall	CM/C	Gainesville	M/S
Consumer-Facing						
Warehouse/Distribution Centers						
Heavy Manufacturing/Processing Plants						
Flex Space (Industrial/Office Hybrid)						
Data Center						
Light Manufacturing						
Freight & Container Storage						
Self-Storage						
Boat & RV Storage						

Greenspace Types	South Hall	North Hall	East Hall	CM/C	Gainesville	M/S
Agriculture/Farms						
Protected, Undeveloped Land						
Neighborhood Parks						
Community Parks						
Sports Facilities						
Neighborhood Open Space Amenities						
Plazas/Squares						
Green Infrastructure						
Trails (Paved and Non-Paved)						

Draft Plan Open House

The Draft Plan Open House took place on October 21, 2023, at Lake Lanier Olympic Park in Gainesville in conjunction with the annual Chicken Festival. The purpose of the Open House was to get public input on the draft plan and its recommendations. The Open House was located at the entrance to the festival to maximize engagement and ensure that everyone interested could participate without having to purchase admission to the festival. In addition to providing information on-site, an online version was made available for those who were unable to participate at the moment could participate online when they had the time. While there was overarching support for the plan's proposals, comments left by participants highlighted specific needs not yet addressed or suggested more detailed solutions of where recommendations should go. Where possible, these recommendations were incorporated into the future land use strategy or in the Community Work Program. Two boards for the draft UDC were also at the event, and feedback related to the UDC was incorporated as well. Total, around 60 members of the community were reached, both at the festival and online.



"Meeting-in-a-Box" Meeting Results

The "Meeting-in-a-Box" toolkit was used five times across large groups, including Church Groups, a Garden Club, and United Way of Hall County, to gather feedback throughout the planning process. Key findings indicate that Hall County residents want the comprehensive plan to use infrastructure to manage growth and minimize negative impacts, promoting balance.

Participants expressed concerns about balancing increased freight and personal vehicle traffic, suggesting improvements to the multimodal transportation network, better traffic light timings, and reduced speeds on certain roads. They hoped for additional connectivity within Hall County and to Atlanta, especially Hartsfield-Jackson International Airport.

Land use discussions highlighted the need for conservation measures and strategic placement of warehouses to minimize freight impact on residential areas. Residents also stressed the importance of improving sewer and water infrastructure to accommodate growth, particularly in South Hall and Murrayville/Sardis areas.

Participants called for diverse housing options to ensure safe, secure housing for all residents. Additionally, participants urged better coordination between Hall County government, its municipalities, and neighboring counties on comprehensive planning, zoning updates, economic development, and joint community meetings near jurisdictional borders.

Focus Groups

At the end of the community input process, county leadership convened two focus groups to address specific issues that arose during the future land use visioning process. Both groups were comprised of their respective County Commissioners, County Staff and Administrators, local developers, engineers, and community representatives.

South Hall Focus Group

District 1 Commissioner Kathy Cooper convened the South Hall focus group on April 19, 2024. Key points of discussion included:

- **Athens Highway to Jackson County.** Plan for future industrial corridors along sewer infrastructure and near existing industrial areas
- **Chestnut Mountain/Candler Area.** Increase residential density near sewer infrastructure while balancing the public's desire to maintain rural and suburban character
- **Four-lane roads.** Use these areas as revitalization opportunities to introduce a wider mix of uses.
- **Quality development incentives.** Offer higher density for higher quality developments.

Sardis Area Focus Group

District 2 Commissioner Billy Powell convened the Sardis Area focus group on July 17, 2024. Key points of discussion included:

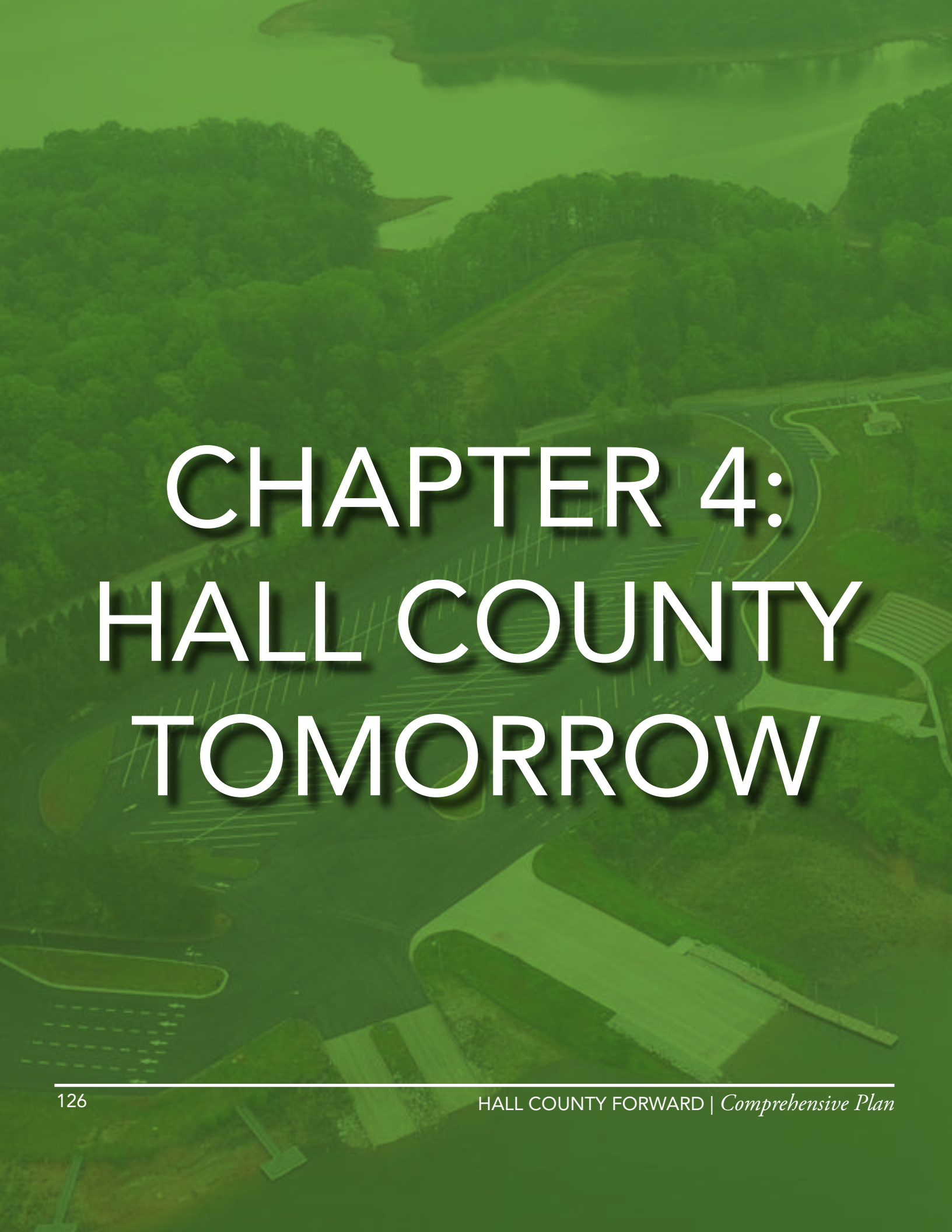
- **Density.** There was support of limited higher density residential development and local services along the corridor, with higher intensity development to be focused at the intersections with SR 53/Dawsonville Highway and SR 60/Thompson Bridge Road.
- **Development limitations.** Issues with small parcel sizes, sewer access, and future sewer plans.
- **Parcel assembly.** Some limitations could be overcome through private/public development partnerships in which the County helps assemble land and build out civic uses while private developers focus on housing.
- **Quality development.** Advocated for quality design through overlay districts, building on the work done after the South Hall Focus Group.

The Takeaways

The wide variety of opportunities for the public to share their ideas for *Hall County Forward* lasted for over one year, from November 2022 through December 2023. This period was expanded with the intention of collecting as much public input as possible. Though the methods for collecting input and participation varied throughout the process, several unified themes emerged that influenced the plan's recommendations, goals, strategies, and ultimately the Community Work Program. The key takeaways are as follows:

- Stakeholders are concerned with the rate and quality of growth.
- Stakeholders find current development patterns (specifically industrial development) a threat to the character of where they live.
- Stakeholders don't believe the water, sewer, or transportation infrastructure is able to support the current level of new growth and worry about the future of County services if the growth continues without the necessary infrastructure investments.
- Stakeholders want more environmental protection, particularly for Lake Lanier and Hall County's undeveloped and/or permanently protected greenspaces.
- There is a unique identity to each planning area, but there are similarities between more rural areas, such as Murrayville/Sardis, East Hall, Chestnut Mountain/Candler, and North Hall, and more suburban areas, such as South Hall and the Gainesville Area.
- Several roads were mentioned as needing special attention throughout all public input opportunities: SR 13/Atlanta Highway, Jesse Jewell Parkway, and McEver, Spout Springs, Buford Dam, and Friendship Roads.
- While there was agreement on the items listed above, the County's residents were more divided along issues related to expanding Hall County's multi-modal network to include transit, more walkability, and bike lanes, yet there was agreement on multi-use trails.
- Finally, outside of Gainesville, there was a disinterest in denser housing types. When analyzing the housing-specific results of the public input process in the light of the existing conditions analysis, a unique challenge arises for Hall County: accommodating growth will require housing types that some residents are less comfortable with. Though it was successfully stated through the public input process, Hall County will need to continue the conversation around the trade-offs between what is needed in the county and what is desired by its residents. Better government coordination and stringent adherence to plans will help achieve this and strengthen the public's perception of Hall County.

Chapters 4 and 5 provide guidance to meet the challenges of Hall County's existing conditions and those further identified through public engagement. By creating a comprehensive plan that is honest about the challenges and poses contextualized solutions, Hall County residents can be confident moving forward into the future.

An aerial photograph of a golf course, showing various green fairways, sand traps, and a clubhouse building. The entire image is overlaid with a semi-transparent green filter. The text is centered over the image.

CHAPTER 4: HALL COUNTY TOMORROW



Challenges & Opportunities 128

The Trade-Offs 130

Quality Development Strategies 138

Vision Development 141

Growth Management 143

Housing 144

Infrastructure Maintenance & Expansion 145

Parks & Recreation 146

Greenspace..... 148

Natural Resource Conservation..... 150

Multi-Modal Transportation 151

Safety & Security..... 152

Economic Development..... 153

HALL COUNTY TOMORROW

Challenges & Opportunities

The following section summarizes high-priority challenges and opportunities in Hall County identified in previous plans, analysis of existing conditions, and the public input process.

Challenges

Hall County faces several challenges, including:

- Some aspects of the County's existing future land use strategy lack specificity and detail, which limits their effectiveness at guiding development. This is especially true with regard to determining if proposed zoning changes are consistent with the plan.
- The existing zoning ordinance and subdivision regulations do not fully support the comprehensive plan. Both contain outdated text and have inconsistencies and standards that conflict with County policies.
- New development does not always align with programmed infrastructure improvements, especially roadway capacity and sewer expansions.
- Development in North and East Hall threatens the rural character, including its farms and greenspace.
- The county's housing supply is not attainable to all residents due to its climbing prices and/or lack of variation of types and sizes.
- Large-lot single-family houses preferred by many stakeholders can conflict with other key priorities, like open space preservation and attainable housing preferences.
- Growth can threaten water quality in Lake Lanier. Despite County and State water quality protection standards, growth could require additional coordinated efforts to prevent pollutants from entering the lake and its tributaries.
- Many existing open spaces lack permanent protection. This is a key concern of many stakeholders, along with a desire to expand inventory and amenities.
- Developments in some parts of the county, especially around Gainesville, are reaching the end of their useful lives and will require redevelopment. However, redevelopment is always more challenging than building previously undeveloped sites.
- Achieving conflicting community preferences will require careful consideration of trade-offs.

Opportunities

Hall County has a number of opportunities available, including:

- The comprehensive plan process traditionally presents an opportunity for local governments to overhaul their future land use strategy. By analyzing and recognizing the weaknesses in how Hall County's previous plans have guided future development, a stronger, more informative future land use strategy can be developed.
- The County's concurrent efforts to create a Unified Development Code (UDC) is an opportunity to create a more user-friendly set of regulations that supports the recommendations of this comprehensive plan.
- Hall County is at the center of the Georgia Mountain region and is expected to take in much of the region's growth over the next couple of decades. However, to ensure growth happens in a positive way, the County and its neighbors should participate in regional efforts to manage and coordinate growth.
- The new Inland Port, located along SR 365/Cornelia Highway, will boost Hall County's employment and economy. The County has an opportunity to ensure that the coming development "boom" is managed in such a way to prevent future issues related to growth.
- Future development along the new Sardis Connector could absorb growth in areas with existing infrastructure near Gainesville and protect the rural character of the Murrayville/Sardis area.
- There are opportunities to integrate the ideas and ongoing efforts of the Greater Hall Chamber of Commerce's Vision 2030 Greenspace Committee along with those from the 2019 *Parks & Facilities Master Plan* to advance greenspace and natural resource protection.
- Two of the county's fastest growing areas, East Hall and Chestnut Mountain/Candler, are under-served by parks, greenspace, trails, and other community resources that contribute to quality of life. This is an opportunity to build more of these community resources to boost quality of life in these areas.
- Hall County could work with the Gainesville-Hall Metropolitan Planning Area (GHMPO) to inform future regional transportation projects as future development continues to put pressure on the county's roadway network.
- Both Hall County and the City of Gainesville have a shared interest in promoting housing attainability and solving other important housing issues. Collaborating with the City on joint housing initiatives and accessing State and federal funding could ensure that both municipalities have the resources to tackle housing issues on a local and more regional level.
- Aging, underutilized properties could accommodate growth in areas with existing infrastructure without losing rural lands.

The Trade-Offs

Sometimes, community preferences can conflict with each other or be difficult to implement due to larger outside forces. Because of this, the Forward Action workshops focused on educating stakeholders on the interrelatedness of different topics as they apply to planning, and demonstrating the trade-offs that would need to be considered as the plan's recommendations were developed.

Real Estate Development

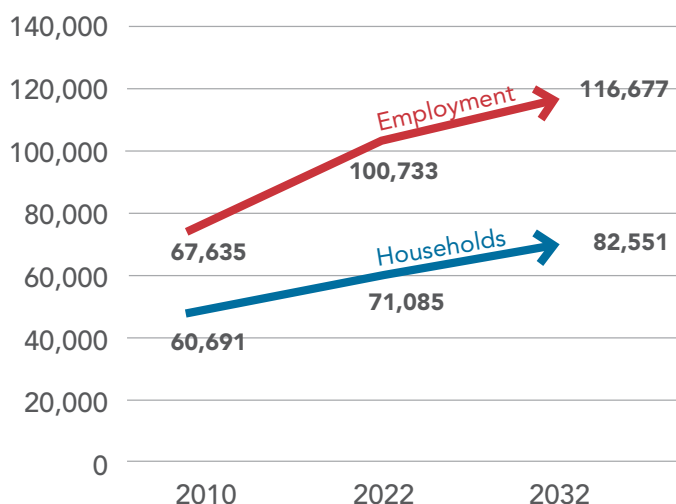
Throughout the planning process, the following was heard from the community as it related to new development:

- Overall, people think there have been too many industrial warehouses and manufacturing centers built in or near their communities.
- There's a perception of too much multifamily being built, as well as too many business parks and employment centers.
- There is a desire for more restaurants and shops and services in several areas.

Employment and population growth trends show that new jobs and households will continue to come to Hall County. More jobs equal more households. Household growth is projected to remain steady through the rest of the 2020s, but job growth won't be as fast as the last decade. This will have an impact on the County's future development.

The fiscal impacts of growth are a big driver of how places can physically grow. An important way that development pays for itself is by the municipality levying property taxes. Those taxes are based on real estate value. Compared to residential and industrial development, **commercial development is the most valuable**. Residential is more valuable than industrial, but not to the same extent as commercial development.

Growth Trends, 2010-2032



Development Value Per Acre

Development Type	Residential	Commercial	Industrial
Square Footage	223,850 SF	220,000 SF	600,000 SF
Acreage	35 ac	55 ac	45 ac
Value	\$30,250,000	\$51,869,700	\$32,467,000
Value per SF	\$135	\$236	\$54
Value per Acre	\$864,286	\$943,085	\$721,489

The Development Value Per Acre examples are real developments pulled from Hall County and are intended for illustrative purposes only.

Another important thing to note is that **the taxes generated by residential development do not fully pay for the services it requires**. For example, for every dollar in taxes a residential property generates, it may require an additional dime from additional revenues to ensure that the property has access to the services it needs. One way to solve this is by raising the millage rate on residential properties, but that isn't always a feasible (or popular) way to accomplish filling that gap. In short, commercial and industrial developments are important because they generate the additional revenues that residential properties can't in the form of retail sales tax, hotel/motel taxes, fuel taxes, impact fees, and business licensing fees collected by the municipality.

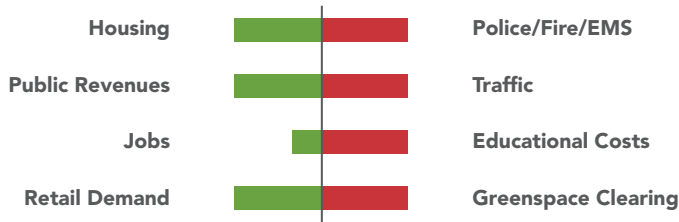
Development Value Per Acre

Development Type	Residential	Commercial	Industrial
Value per Acre	\$864,286	\$943,085	\$721,489
Assessed Value per Acre	\$345,714	\$377,234	\$288,596
Millage Rate	0.26636	0.26636	0.26636
Property Tax Revenue Per Acre	\$9,208	\$10,048	\$7,687

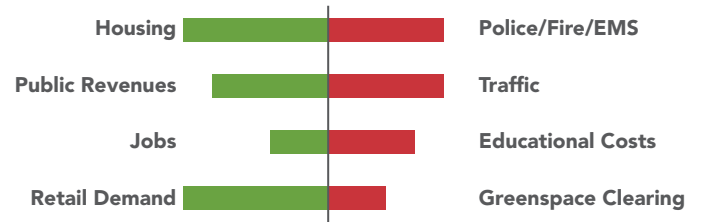
The Development Value Per Acre examples are real developments pulled from Hall County and are intended for illustrative purposes only.

In order to pay for things like new roads, roadway maintenance, new parks, fire and police, and other County services that everyone relies on, the County must have a **balanced tax digest** with all three property types represented. Where the trade-offs come in is that different types of development will bring different amounts of housing, jobs, retail demand, greenspace removal, educational costs, traffic, and County services. The graphic below shows how that breaks down between commercial, industrial, and residential developments.

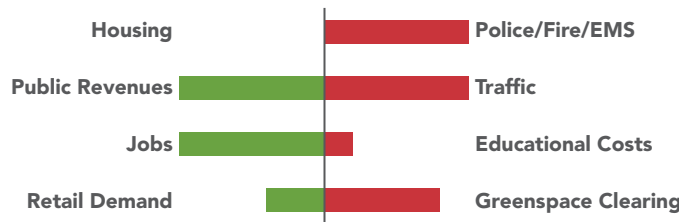
Single-Family Homes



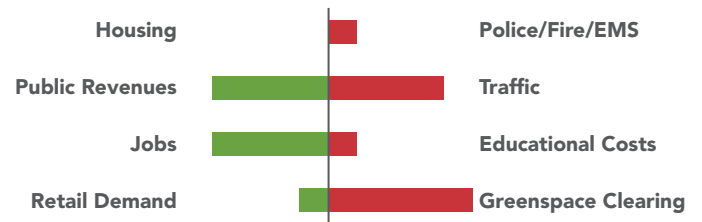
Apartments



Commercial



Industrial



Housing Attainability

The term "attainable housing" refers to the idea that the housing market serves all people: whether they be first-time homebuyers, renters who are looking for a short-term lease, families looking for their forever house, and everyone in between. To accomplish this, the market must provide choices across size, type, tenure, price, location, and other factors.

Throughout the planning process, stakeholders expressed several opinions about housing and housing attainability:

- There should be very little growth.
- There is too much "high-density" housing being built (apartments and attached product).
- Housing attainability is a top priority for many.
- Housing should emphasize large-lot single-family houses and neighborhoods with dedicated open space as opposed to smaller houses on smaller lots and other "dense" housing types.
- There should be more housing for young professionals, seniors/empty-nesters, and first-time homebuyers.

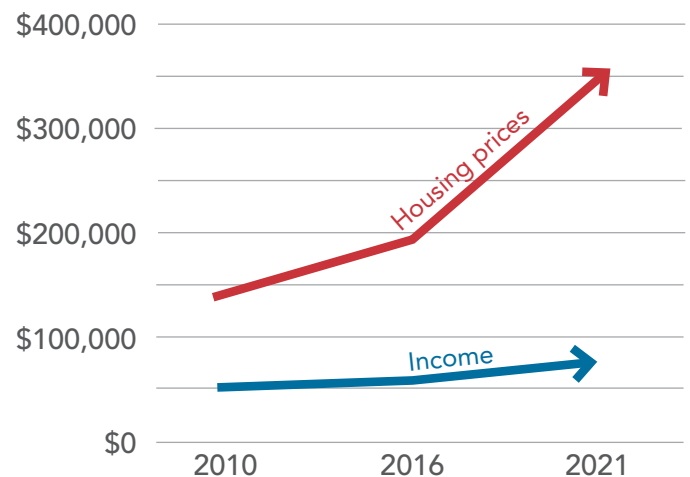
However, these opinions can be in conflict:

- **Large-lot housing (>1 acre) is not usually considered affordable.**
- **Large-lot housing (>1 acre) is not the type of housing that young professionals, seniors and empty-nesters, and first-time homebuyers typically seek out to acquire.**
- The characteristics desired by young professionals, seniors and empty-nesters, and first-time homebuyers, are for smaller houses, attached and semi-attached housing, and smaller lots, which all align with the characteristics of more attainable housing.

The United States Department of Housing & Urban Development (HUD) defines housing affordability as spending less than 30% of pre-tax income on housing - otherwise, that household is considered "cost-burdened." For example, a household that has a pre-tax income of \$4,000 per month should spend less than \$1,200 per month on its rent or mortgage. According to the United States Census Bureau, **32% of all households in Hall County are considered cost burdened.** Broken out by tenure, 23% of homeowners are considered cost-burdened, compared to 54% of renters. Housing costs are too high for many residents, especially renters, who are more likely to be younger, lower income (likely because they haven't hit their full earning potential), and/or be a one-person household that isn't splitting costs with a roommate or family member.

Housing affordability has been a challenge over the past decade, and is a multi-faceted issue, which makes it challenging to tackle. One driver of the growing affordable housing crisis is a growing gap between wages and cost of living. **In Hall County, housing prices increased by 91% between the years 2016 and 2021, while wages only increased by 21%.**

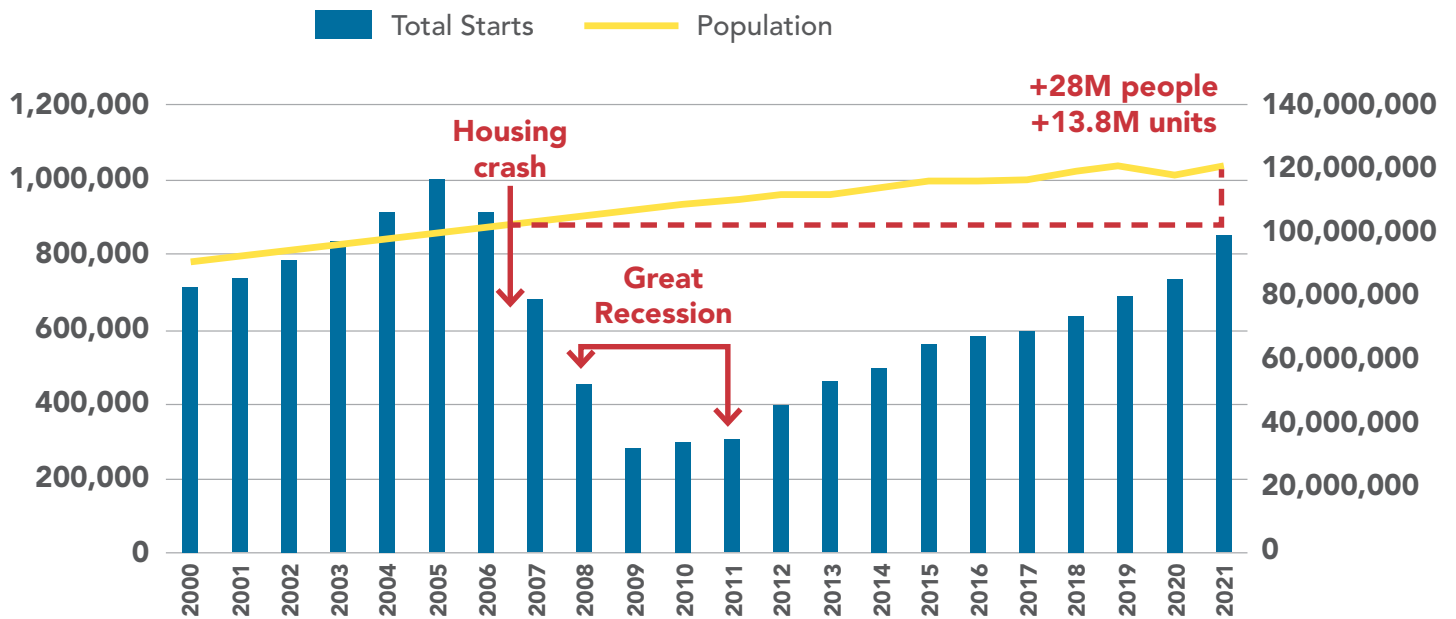
Income & Housing



Sources: US Census (Income); Zillow Home Value Index (Home Prices)

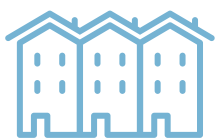
Supply and demand are another reason some communities struggle with housing attainability. A high demand for a commodity that has a limited supply will drive up the price. Until the Great Recession, housing supply was doing a good job keeping up with the growing number of new households. But after the housing market crashed in the mid-2000s, the rate of new houses construction dropped dramatically. Part of this was due to a short-term reduction in demand, but the Recession had a longer term effect on house financing for both would-be homeowners and developers. Although this rate has recently begun to approach pre-Recession levels, the number of households that have been formed between 2007 and today remained steady, leading to the shortage in housing supply. In the southeastern United States, the population has grown by 28 million people between 2000 and 2021, but only 14 million houses have been built. If one assumes that an average household is two people, then it could appear as if there wasn't a shortage. However, this points out another factor affecting housing attainability: emerging household types.

Total Housing Starts & Population in the Southeastern United States



Source: US Census

Today's homebuyers and renters are also looking for different things than they were 20 years ago. The predominant type of housing that was built and is still being built is single-family detached houses on larger lots, known to some as "McMansions." These houses are great for households with two or more people that may have school-age children living with them: the "peak" household. However, there are two major household types that the market has been ignoring: "starters" and "downsizers."



STARTER (1-2 people)
 <35 years old

Apartments, townhouses, smaller houses on smaller lots



PEAK (2-3+ people)
 35-64 years old

Larger houses (including "McMansions") on larger lots



DOWNSIZER (1-2 people)
 >65 years old

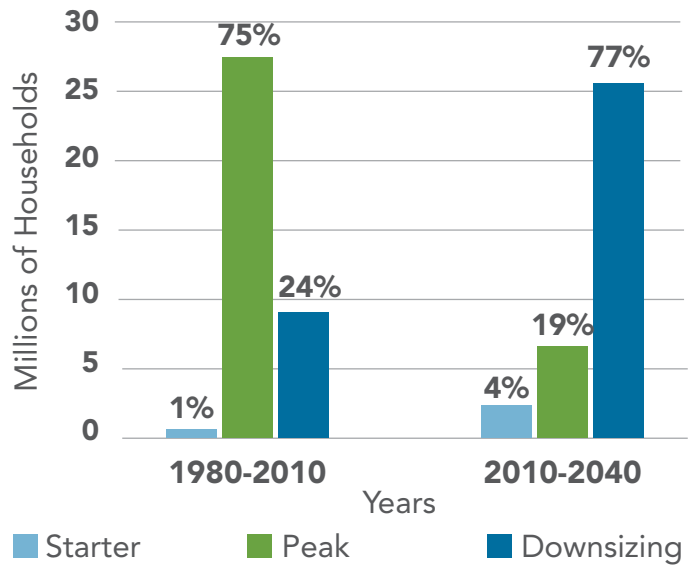
Smaller houses on smaller lots and various types of attached houses

Source: Arthur C. Nelson, The Great Senior Short-Sale of Why Policy Inertia Will Shortchange Millions of America's Seniors

Between 1980 and 2010 (the height of the Great Recession), 75% of the total housing demand was driven by these peak households. Since 2010, these same households have become downsizers, now driving a similar share of the market. As the graphic on page 133 shows, downsizers are typically not buying single-family houses on large lots. Instead, they're looking for smaller houses on smaller lots and a variety of attached housing like townhouses or apartments/condos. Because most cities and counties have a smaller stock of these housing types as compared to the larger single-family houses on a large lot, the growing demand for these other types by downsizers has made them less affordable for starter households, who are often seeking the same types of housing.


Housing attainability has been affected by low supply and high demand, stagnant wages, and a lack of housing diversity. If Hall County wants to prioritize housing attainability, more houses will need to be built, density will need to be added in areas that can support it, and housing choice needs to be increased to support emerging household types. The graphics below illustrate both the positive and negative effects of these practices.


Housing Demand by Life State





Source: Arthur C. Nelson, *The Great Senior Short-Sale of Why Policy Inertia Will Shortchange Millions of America's Seniors*


Building more houses means...


- 

More housing attainability long-term
- 

More infrastructure investments
- 

More tax dollars for schools to build new schools
- 

More commercial growth
- 

More cars on the road
- 

More opportunities for homeownership

Increasing housing choice and adding density means...

- 

Lower costs per housing unit
- 

Lower service delivery costs
- 

More opportunities for "aging in place"
- 

More opportunities for first-time buyers
- 

More open space preservation
- 

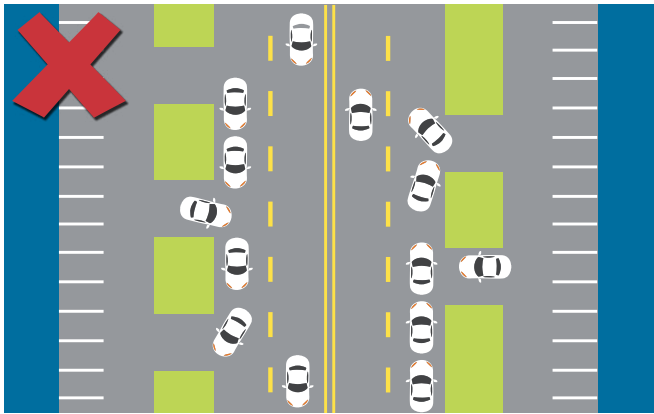
Higher economic growth

Transportation

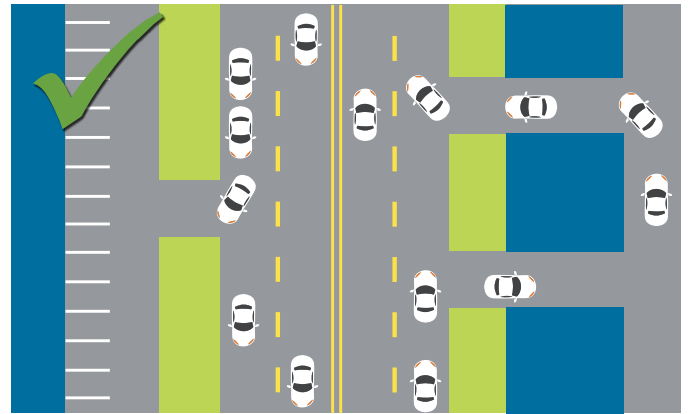
Throughout the planning process, the public expressed the desire for the following:

- The ability to walk and bike to places is a top priority for five of the six planning areas.
- The ability to drive safely to places is also a top priority for five of the six planning areas.
- Less congestion on the roads and better traffic flow.
- Safe and walkable infrastructure.

Fixing congestion on the roads can be solved through reducing the number of cars on the road by providing alternative transportation options. Options may include public transit, bicycle facilities, and carpooling and ride-sharing opportunities. Where these options aren't feasible, clustering development and promoting inter-parcel access can allow fewer "stops" along a road, resulting in better traffic flow. New roadways can also be added to the network to relieve pressure from the most congested roads and create new connections.



Poor access management along roadways can cause congestion.



Consolidating driveways and adding inter-parcel access can ease congestion.

However, if public transit is a feasible option, trains and buses need density to work, and it isn't always effective in rural and suburban areas for that reason. In that case, on-demand services are much more cost-effective. To promote walking and biking, creating pockets of density that include housing, retail, and employment can create walkable and bikeable areas that reduce the need for driving, reducing the number of cars on the road. Reducing the need for parking in these areas also frees up land for parks and greenspace preservation.

If Hall County wants to reduce traffic congestion and promote walkability and bikeability, the strategies listed can be applied in tandem to achieve those goals. These strategies can also help advance other goals, like greenspace preservation, promoting density, and creating mixed-use activity centers.



Greenspace

Throughout the planning process, the public expressed the desire for the following as it related to greenspace:

- Improving access to parks, recreation, and trails is a top priority for half of the population.
- Maintaining current parks, recreation, and open space offerings is a priority throughout the county.
- Preserving greenspace is a key concern for new development.

Greenspace comes in many different forms:



Protected, Undeveloped Land



Agriculture/Farms



Trails (Paved and Non-Paved)



Green Infrastructure



Neighborhood Open Space Amenity



Plazas/Squares



Neighborhood Parks (1-50 acres)



Community Parks (>50 acres)



Sports Facilities

There are many benefits to greenspace:

- Environmental benefits include cleaner air, stormwater and runoff mitigation, maintaining biodiversity, and urban heat island reduction.
- People living in a neighborhood with access to greenspace tend to spend less on healthcare (Source: Kaiser Permanente).
- It can boost the real estate value of nearby properties.

The benefits are numerous, but greenspace can come with a high cost. It costs money to obtain the land desired to protect or program greenspace, design and construct active or passive parks, maintain the greenspace, and provide tax benefits to those who have opted to protect their land for future development. **Hall County will need to find a way to continue to grow, maintain, or expand its portfolio of greenspace at the same time.**

One solution is to build more houses closer together. Using less land for housing and employment frees up more contiguous land for greenspace. Denser housing types can be built closer to key employment or commercial centers to boost the amount of land preserved for greenspace. The graphic below shows options for how more housing can be built on a site to maximize greenspace.

Good



15-acre parcel, only 11 acres are developable

11 houses on one-acre lots

11 acres built, 4 acres greenspace

Better

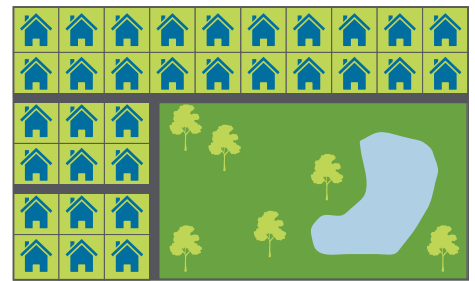


15-acre parcel, only 11 acres are developable

19 houses on half-acre lots

9.5 acres built, 5.5 acres greenspace

Best



15-acre parcel, only 11 acres are developable

32 homes on quarter-acre lots

8 acres built, 7 acres greenspace

All three options show a 15-acre parcel in which only 11 acres are developable due to the presence of a waterbody. The first example, "good," shows how 11 houses can be built, maximizing the amount of land for housing. The second option, "better," uses half-acre lots to build eight more houses, preserving an additional 1.5 acres of land that can be used for active or passive uses. The final example, "best," uses eight of the 15 acres for 32 houses, 13 more than the previous option, and the remaining seven acres are set aside for active or passive greenspace. One benefit of the "better" and "best" options is that the increased economy of scale makes them a better financial deal for developers, and the cost savings of building at a higher density allows them to pass the savings onto the end-user, the tenant. So, not only do these two options preserve more land, but they also create more affordable housing options.

It is understood that large-lot, single-family houses in rural settings are going to be the preferred development pattern in some areas of the county, namely the North Hall, East Hall, and Murrayville/Sardis areas. However, the example shown above, along with the trade-offs illustrated throughout this section, demonstrates that **rural development can't happen in some areas without building higher densities in other places that can support it.**

Building at a higher density is only one way greenspace can continue to be preserved throughout Hall County. Other solutions include regulatory measures (i.e., the UDC), land banks, life estates that allow people the ability to protect land permanent after their death, private donations or sales to the County, and finding new streams of revenue to fund greenspace initiatives.

To conclude, the trade-offs to greenspace preservation are as follows:

- Sprawling development patterns equate to less land for greenspace.
- The construction of denser developments means more contiguous land for greenspace.
- Population growth is going to generate a higher demand for greenspace.
- If more greenspace is to be added to the County's portfolio, more funding will be required.

Quality Development Strategies

A theme that emerged from technical analysis and stakeholder conversations is that the way a development is laid out and designed can affect whether it has a positive or negative impact on the community. A development's layout and design can affect its traffic impact, open space preservation, sense-of-place, safety, long-term property values, and more.

New developments should incorporate the following strategies, as applicable to their site and location in the county:

- Mix land uses and residential types.
- Support walkability, both within the development and/or to nearby areas.
- Provide recreational facilities, such as clubhouses, pools, and trails.
- Provide street connections to other nearby future developments.
- Preserve open space, agriculture land, and tree canopy as well as promote re-vegetation.
- Foster a strong sense of place through high-quality architecture and landscaping.

The following examples demonstrate two things: one, they are a test to how new zoning districts in the UDC can fulfill the overarching strategies listed above (see page 158 for more information), and two, they show examples of how quality development could be designed, regardless of if it's in a suburban setting, a rural setting, or somewhere in between. These ideas are not based on a specific site or parcel and are not real proposals, but they are representative of general site characteristics that are found in Hall County. Each of the examples are unique, but all feature quality development strategies that foster distinctive, attractive communities and promote a mixture of uses across the county.



Design Examples



Agricultural Residential 1 (AR-I)

In the updated UDC, AR-I is a new name for what is currently the AR-III district. The intent of the revised AR-I zoning district is to provide locations within the county to be developed and reserved for agricultural, residential, compatible commercial uses, and/or recreation. This example shows a commercial building fronting the main road that can serve both residents and neighboring areas, but most of the remaining land is devoted to houses on lots of at least one acre. Where land isn't developable, it is preserved as open space, and some areas feature trails for recreation that connect to the sidewalks along the streets, reinforcing walkability.



Residential Mixed (R-X)

The new R-X zoning district was developed so that a mix of residential housing types could be built in a single development to maximize flexibility in site design. This example shows a combination of townhouses, cottage court housing, and alley-loaded single-family detached houses, some with accessory units. A sidewalk system allows for walkability within the neighborhood and connects to designated, community open space that features a clubhouse and pool. This example identifies a potential street connection that could be extended to connect into a nearby future development to help minimize vehicles on nearby major roads.



Mixed-Use (M-U)

The intent of the new M-U zoning district is to encourage a mix of different development types through creative site planning and design, while minimizing the impact of the district on surrounding areas. This example mixes commercial with a range of residential types, with the higher intensity uses fronting the street and arranged in a loose grid that reinforces walkability. It also has a central gathering place for both residents and visitors featuring a clubhouse. The interior of the site is left open to preserve water features and create a buffer between areas of differing intensities. Lastly, one road has been designated a future connection point should the neighboring land also be developed.

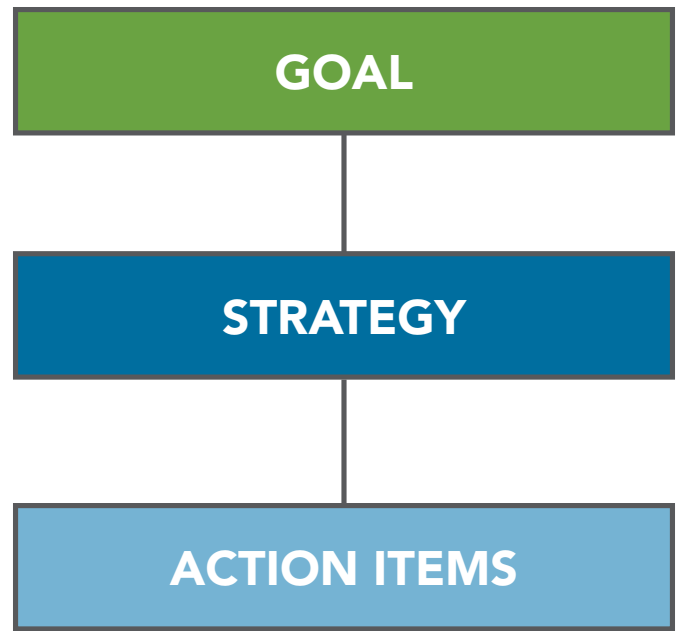
How Can These Strategies Be Implemented?

Hall County can codify these ideas into a set of guidelines that can be applied to new development. They could be implemented in a number of ways:

- **Incorporated into other zoning districts in the UDC.** While the new zoning districts will have some of these strategies built in, there may be an opportunity to incorporate them into other existing districts to ensure that new development is of the highest quality possible.
- **Incorporated into the County's existing Gateway Corridor Overlay District (GCOD).** The intents of the GCOD are to create a sense of place, encourage innovative development, and establish consistent and harmonious design guidelines for private property development. The GCOD applies to a number of major roadways in the county, most of them four-lane roads. The County could amend the existing language and add new requirements to advance the strategies listed on page 138.
- **Used as an optional set of conditions for density bonuses and other benefits.** The County could create a set of set of design guidelines or standards that can be used to elevate residential and commercial development. Developments which meet or exceed these standards may be considered for additional residential density

Vision Development

The vision for Hall County is broken down into a hierarchy of ideas: goals, strategies, and action items. Goals are guiding statements that summarize the intended outcome for the plan's element. Strategies are statements that further define the goal and how it should be implemented. They should be the basis of all land development decisions carried out by Hall County. Strategies should also be used to guide actions carried out by the private sector. Lastly, action items are specific projects that have a defined scope, cost, and timeframe, and policies that reflect community aspirations and provide guidance for the implementation of projects. Action items support strategies, although some strategies could translate into projects or policies for Hall County to undertake.



The goals and the subsequent strategies and action items were developed as follows:

1. At the first Steering Committee meeting in November 2022, members were asked two questions: "what are the worst possible things that could be put in this plan?" and "what should this plan address and prioritize?" The answers were sorted into a set of themes during the meeting.
2. After the Community Input Survey closed and the Forward Thinking Workshops was complete, the results were used to refine the themes into a defined list of plan elements: growth management, attainable housing, infrastructure maintenance and expansion, parks and recreation, natural resource and greenspace conservation (later broken up into two separate goals), multi-modal transportation, safety and security, and economic development.
3. At the Community Advisory Committee Meeting in June 2023, members provided input on what strategies should be part of each plan element. The results of this meeting, along with the results from the Community Input Survey, Forward Thinking Workshops, Meeting-in-a-Box meetings conducted, and results from the first steering committee meeting were used to create a short, succinct list of strategies.
4. These goals and strategies were once again vetted by the entire Steering Committee at the August 2023 meeting to ensure that they were supported. Feedback was provided by the committee to inform the consultants on how they could be improved.
5. At the Technical Advisory Committee Meeting in September 2023, the Advisory Committee had an opportunity to inform the consultants on action items already programmed for the next five to ten years and provide ideas for potential action items for each strategy.

Goals



Growth Management. Efficiently plan to accommodate new developments and prioritize connections to existing or planned infrastructure while retaining the character of each area of the county.



Housing. Provide a variety of housing options across size, type, tenure, price, location, and other factors that ensure access to transportation and amenities while minimizing the number of cost-burdened households.



Infrastructure Maintenance & Expansion. Improve infrastructure for growing areas, prioritize land use and infrastructure alignment, and expand broadband, road networks, water access, and sewer systems.



Parks & Recreation. Enhance and expand parks and recreation facilities to maximize quality of life.



Greenspace. Preserve and protect existing greenspace while seeking out new opportunities for inventory expansion.



Natural Resource Conservation. Preserve and protect natural resources like Lake Lanier, rivers and streams, and undeveloped forestry to safeguard community identity.



Multi-Modal Transportation. Expand alternative transportation options by increasing pedestrian infrastructure, developing complete streets, and enhancing public transit.



Safety & Security. Ensure a safe environment for all by improving existing safety and security measures and proactively addressing crime concerns as Hall County continues to grow.



Economic Development. Continue to encourage and support an atmosphere for economic growth and development to create opportunities for all.

Growth Management

Hall County's population is projected to surpass 380,000 by 2050, doubling since 2010. The unincorporated areas alone will see nearly 120,000 new residents, driven by natural growth and immigration. These residents will need housing, jobs, schools, and infrastructure, while the needs of the current residents must also be maintained. Managing this growth effectively is crucial to balancing development with the county's existing resources and landscape. It is important that Hall County manages this new growth in a way that can leverage what it already has in place while respecting its diverse landscape.

Strategies

- GM.1** Develop according to the future land use strategy outlined in Chapter 5 of this plan.
- GM.2** Ensure that the Comprehensive Plan and the new UDC are coordinated and are aligned with current development practices and support smart growth principles and a mixture of uses.
- GM.3** Ensure that new development and redevelopment meets the quality development strategies starting on page 138.
- GM.4** Implement zoning regulations that designate specific land uses and protect greenspace to prevent inappropriate sprawl.
- GM.5** Encourage redevelopment of aging, underutilized commercial centers.
- GM.6** Ensure that housing growth matches projected job growth.
- GM.7** Conduct regular evaluations of land use and infrastructure each year in between comprehensive plan updates to prioritize development based on current and future needs.
- GM.8** Focus new development in areas with existing or planned infrastructure, particularly along four-lane roads.
- GM.9** Preserve the unique character of each area in Hall County while accommodating incremental changes and improvements.

- GM.10** Continue to engage community stakeholders in the planning process to ensure new development and redevelopment efforts complement the existing character of the area.
- GM.11** Prioritize development that introduces new types of land uses to areas where they are currently lacking. This will help create a more varied and balance mixture of uses across the county.

Key Action Items

- ✓ Adopt and implement the newly updated UDC.
- ✓ Work with the Georgia Mountain Regional Commission (GMRC) and participating counties to tackle regional issues with growth management.
- ✓ Track the construction of new developments to ensure that growth is happening as projected and to update level of service projections.
- ✓ Establish regular communication with Hall County Schools to share data on new construction and population estimates so that educational facilities can be updated or added to accommodate projected enrollment.
- ✓ Conduct small area plans for areas that require further study.

Housing

A net population growth of 120,000 people means that the County will need to accommodate upwards of 40,000 new houses by 2050. Considering the national shortage of houses and a growing number of one- and two-person households, this number could be as high as 60,000. This new housing stock will likely need to focus on two key groups: downsizers and starters. Downsizers consist of households with one to two people over the age of 65, likely "empty nesters" or seniors looking to age in place. Starters are households with one to two people under 35 buying their first house. What's interesting is that these two groups are looking for similar types of housing: smaller houses on smaller lots, townhouses, and even apartments. Whatever the case, it is important that new housing is attainable—this doesn't mean just affordable, a definition that can be very subjective—meaning that people who need housing, whether they're renting or buying, can get what they're looking for, in the area they want or need to be in, and for a price that doesn't take up more than a third of their pre-tax income.

Strategies

- H.1** Create strategies that serve to minimize the number of cost-burdened Hall County residents, especially renters.
- H.2** Develop and implement incentives to encourage the creation of affordable housing near major employment and activity centers.
- H.3** Partner with developers to diversify housing options while ensuring compatibility with existing neighborhoods.
- H.4** Prioritize areas with high density commercial and access to public transportation for the construction of new housing.
- H.5** Preserve "naturally occurring affordable housing" in established neighborhoods to maintain existing affordable housing options.

Key Action Items

- ✓ Adopt and implement the newly updated UDC.
- ✓ Encourage residential developers to build less expensive houses through financial incentives and density bonuses.

- ✓ Continue to review existing regulations that create barriers for special housing needs and generate opportunities such as senior housing, accessory dwelling units, and affordable housing.
- ✓ Establish affordability metrics for new development (i.e., at least 10% of all new units should be set aside for workforce housing).
- ✓ Prioritize workforce housing near the new Inland Port.
- ✓ Establish a joint program with the City of Gainesville to address housing attainability through the Georgia Initiative for Community Housing (GICH) program.
- ✓ Continue to identify properties suitable for federal Community Home Investment Program (CHIP) and Neighborhood Stabilization Program (NSP) grants to assist with house repairs/rehabilitation and to provide affordable housing opportunities.
- ✓ Create an affordable housing task force with developers, banks, and housing advocates.
- ✓ Use existing data on affordability, existing house inventory, housing market, and housing needs in Hall County to develop policy that reflects the needs and priorities of all members of the community.

Infrastructure Maintenance & Expansion

As new households are built, the growing population will need access to services, including roads, water, sewer, broadband, et cetera. This means that the County will not only need to work to maintain the services they provide to existing residents, but some will need to be expanded to continue to meet growing demand.

Strategies

- IM.1** Continue to identify areas in need of infrastructure expansion and/or improvements and prioritize investments in roads, water, and sewer systems where a high level of growth is projected or where infrastructure is insufficient.
- IM.2** Improve transportation corridors and consider expanding access to major arterial corridors to support areas with projections of high commercial and industrial growth.
- IM.3** Ensure that all houses and businesses in Hall County are served by broadband internet.
- IM.4** Enhance water and sewer systems to meet the growing needs of the community and prepare for future development.
- IM.5** Ensure that infrastructure upgrades are implemented ahead of major developments to mitigate traffic congestion and support sustainable growth.

Key Action Items

- ✓ Use data from corridor development study for SR 365/Cornelia Highway to determine infrastructure capacity for the Inland Port
- ✓ Continue to implement and update the *Sewer Master Plan and Rate Study*.
- ✓ Use the future land use map along with development data to guide future planning for sewer infrastructure projects.
- ✓ Continue intergovernmental coordination with Hall County City and Town governments on issues related to transportation, water, and sewer.
- ✓ Adopt the Department of Community Affairs' (DCA) Broadband Model Ordinance to apply for a Broadband Ready Community Designation.

Parks & Recreation

Hall County's programmed parks and recreational facilities are operated by its Parks & Leisure Services Department. Their 2019 *Parks & Facilities Master Plan* identified an extensive list of proposed improvements that Hall County can implement to address needs, leverage opportunities, and prepare for future growth. This comprehensive plan considers many of the recommendations identified in the *Parks & Facilities Master Plan*. As time passes and the population increases, there will be more demand for parks, recreation facilities, and recreational offerings (athletics and non-athletic programming).

Hall County has the desire to ensure that all residents have access to a nearby park or recreational facility. The map on the facing page shows the locations of existing and programmed County parks and the parks owned and operated by the Cities and Towns in the county, along with a 2 mile radius drawn around each park location. The map also identifies properties outside of these radii that currently have conservation easements or some other preservation measure in place. (See page 168 for more information.) These lands, totaling nearly 28,500 acres, represent a "menu of options" of properties that would be most ideal for helping close gaps in park and recreation access for residents. However, further study will need to be done to identify the best properties for new parks.

Strategies








- PR.1** Enhance existing parks, trails, and other actively programmed recreation areas to provide additional opportunities for residents.
- PR.2** Expand and diversify parks, recreation facilities, and recreational offerings throughout Hall County to accommodate the growing population.
- PR.3** Promote equitable access to parks, recreation facilities, and recreational offerings, where needed.
- PR.4** Continue to assess where there are gaps in service to ensure equitable distribution of parks and recreational offerings throughout the entire county.
- PR.5** Continue collaboration and coordination with city and town governments to provide services to all park users.

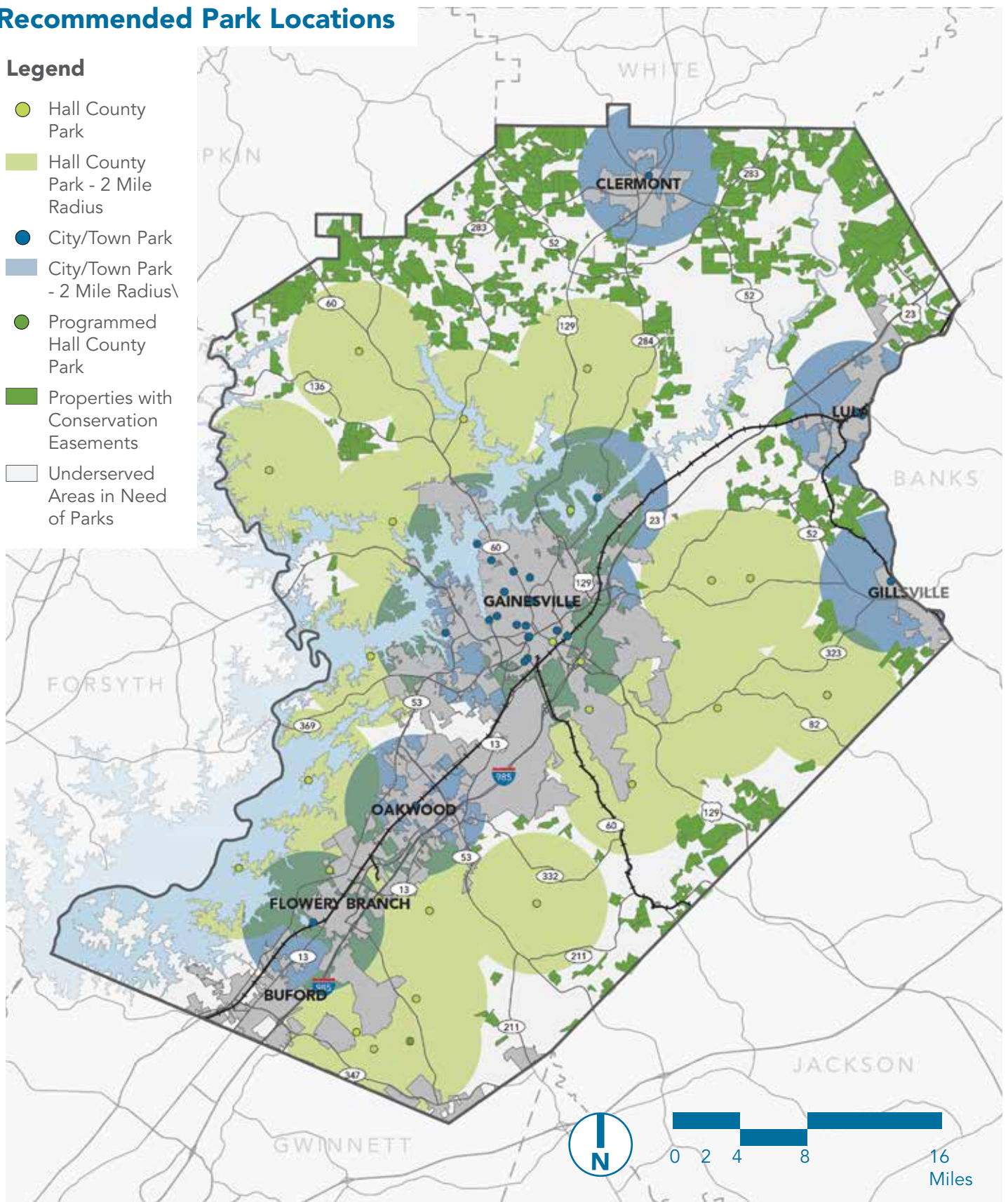
Key Action Items

- ✓ Increase funding for the Parks & Leisure Services operating budget.
- ✓ Work with Hall County Schools to identify opportunities for shared use between the County and Schools and build new facilities most in need by the schools.
- ✓ Acquire additional land to expand Cool Springs Park, North Hall Park, and East Hall Park.
- ✓ Prioritize East Hall and the Chestnut Mountain/Candler areas for new park land.
- ✓ Acquire an additional 1,000 acres of park land to build 30+ new parks.
- ✓ Add new facilities for team sports and informal athletics.
- ✓ Create incentives to fund new park facilities through private redevelopment.
- ✓ Conduct a 10-year update to the *Parks & Facilities Master Plan*.

Recommended Park Locations

Legend

-  Hall County Park
-  Hall County Park - 2 Mile Radius
-  City/Town Park
-  City/Town Park - 2 Mile Radius
-  Programmed Hall County Park
-  Properties with Conservation Easements
-  Underserved Areas in Need of Parks



Greenspace

Rapid growth coming up the I-985 corridor will bring great change to the community. While growth is inevitable, it will take a toll on Hall County's greenspace and other natural resources. Hall County residents want to assure that the next generation has the same or better level of access to greenspace and natural resources as today. More than ever, the County must balance residential and commercial growth with permanently protected greenspace.

Strategies

- GS.1** Create a process that identifies land for permanent protection. Use the process to identify land, then implement measures that assure protection of the identified land.
- GS.2** Create a county department independent of Parks and Recreation to oversee implementation of greenspace initiatives.
- GS.3** Prioritize preserving greenspaces and adjoining waterways, particularly in areas impacted by large-scale developments.
- GS.4** Collaborate with community organizations and land trusts to establish conservation easements and protect critical greenspace.
- GS.5** Encourage the conservation of agricultural land and homesteads in rural areas to preserve privately held and permanently protected greenspace.
- GS.6** Encourage and support the conservation of greenspace and establish new programs and initiatives to safeguard natural areas.
- GS.7** Promote community engagement and education to foster a sense of stewardship for greenspace conservation.
- GS.8** Continue partnerships with the Vision 20230 Greenspace Committee and other environmentally-focused community groups.
- GS.9** Establish partnerships with all municipalities for common vision of greenspace protection.

Key Action Items

- ✓ Immediately establish dedicated Hall County staff position to develop, manage, and implement greenspace initiatives.
- ✓ Develop and adopt a strengthened county-wide tree ordinance through the UDC.
- ✓ Actively promote the North Georgia Land Trust to educate and inform land owners of the opportunities afforded for land conservation through a land trust.
- ✓ Create and identify multiple funding streams that support development of green infrastructure.
- ✓ Leverage conservation easements and zoning to promote greenspace protection.
- ✓ Create a dedicated Greenspace Acquisition Fund using SPLOST funding and other funding tools.
- ✓ Identify existing parcels that are currently appropriate to place into permanent protection.
- ✓ Continue to expand the Highlands to Islands Trail system.
- ✓ Create a nature preserve at Glade Farm.

Greenspace is land in its undeveloped state which as been so designated due to its ecological, environmental, aesthetic, cultural, historic, or agricultural value; it is land that is developed to an extent consistent with natural resource protection or informal recreation.



Natural Resource Conservation

Natural resources are defined as materials from the Earth that support life, like water, soil, and air. Rapid growth from the I-985 corridor and other major road corridors will bring great change to the community. While growth is good, it can take a toll on Hall County's natural resources. Hall County residents want to ensure that the next generation has the same or better quality of natural resources as today. More than ever, the County needs to balance new development with natural resources.

Strategies

- NR.1** Implement strategies to protect Lake Lanier from pollution, including working with local farmers to encourage sustainable practices.
- NR.2** Implement anti-pollution campaigns to raise awareness of strategies that mitigate and protect the environment.
- NR.3** Consider establishing new programs and initiatives to safeguard natural areas.
- NR.4** Promote community engagement and education to foster a sense of stewardship for resource conservation.

Key Action Items

- ✓ Continue partnerships with the Vision 2030 Greenspace Committee, the Chattahoochee Riverkeepers, and Lake Lanier community groups.
- ✓ Leverage greenspace, conservation easements, zoning, and buffers as instruments to provide watershed protection to Lake Lanier and its tributaries.
- ✓ Partner with a University of Georgia Cooperative Extension Office to promote sustainable agricultural practices.
- ✓ Coordinate with the Georgia Environmental Protection Division (GAEPD) on the Total Maximum Daily Load (TMDL) implementation plan for Lake Lanier.

Multi-Modal Transportation

Hall County's bicycle and pedestrian facilities are limited compared to the overall street network, but the construction of the Highlands to Islands Trail has proven their commitment to improving infrastructure for people moving around the county without a car, whether it be for commuting or recreation. With new growth projected for the next two decades, there will be a greater need for additional multi-modal transportation options for residents, workers, and visitors to divert cars from the roadways and provide recreational options. The future of Hall County's multi-modal transportation network should build from existing opportunities, consider expansion of the Highlands to Islands Trail network, leverage partnerships with the Gainesville-Hall Metropolitan Planning Organization (GHMPO) and other organizations committed to expanding transportation options in the region, and working with developers to ensure that new development can meet the County's goals for multi-modal access.

Strategies

- MT.1** Expand alternative transportation options to provide residents with additional mobility choices and reduce car dependency. Prioritize areas in the proximity of schools, recreation facilities, parks, healthcare facilities, and residential areas.
- MT.2** Prioritize and incentivize new development that connects into pedestrian infrastructure, such as the Highlands to Islands Trail and other local and regional trail systems.
- MT.3** Develop context-sensitive complete streets that prioritize the safety and accessibility of all users, including pedestrians, cyclists, transit users, and drivers. This applies to both new streets and retrofits to existing streets, where appropriate.
- MT.4** Determine the feasibility of enhancing public transit systems to improve connectivity and increase ridership.

Key Action Items

- ✓ Coordinate with GHMPO on completing the Highlands to Islands Trail network.
- ✓ Prioritize sidewalk and street lighting needs based on frequency of use.
- ✓ Coordinate with City and Town efforts to build and connect multi-modal infrastructure.
- ✓ Enact zoning conditions of approval for nearby developers to build connections to the Highlands to Islands Trail.
- ✓ Incentivize mixed-use developers to include trails and trail connections, where appropriate, in their plans.
- ✓ Encourage developers to construct trail systems within a half-mile of mixed-use projects.
- ✓ Encourage connections to activity centers within the Cities and Towns.
- ✓ Examine how County and City/Town parks can be connected through new trails.
- ✓ Adopt a complete streets policy.
- ✓ Implement an ADA plan that identifies existing ADA barriers on sidewalks and crossings to allow for updates to be made on an ongoing basis.

Safety & Security

As the population grows, there will be an increased need for public safety services including police, fire protection, and emergency services. Hall County will need to approach this on many fronts by staying on top of the latest safety data (crime, fires, etc.), collaborating with other agencies within the County and outside, and ensuring trust from the citizens that their needs, emergency or not, are always met.

Strategies

- SS.1** Collaborate with local law enforcement agencies throughout the county to address concerns about crime activity to ensure that Hall County feels safe.
- SS.2** Foster community partnerships to create a culture of safety and encourage residents' active participation in crime prevention efforts.
- SS.3** Implement strategies to mitigate safety risks associated with growth, such as traffic management and street lighting improvements where necessary and appropriate.
- SS.4** Incorporate Crime Prevention Through Environmental Design (CPTED) principles in new developments where appropriate to increase their safety and reduce the likelihood of criminal activity.

Key Action Items

- ✓ Establish benchmarks to determine what is considered a "safe" level of crime in Hall County.
- ✓ Continue to monitor crime statistics and make them easily accessible to the public.
- ✓ Track the construction of new developments to ensure that police and fire services can serve the growing population at the ideal level of service.
- ✓ Create a plan for long-term capital investments to fund new public safety facilities.
- ✓ Establish a Citizens Advisory Committee on public safety.
- ✓ Assess the ability to form a Neighborhood Watch program, with the assistance of the Sheriff's Office Public Information and Community Services Unit.
- ✓ Ensure that new developments are accessible for emergency vehicles.
- ✓ Prioritize sidewalk and street lighting needs based on frequency of use.

Economic Development

The job market, along with the economy, in Hall County will continue to grow for several reasons. The first is that as the population increases, there will be demand for grocery stores, restaurants, and medical services, to name a few, all of which will require a workforce to staff the jobs they will create. The second is that the industrial sectors of the county's employment are going to continue to increase as the Inland Port is developed, which will attract more workers. Lastly, with more people in the county, new businesses will be started. It's important that the County continue to support both the commercial and industrial sectors of their economy, as they help supplement the tax digest with the revenues needed to support residential services and fund infrastructure improvements, all of which will be needed to accommodate new growth. The County should continue to promote opportunities for higher-paying jobs and small businesses, maintain the success of their existing industries, revitalize existing commercial/industrial areas, and leverage programs inside and outside the county to further support economic development activities.

Strategies

- ED.1** Support the efforts of organizations advancing economic development in the county, such as the Greater Hall Chamber of Commerce and the Gainesville-Hall Economic Development Council.
- ED.2** Maintain collaborative efforts to coordinate economic development with the Cities and Towns, North Georgia region, and State.
- ED.3** Maintain the economic resiliency of major employment sectors in the county including healthcare services, food processing, and education.
- ED.4** Promote and support small business growth, existing industries such as healthcare, business recruitment, building and supporting active greenspace, and developing tourism assets and events.
- ED.5** Streamline regulations, provide incentives for prospective businesses, and support business expansion within targeted areas.
- ED.6** Promote and support agri-tourism to capitalize on Hall County's natural and cultural assets.

- ED.7** Develop strategies to attract and retain businesses and industries that cater to evolving consumer and employment needs based on anticipated demographic changes.
- ED.8** Prioritize the creation of jobs that provide livable wages to employees.
- ED.9** Focus on quality over quantity of growth in economic development opportunities.
- ED.10** Consider the long-term return on investment that comes from improving the quality of development, including higher-quality jobs for residents, a stronger tax base, and other economic benefits.

Key Action Items

- ✓ Use data from corridor development studies for SR 365/Cornelia Highway to determine optimal industrial capacity, the best industries to locate along them, the impacts to infrastructure, and propose alternative locations for new industry.
- ✓ Study the feasibility of future sewer extensions in strategic areas SR 60/Athens Highway to support commercial and industrial growth along the corridor going into both Gainesville and Jackson County.



CHAPTER 5: FUTURE LAND USE STRATEGY



Approach	156
The New Unified Development Code	158
Future Land Use Categories	161
North Hall	170
Murrayville/Sardis	174
Gainesville Area	178
East Hall	184
Chestnut Mountain/Candler	188
South Hall	192
Future Land Use & Infrastructure Alignment	196

FUTURE LAND USE STRATEGY

Approach

As Hall County continues to grow and develop, the County will need a solid, flexible, and sustainable approach to future development that establishes:

- Where new development should be prioritized.
- The location of new land uses.
- How to determine the appropriateness of new development.

This strategy breaks down the county into six character areas that correspond to the Planning Areas established in the 2017 Comprehensive Plan and used throughout this planning process. Some minor adjustments were made to the boundaries to better correspond with the county's geography. These character areas are intended to give the County direction as to if a proposed development (or redevelopment) would be appropriate.

For each character area, there is a map, a narrative that should be prioritized, a list of appropriate future land use designations (refer to pages 161-167), a list of appropriate zoning districts should there be rezonings, and a curated list of recommended implementation measures.

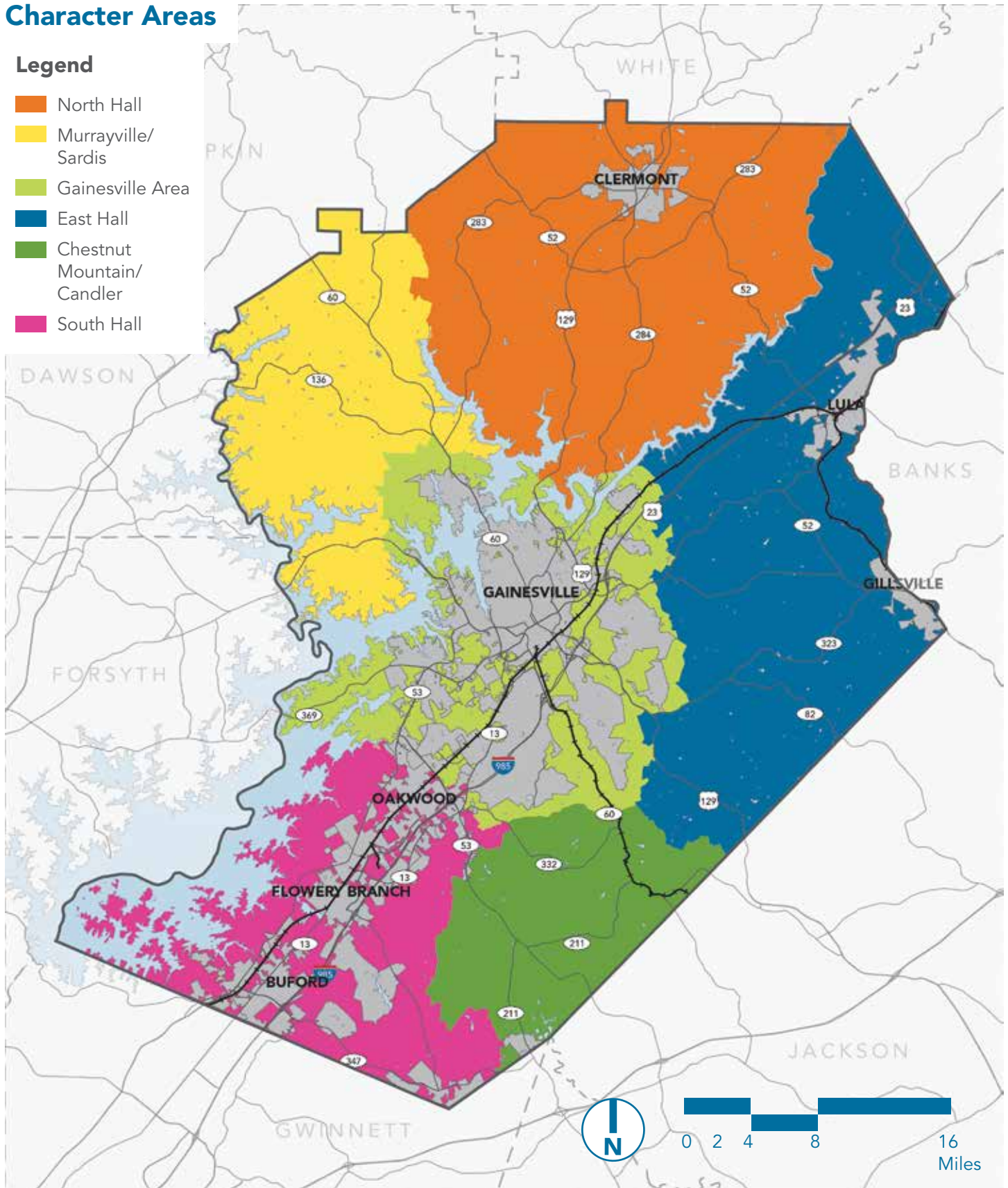
The Comprehensive Plan & UDC Connection

Hall County's Unified Development Code (UDC) zoning districts are guided by the Comprehensive Plan. A municipality's zoning ordinance is considered to be in accordance with the comprehensive plan if land use types and intensities are compatible with the goals, objectives, strategies, and land uses specified by the Comprehensive Plan. The zoning code should not be contradictory to the Comprehensive Plan nor prevent its implementation. This is important when property owners need to rezone their property to undertake new development. If the plan for a development does not line up with the vision of the Comprehensive Plan, the County's planners and Board of Commissioners (BOC) have the authority to not grant the rezoning. The table on page 159 shows the UDC zoning districts that are most compatible with the future land uses outlined by this Comprehensive Plan.

Character Areas

Legend

- North Hall
- Murrayville/
Sardis
- Gainesville Area
- East Hall
- Chestnut
Mountain/
Candler
- South Hall



The New Unified Development Code

Concurrent with the development of this Comprehensive Plan, the County's zoning ordinance, subdivision regulations, and stormwater regulations were being rewritten into an UDC. The process to update the UDC involved cleaning up the existing regulations to:

- Make the code easier to understand.
- Update outdated terms and references.
- Consolidate uses into a single table.
- Add graphics and diagrams for clarity.
- Update and consolidate definitions.
- Reorganize regulations.
- Update legal provisions.

New Zoning Districts

The process also included deleting unused zoning districts and overlays and creating new districts to align with evolving development types. New districts include the Agricultural General (AG-1) district, Residential Mixed (R-X) district, and Mixed-Use (M-U) district.



Agricultural General (AG-1)

- Intended for areas that are largely undeveloped.
- Allows agricultural uses and limited commercial or entertainment that supports the preservation of agricultural lands.
- Allows single-family residential.
- Minimum 5-acre lots.



Residential Mixed (R-X)

- Intended for denser areas near cities and activity centers.
- Allows a mix of residential housing types on a single lot: single-family, two-family, townhouses, and cottage courts.
- Would require at least two different housing types in a development, with at least 20% of each type.



Mixed-Use (M-U)

- Intended for denser areas near cities and activity centers.
- Allows commercial and residential uses on a single lot.
- Requires transportation best practices and places a high priority on site specific pedestrian enhancements.

Future Land Use & Zoning Compatibility Table

Future Land Use	AG-1	AR-1	V-C	R-1-L	R-1	R-TF	R-X	R-MF	MHP	O-I	S-S	H-B	M-U	I-1	I-2	PCD	PID	POD	PRD
Greenspace - Recreation	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Greenspace - Conservation	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Rural Agriculture	X	X																	
Rural Neighborhood		X		X															
Lakeside Residential			X	X	X		L												
Suburban Neighborhood, Low-Density				X	X		L												
Suburban Neighborhood, Medium-Density						L	X		L										L
Suburban Multi-Family						X	X	X											X
Rural Scenic Nodes & Corridors	X	X								X	X					L			
Business Nodes & Corridors							L	L		X	X	X	X	X		X			L
Employment Nodes & Corridors							L	L		X			X	X	L		X	X	L
Industrial														X	X		X		
Inland Port							X								X	X	X	X	
Regional Activity Centers							X	X		X	X	X	X			X			X

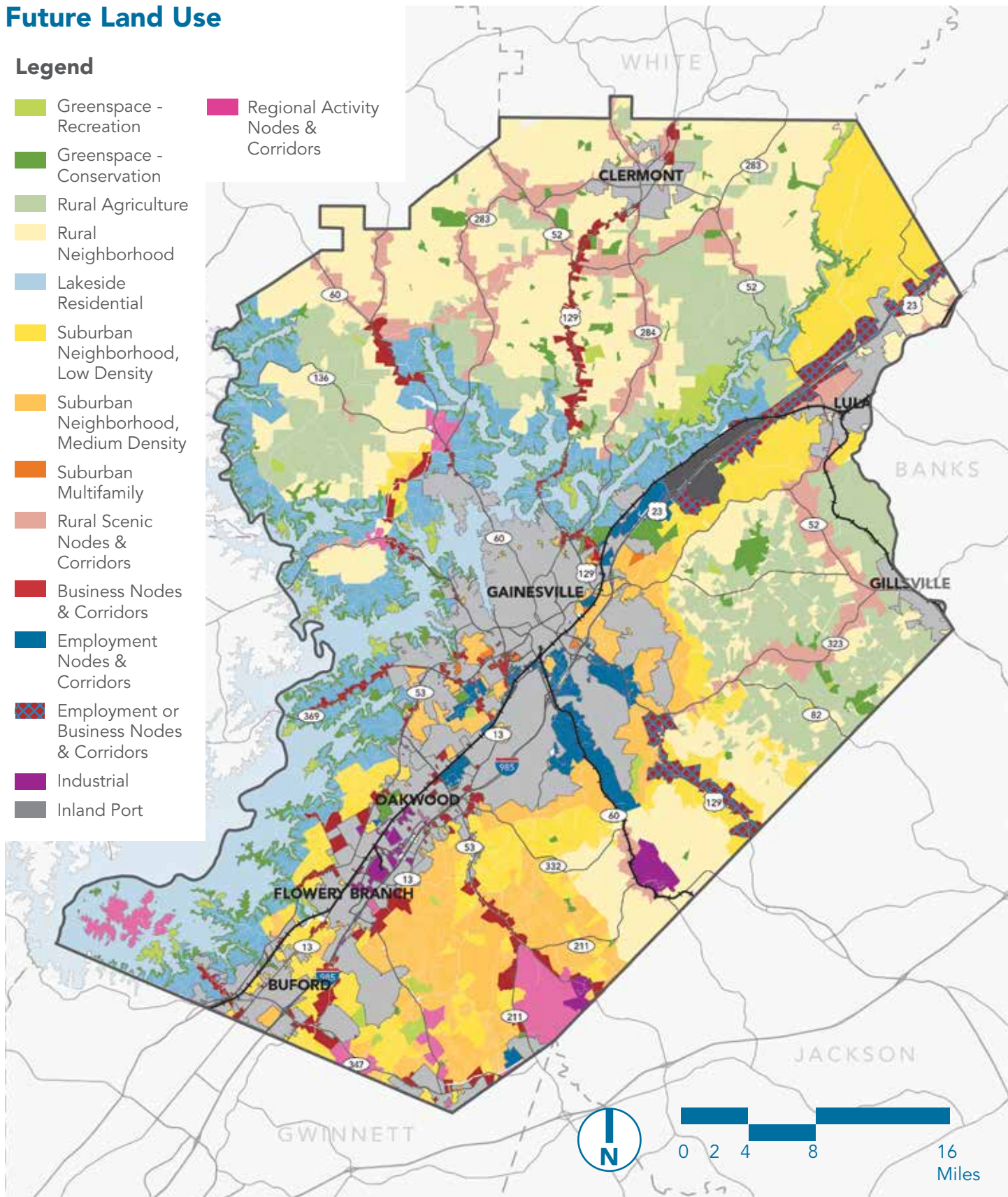
X = Permitted

L = Limited to certain character areas

Future Land Use

Legend

- Greenspace - Recreation
- Greenspace - Conservation
- Rural Agriculture
- Rural Neighborhood
- Lakeside Residential
- Suburban Neighborhood, Low Density
- Suburban Neighborhood, Medium Density
- Suburban Multifamily
- Rural Scenic Nodes & Corridors
- Business Nodes & Corridors
- Employment Nodes & Corridors
- Employment or Business Nodes & Corridors
- Industrial
- Inland Port
- Regional Activity Nodes & Corridors



Future Land Use Categories

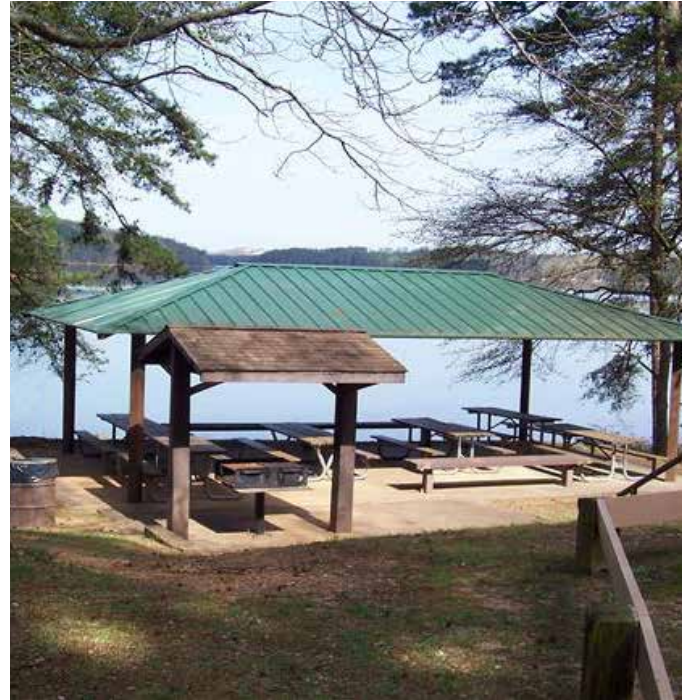
Greenspace - Recreation

Overview

These areas include lands containing or planned for parks and recreation facilities, or permanently designated open space. Parks and recreational facilities are an important asset to all communities because they contribute to a high quality of life. Where possible, new parks should be built near residential and vibrant commercial areas and should be accessible via sidewalks, bicycle facilities, and multi-use paths and trails. The development of parks and recreational facilities, along with trails, should be coordinated with the County's parks and recreation plan. The County should continue coordination with GHMPO and City governments on the improvement and expansion of local and regional trail networks.

Appropriate Zoning Districts:

- All zoning districts that permit recreational uses



River Forks Park, Gainesville

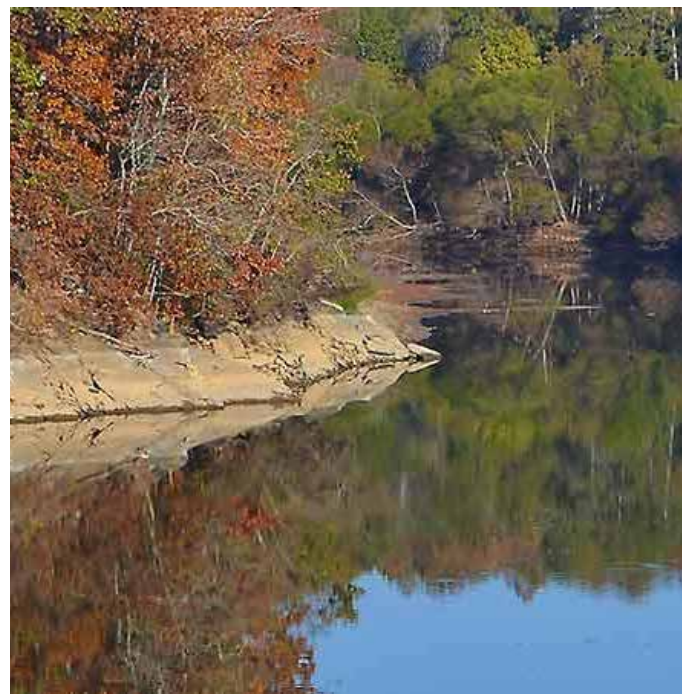
Greenspace - Conservation

Overview

Conservation areas are lands that are environmentally sensitive and should be protected from adverse development to maintain natural habitats, provide flood protection, and protect water quality. These areas include public or privately-owned lands intended to be protected for natural area conservation and passive recreation purposes. The protection and preservation of these areas could occur through a variety of ways including private donations of such lands; limited public acquisition (i.e. eminent domain); and compliance with all federal, state, and local regulations.

Appropriate Zoning Districts:

- All zoning districts that permit conservation uses



Lula Bridge Wildlife Management Area

Rural Agricultural

Overview

These areas should consist of active farms and agricultural enterprises and very low-density, large-lot single-family residential up to 0.75 dwellings per acre. Development patterns may involve larger areas of undeveloped or cultivated land characterized by large distances between buildings and deep setbacks.

Appropriate Zoning Districts:

AG-1, AR-1



Brookton Lula Road, Lula

Rural Neighborhood

Overview

These areas should consist of active farms and agricultural enterprises and low-density, large-lot single-family residential up to 0.75 dwellings per acre. These areas also consist of undeveloped lands likely to face development pressures for new residential or commercial development. Similar to Rural Agriculture, they should have deep setbacks and incorporate a high percentage of open space. Where it occurs, new development should preserve natural features, including tree canopy, waterways, and waterbodies.

Appropriate Zoning Districts:

AR-1, R-1-L



Gillsville Highway, Gillsville

Lakeside Residential

Overview

These areas are located near and adjacent to the edges of Lake Lanier and can range from low-density residential to resort-style multifamily. Lakeside Residential is intended to preserve established lakefront neighborhoods and create opportunities for permanent and vacation residences along and adjacent to the lake. While some of these areas are not located directly on the lake, they have a development pattern similar to their lakeside neighbors or are likely to see a style of development that is denser than Rural Neighborhood or slightly less dense than Suburban Neighborhood, Low Density. Depending on the character area and what zoning districts they allow, residential densities can be up to 0.75 dwellings per acre or up to 8 dwellings per acre.

Appropriate Zoning Districts:

R-1-L, V-C, R-1, R-X (limited)



Lake Lanier

Suburban Neighborhood, Low Density

Overview

These areas consist of low-density, detached single-family housing. In less developed areas of the county, they should be focused where there is existing water and sewer infrastructure, or where future infrastructure is expected to be located. Future infrastructure may be driven by the *Sewer System Master Plan & Rate Study* or by developers willing to fund access where it isn't already planned. Depending on the character area and what zoning districts they allow, residential densities can be up to 2 dwellings per acre or up to 8 dwellings per acre.

Appropriate Zoning Districts:

R-1, R-X (limited)



Bush Creek Court, Flowery Branch

Suburban Neighborhood, Medium Density

Overview

These areas consist of medium-density, single-family housing (attached or detached). They should be located where there is existing water and sewer infrastructure, or where future infrastructure is expected to be located. Future infrastructure may be driven by the *Sewer System Master Plan & Rate Study* or by developers willing to fund access where it isn't already planned. Depending on the character area and what zoning districts they allow, residential densities can be up to 2.5 dwellings per acre or up to 8 units per acre. In some cases, maximum density may be up to the discretion of the BOC.

Appropriate Zoning Districts:

R-TF (limited), R-X, MHP (limited), PRD (limited)

** excludes multi-family development in some character areas*



Ridgewood Avenue, Gainesville

Suburban Multifamily

Overview

These areas consist of medium- to high-density housing including small-lot single-family detached housing, townhouses and other attached housing types, and multifamily. They should be situated in areas that have the road, water, and sewer infrastructure to support higher density development, or are expected to have it in the future. Residential densities can range from 2.5 dwellings to 10 dwellings per acre. In some cases, maximum density may be up to the discretion of the BOC.

Appropriate Zoning Districts:

R-TF, R-X, R-MF, PRD



Candler Court, Gainesville

Rural Scenic Nodes & Corridors

Overview

The county's rural roadways boast significant natural, historic, or cultural features, and scenic or pastoral views. To balance that with necessary growth, new development along these minor road corridors and intersections should be limited to low-intensity, small-scale commercial uses to serve nearby communities, and well as agricultural uses of all scales. Where there is residential development, the density should be up to 0.75 dwellings per acre.

Appropriate Zoning Districts:

AG-1, AR-1, O-I, S-S, PCD (limited)



SR 283, Clermont

Business Nodes & Corridors

Overview

Many of the county's major roadways have strong connections to infrastructure, employment, and housing, making them desirable for larger scale commercial development. New development along these major road corridors and intersections should consist of higher-intensity commercial uses, low-intensity, consumer-facing industrial uses that house businesses that serve nearby communities, and with some higher density residential, where appropriate. Site designs should use the Quality Development Principals discussed earlier, particularly natural resource protections and high quality landscape installations, to the fullest extent possible. Where there is residential development, the density may be up to 16 dwellings per acre.

Appropriate Zoning Districts:

R-X (limited), R-MF (limited), O-I, S-S, H-B, M-U, I-1, PCD, PRD (limited)



Lake Lanier Islands Parkway

Employment Nodes & Corridors

Overview

Hall County has an economy that is not only strong, but continues to grow, necessitating a need for land that can accommodate both the uses and activity they will generate. These new employment nodes and corridors should consist of industrial and/or office uses housed in either formalized campuses or along major road corridors that have existing or future access to water and sewer. These areas may also include higher density residential uses, where appropriate. Site designs should use the quality development principals discussed earlier to the fullest extent possible. In some areas of the county, this future land use allows limited residential intended to house employees of nearby industries. Where there is residential development, the density may be up to 16 dwellings per acre.

Appropriate Zoning Districts:

R-X (limited), R-MF (limited), O-I, M-U, I-1, I-2 (limited), PID, POD, PRD (limited)



Northeast Georgia Medical Center

Industrial

Overview

These areas include a mix of light and heavy industrial uses, as well as commercial uses that directly support the dominant business uses but are not appropriate for residential development.

Appropriate Zoning Districts:

I-1, I-2, PID



W. White Road

Inland Port

Overview

This area immediately surrounds the incoming Inland Port including the intermodal yard as well as the major freight corridors supporting the flow of goods. As the port develops, further land uses such as housing could be added as appropriate to support key employees of the port. All new development should also take the North Oconee Watershed environmental requirements into account.

Appropriate Zoning Districts:

I-2, R-X, PCD, PID, POD



Regional Activity Nodes & Corridors

Overview

Regional Activity Nodes and Corridors are areas that either already bring visitors from the region or can support future development with a regional draw. New development in these areas should include a combination of retail, office, civic, and residential uses that can contribute to a live-work-play environment. This range of development types may not always be at the same intensity across the county: new development needs to be scaled in the context of the area's infrastructure capacity. New development should also emphasize high-quality building and site design, including dedicated open/civic space, walkability, and a sense of place. Where there is residential development, a maximum density of up to 16 dwellings per acre may be permitted at the discretion of the BOC.

Appropriate Zoning Districts:

R-X (limited), R-MF, O-I, S-S, H-B, M-U, PCD, PRD



Stonebridge Village, Spout Springs

Greenspace Overlay

Overview

Hall County has had a long-time goal of maintaining at least 20% of its land as greenspace since the inception of the Vision 2030 Greenspace Committee. As referenced on page 136, greenspace can come in a variety of forms:

- Protected, undeveloped land
- Agriculture/farms
- Trails (paved and non-paved)
- Green infrastructure
- Neighborhood open space amenity
- Plazas/squares
- Neighborhood parks (1 to 50 acres)
- Community parks (over 50 acres)
- Sports facilities

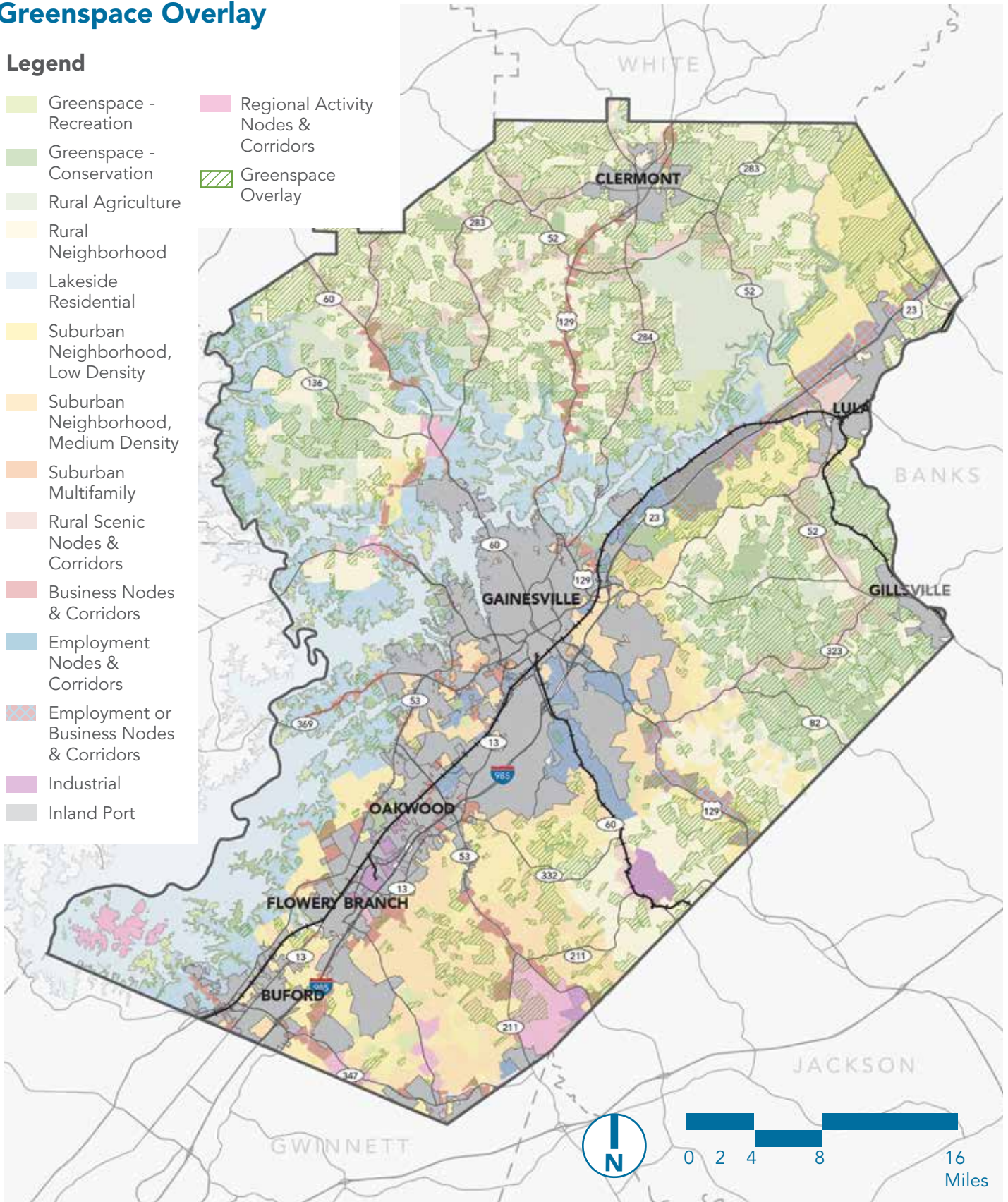
The County has implemented some strategies in the past to increase and maintain their inventory of greenspace, including conservation easements. Page 148 lists some action items that could help the County preserve more greenspace. The map on the facing page identifies those properties that currently have conservation easements or some other preservation measure in place. However, conservation easements are often temporary and would be subject to either renewal or dissolution. This future land use strategy has considered those properties as potential opportunities for greenspace should those easements be continued or if any other protective measures are applied (see page 137). If those lands do not go on to become permanent greenspace, an appropriate future land use has already been identified and new development or redevelopment of that land should strive to retain as much greenspace as possible. If they do become permanent greenspace, then the land would become "Greenspace - Recreation" or "Greenspace - Conservation" depending on the type of greenspace that it will become:

- Permanently protected land/undeveloped land
- Land with potential for environmental restoration
- Open space/passive parks
- Active parks for recreation

Greenspace Overlay

Legend

- Greenspace - Recreation
- Greenspace - Conservation
- Rural Agriculture
- Rural Neighborhood
- Lakeside Residential
- Suburban Neighborhood, Low Density
- Suburban Neighborhood, Medium Density
- Suburban Multifamily
- Rural Scenic Nodes & Corridors
- Business Nodes & Corridors
- Employment Nodes & Corridors
- Employment or Business Nodes & Corridors
- Industrial
- Inland Port
- Regional Activity Nodes & Corridors
- Greenspace Overlay



NORTH HALL

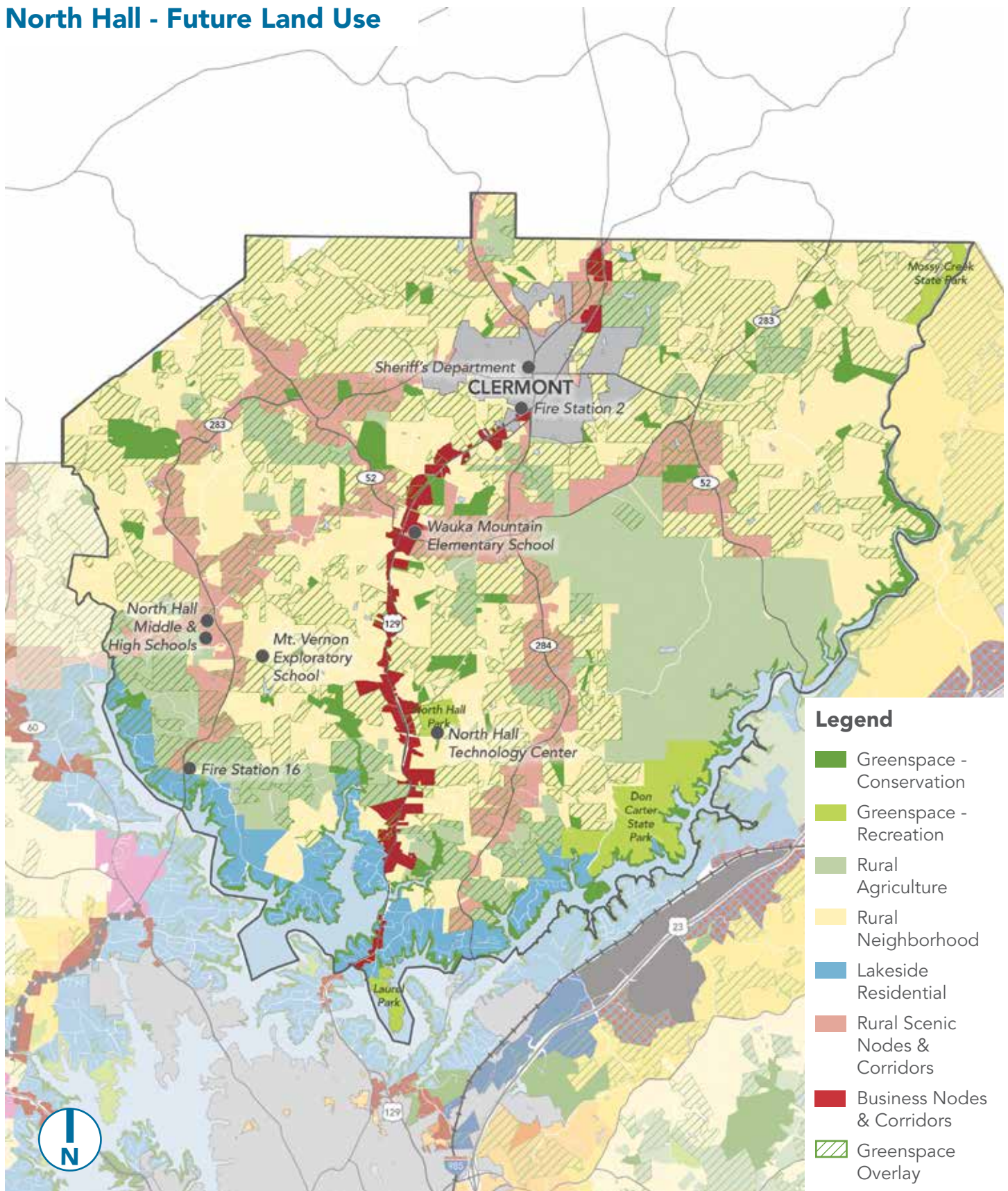
Vision

The vision for North Hall is centered on maintaining rural character while promoting sustainable growth and balanced development that includes attainable housing, agriculture, and preserving both active and passive greenspaces. A focus on improving infrastructure, such as better connectivity and thoughtful traffic solutions, aims to enhance residents' quality of life.

Supporting Ideas

- **Creating & Maintaining Diverse Residential Landscapes.** North Hall should embrace single-family housing that caters to a wide range of income levels and lifestyles, yet is still appropriate to a more pastoral landscape.
- **Preserving Rural Identity.** North Hall's low-density and rural character is important to those who call it home. As the county grows, its identity should be maintained by ensuring that new development not only meets the needs of the residents but is appropriately designed and sited. Nature is important to North Hall residents, so it is vital that greenspace of all forms is preserved and maintained.
- **Balanced and Sustainable Development.** North Hall aims to balance greenspace with residential and commercial growth. The vision advocates for well-planned growth that considers existing and planned infrastructure, creating an environment where small-scale local farming thrives, and promoting ecological responsibility.
- **Improving Connectivity and Infrastructure.** To enhance connectivity and the movement of people and goods, road networks should be improved, and trails should be constructed. This commitment extends to enhancing traffic flow through strategic improvements, such as the improvement of intersections and roadway design.
- **Preservation of Nature and Quality of Life.** The environment (particularly greenspaces and wildlife habitats) should be safeguarded from incompatible development. Excessive industrialization should be curbed and community-oriented businesses that enhance the quality of life should be prioritized.

North Hall - Future Land Use



NORTH HALL

Tying It Back to Growth...

Under this future land use strategy, North Hall can expect up to 5,000 new households before 2050 if land is developed or redeveloped to the highest density allowed by zoning. To ensure quality of life, this means that:

- Hall County will need to build or set aside up to 100 additional acres of programmed parks and/or greenspace (assuming 8.5 acres per 1,000 new residents).
- Hall County Schools will need to accommodate between up to 2,000 additional students in this area.
- Anywhere between 1,800 and 7,000 additional vehicles will be on the roads (assuming 1.7 cars per new household).

Key Strategies

- Continue updating and implementing the North Hall Sewer System master plan.
- Continue working with the Town of Clermont to coordinate land use planning efforts, solve code enforcement issues on the town boundaries, and provide joint services.
- Continue to prioritize roadway improvements to US 129/Cleveland Highway and SR 60/Thompson Bridge Road.
- Prioritize higher density development along US 129/Cleveland Highway
- Work with broadband providers to expand internet access.
- Continue to protect greenspace.
- Consider constructing bike infrastructure for recreational cyclists.
- Create a nature preserve at Glade Farm.

North Hall Future Land Use & Zoning Compatibility Table

Future Land Use	AG-1	AR-1	V-C	R-1-L	R-1	R-TF	R-X	R-MF	MHP	O-I	S-S	H-B	M-U	I-1	I-2	PCD	PID	POD	PRD
Greenspace - Recreation	X	X	X	X	X		X			X	X	X	X	X	X	X			
Greenspace - Conservation	X	X	X	X	X					X	X	X	X	X	X	X			
Rural Agriculture	X	X																	
Rural Neighborhood		X		X															
Lakeside Residential			X	X	X														
Rural Scenic Nodes & Corridors	X	X								X	X								
Business Nodes & Corridors							X			X	X	X	X	X		X			



Source: Google Earth



Note: Images are for example purposes only and may not be located in unincorporated Hall County.

MURRAYVILLE/SARDIS

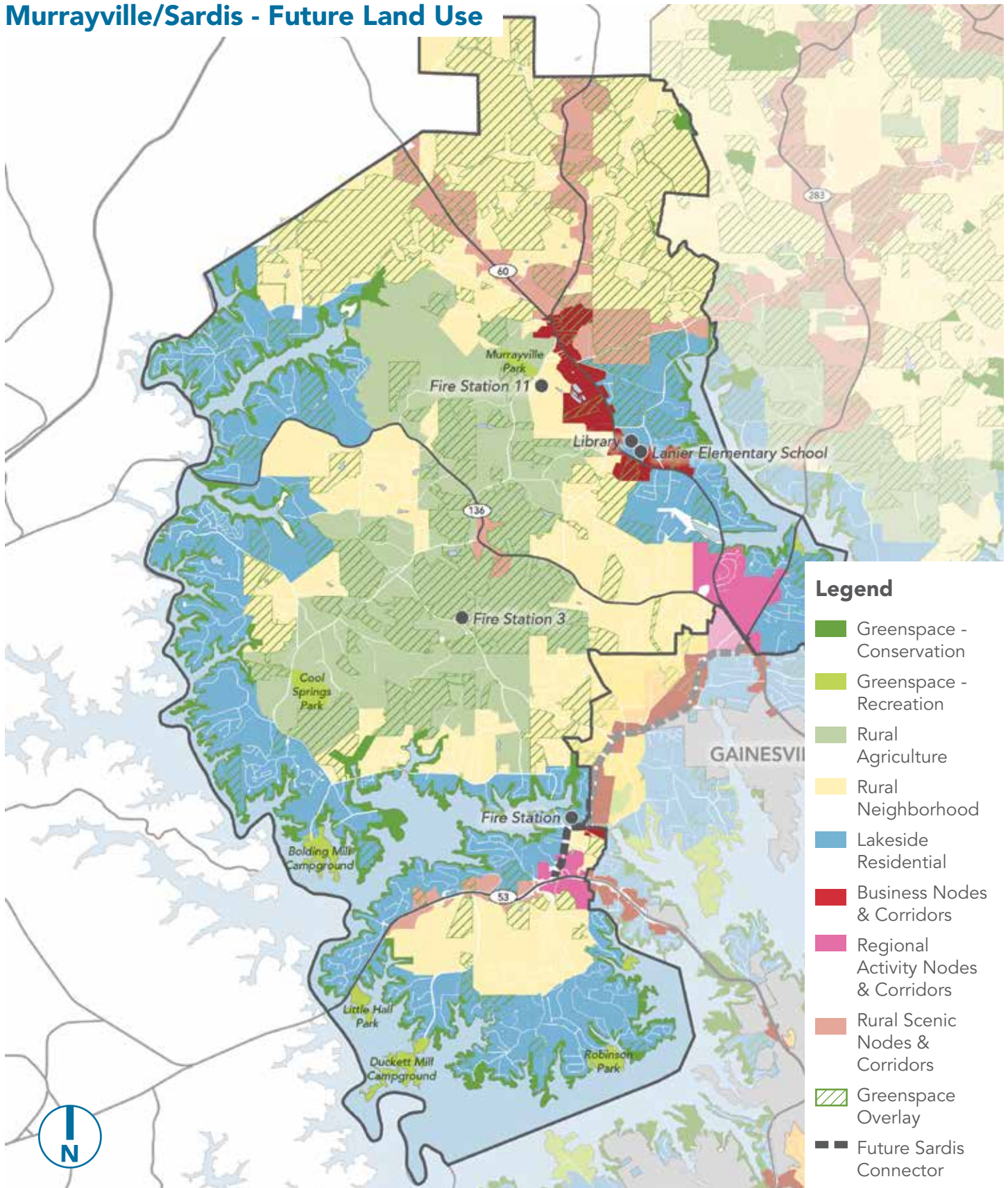
Vision

The Murrayville/Sardis community places a paramount emphasis on maintaining its rural, tranquil charm through preserving its sense of safety and natural features. The community also wants to ensure affordable housing options, prevent suburbanization, improve road conditions, and mend other infrastructure woes. By concentrating growth exclusively along SR 60/Thompson Bridge Road, as it has existing and planned infrastructure and the beginnings of a regional activity center, the County can preserve the rural character that is important to the residents in the Murrayville/Sardis area.

Supporting Ideas

- **Community Identity and Rural Charm.** The community strongly values its rural identity and seeks to maintain it by opposing over-commercialization and unwarranted growth. They want to retain the peaceful and rustic feel that drew them to the area.
- **Affordable Housing and Growth.** Residents in this area are deeply concerned about housing affordability, particularly for younger individuals and starter households. They emphasize a strong desire to limit future development to ensure that existing infrastructure isn't overwhelmed and rural character is preserved.
- **Quality of Life.** To ensure that those living in Murrayville/Sardis have the quality of life they have come to expect, access to services should be prioritized, including ensuring that there are adequate shopping and restaurants, housing for seniors, parks, libraries, schools, etc.
- **Visual Aesthetics and Architectural Quality.** When and where new development is built, the existing visual character of the area should be preserved and enhanced. Housing and commercial developments should be aesthetically pleasing.
- **Sustainability and Conservation.** There is a desire to uphold ongoing sustainability and conservation efforts through the preservation of greenspace and trees.
- **Balanced Growth.** New development or redevelopment in Murrayville/Sardis should avoid the urban sprawl that has occurred in other areas of the county. Balanced growth can occur while preserving the aspects of community character that residents enjoy through thoughtful zoning and development practices. The establishment of small scale mixed-use developments can promote walkability and access to local amenities should be prioritized where noted in the Future Development Strategy.
- **Sardis Connector.** Concentrating new growth along the future Sardis Connector can ensure new development in this area is supported by the necessary transportation and sewer infrastructure. This will allow the remainder of the Murrayville Sardis area to retain its rural charm while developing new amenities for the community. Land developed or redeveloped in the Regional Activity Nodes at the intersections with SR 60/Thompson Bridge Road and SR 53/Dawsonville Highway may do so at a lesser intensity in the Murrayville/Sardis Character Area than in other areas of the county.

Murrayville/Sardis - Future Land Use



Legend

- Greenspace - Conservation
- Greenspace - Recreation
- Rural Agriculture
- Rural Neighborhood
- Lakeside Residential
- Business Nodes & Corridors
- Regional Activity Nodes & Corridors
- Rural Scenic Nodes & Corridors
- Greenspace Overlay
- Future Sardis Connector

MURRAYVILLE/SARDIS

Tying It Back to Growth...

Under this future land use strategy, Murrayville/Sardis can expect up to 5,300 new households before 2050 if land is developed or redeveloped to the highest density allowed by zoning. To ensure quality of life, this means that:

- Hall County will need to build or set aside up to 135 additional acres of programmed parks and/or greenspace (assuming 8.5 acres per new 1,000 residents).
- Hall County Schools will need to accommodate up to 2,500 additional students in this area.
- Anywhere between 1,800 and 7,000 additional vehicles will be on the road (assuming 1.7 cars per new household).

Key Strategies

- Continue to protect greenspace.
- Explore ways to expand infrastructure to Murrayville/Sardis to keep up with increased growth pressures while maintaining rural character.
- Until infrastructure can fully catch up to the demands of new development, limit new greenfield development.
- Prioritize higher density developments along SR 60/Thompson Bridge Road and at the intersection of the new Sardis Connector with SR 53/Dawsonville Highway.

Murrayville/Sardis Future Land Use & Zoning Compatibility

Future Land Use	AG-1	AR-1	V-C	R-1-L	R-1	R-TF	R-X	R-MF	MHP	O-I	S-S	H-B	M-U	I-1	I-2	PCD	PID	POD	PRD
Greenspace - Recreation	X	X	X	X	X		X	X		X	X	X	X	X		X			X
Greenspace - Conservation	X	X	X	X	X		X	X		X	X	X	X	X		X			X
Rural Agriculture	X	X																	
Rural Neighborhood		X		X															
Lakeside Residential			X	X	X														
Business Nodes & Corridors										X	X	X	X	X		X			
Rural Scenic Nodes & Corridors	X	X								X	X			X					
Regional Activity Nodes & Corridors							X	X		X	X	X	X			X			X



GAINESVILLE AREA

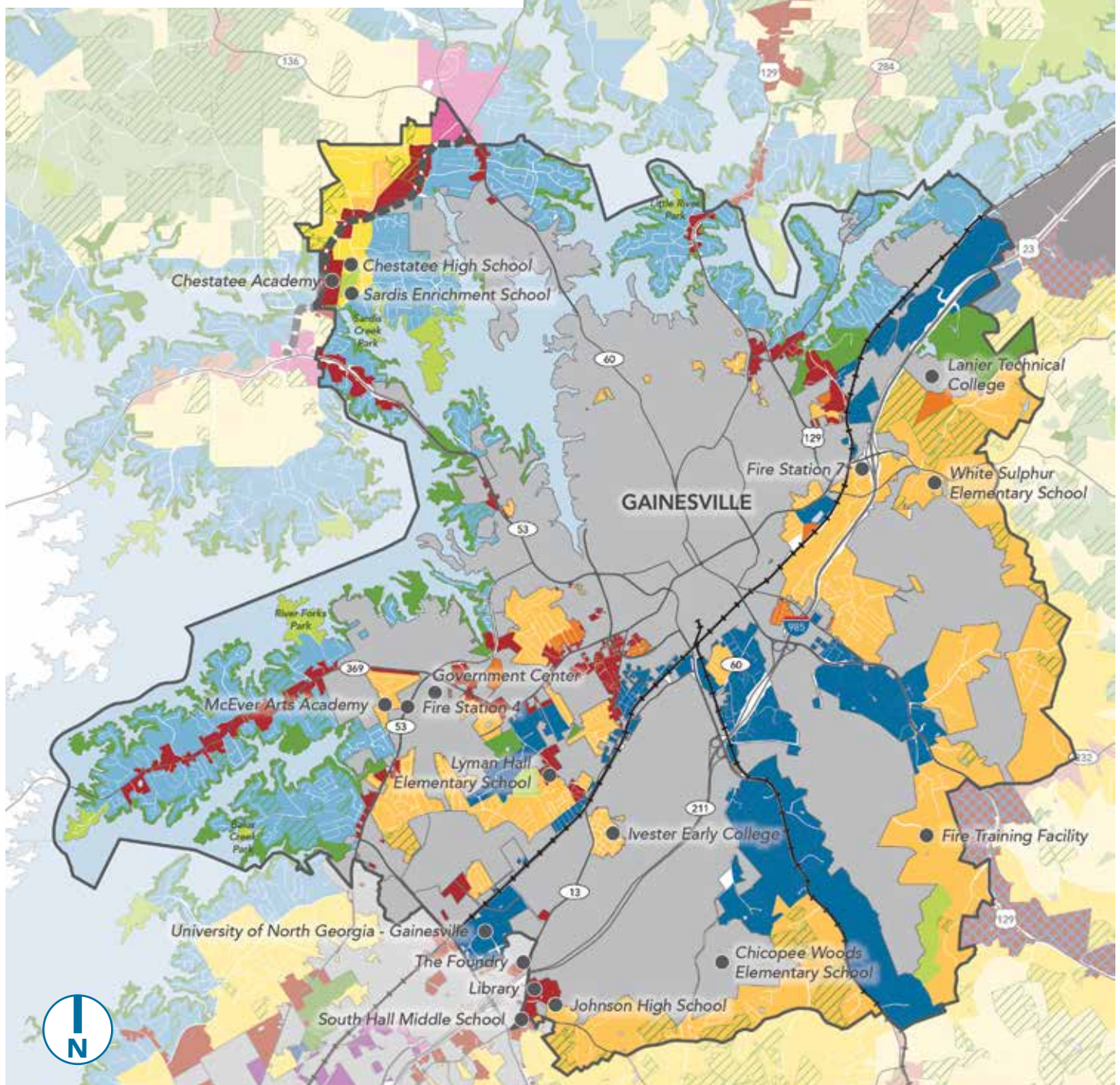
Vision

The vision for the area surrounding Hall County's largest city is one of a dynamic, well-balanced community that prioritizes thoughtful development. This vision is one that promotes a vibrant, engaging, and sustainable future for residents and newcomers alike.

Supporting Ideas

- **Infrastructure and Safety.** When possible, new development and redevelopment should address road safety and safe pedestrian access around schools and neighborhoods. Transportation improvements should focus on enhancing traffic flow and pedestrian safety.
- **Recreational Spaces.** The community's love for recreational spaces underscores the need to continue fostering outdoor activities and safe pedestrian movement.
- **Housing and Development.** Housing in the Gainesville Area should be complementary of what's already being provided in the city, while also fitting into the context of neighboring communities in other character areas. Higher density housing should be prioritized, especially in areas that have access to major roads and sewers.
- **Environmental Preservation.** New development should put emphasis on preserving tree cover and promoting green infrastructure and best practices to keep the environment not only healthy, but attractive as well.
- **Managing Growth.** Balancing growth will be critical for this area. The City of Gainesville and the surrounding areas are expected to take in much of the new growth projected for Hall County, meaning that the development of new residential needs to limit overpopulation in constrained areas and consider the impact on services such as schools, police, sewer and water, and social support systems. New development should be well-planned with infrastructure and density thoughtfully balanced to ensure long-term cohesion.
- **Attainable Housing.** Like other areas in Hall County, improved housing quality and availability should be prioritized for low to middle-income households.
- **Sardis Connector.** The new Sardis Connector's expanded transportation infrastructure offers an opportunity to accommodate future growth while preserving the rural character of nearby areas. Development or redevelopment along the Sardis Connector and at the intersections with SR 53/Dawsonville Highway and SR 60/Thompson Bridge Road may occur at a lower intensity compared to other parts of the county.

Gainesville Area - Future Land Use



Legend

- Greenspace - Conservation
- Greenspace - Recreation
- Lakeside Residential
- Suburban Neighborhood, Low Density
- Suburban Neighborhood, Medium Density
- Suburban Multifamily
- Business Nodes & Corridors
- Employment Nodes & Corridors
- Regional Activity Nodes & Corridors
- Greenspace Overlay
- Future Sardis Connector

GAINESVILLE AREA

Tying It Back to Growth...

Under this future land use strategy, the Gainesville area (not the City itself) can expect to see up to 16,500 new households before 2050 if land is developed or redeveloped to the highest density allowed by zoning. To ensure quality of life, this means that:

- Hall County will need to build or set aside up to 400 additional acres of programmed parks and/or greenspace (assuming 8.5 acres per 1,000 new residents).
- Hall County Schools will need to accommodate up to 8,000 additional students in this area.
- Up to 28,000 additional vehicles will be on the road (assuming 1.7 cars per new household).

Key Strategies

- Continue working with the City of Gainesville to coordinate land use planning efforts, solve code enforcement issues on the city boundaries, and provide joint services like water and sewer.
- Establish a joint program with the City of Gainesville to address housing attainability through the Georgia Initiative for Community Housing (GICH) program.
- Continue efforts to fully construct the Highlands to Islands Trails system.
- Ensure that new development along the new Sardis Connector fits in with the character of the surrounding area while meeting the needs of the community.
- Consider public/private partnerships to develop quality residential near the Sardis Connector.

Gainesville Area Land Use & Zoning Compatibility Table

Future Land Use	AG-1	AR-1	V-C	R-1-L	R-1	R-TF	R-X	R-MF	MHP	O-I	S-S	H-B	M-U	I-1	I-2	PCD	PID	POD	PRD
Greenspace - Recreation			X	X	X	X	X	X	X	X	X	X	X	X		X	X	X	X
Greenspace - Conservation			X	X	X	X	X	X	X	X	X	X	X	X		X	X	X	X
Lakeside Residential			X	X	X		X												
Suburban Neighborhood, Low-Density				X	X		X												
Suburban Neighborhood, Medium-Density						X	X		X										X
Suburban Multi-Family						X	X	X											X
Business Nodes & Corridors								X		X	X	X	X	X		X			X
Employment Nodes & Corridors								X		X			X	X			X	X	X
Regional Activity Nodes & Corridors							X	X		X	X	X	X	X		X			X



Note: Images are for example purposes only and may not be located in unincorporated Hall County.

THE SARDIS CONNECTOR

The Sardis Connector will provide a four-lane divided roadway between SR 60/Thompson Mill Road to the north and SR 53/Dawsonville Highway to the south. The road will have sidewalks on both sides. Like any new roadway, the Sardis Connector has the potential to bring with it new development along its right-of-way. The Connector provides an opportunity for Hall County to coordinate land use and development with infrastructure.

The areas along the Connector and its intersections with SR 60/Thompson Mill Road and SR 53/Dawsonville Highway will need extra attention as plans begin to emerge from developers and builders. The comprehensive plan assigns "Regional Activity Nodes & Corridors" to the major intersections and "Business Nodes & Corridors" to the areas that front the road between them as they provided the necessary level of flexibility. However, because of concerns about the interaction between land use and infrastructure, the community desires additional scrutiny when deciding what types of development should be approved.

This comprehensive plan recommends that Hall County undergo a public small area planning process that will then inform a zoning overlay for the area shown on page 183. Until those recommendations are codified, the community has set forth the following as their vision for the Sardis Connector:

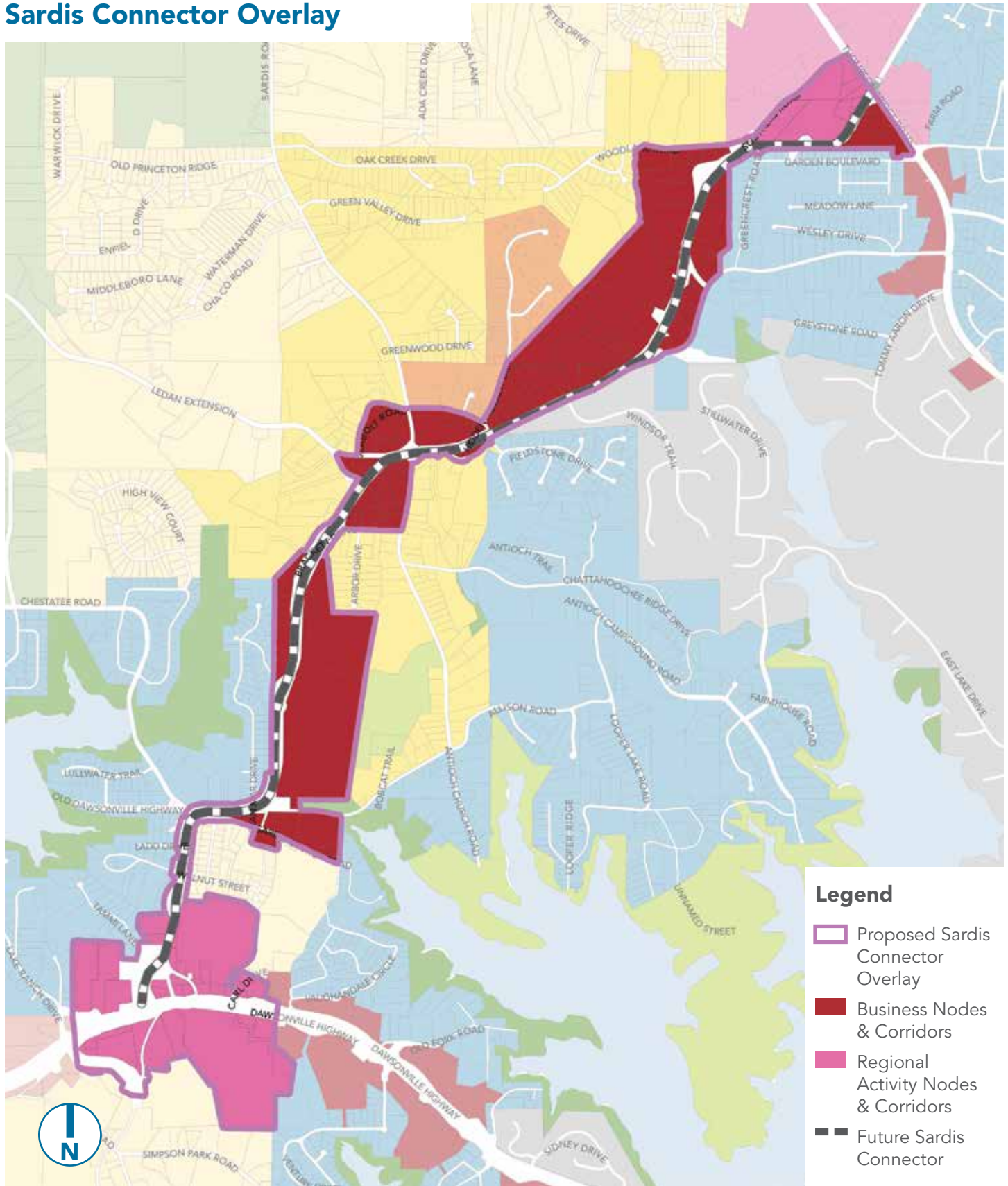
What the Community Supports

- Appropriately scaled development that fits in with the context of the area
- A "county crossroads" style of development for the central node
- Well-defined gateways
- Parks and greenspaces
- A mix of residential and commercial development clustered around greenspace
- Activated uses
- Alley-loaded residential
- Buildings oriented to streets and sidewalks
- Buffers from traffic
- Quality architecture and landscape design
- Walkability
- Rooftop spaces





What the Community Doesn't Support

- Tall buildings
- Townhouses that have no variation between buildings
- Parks and greenspace directly adjacent to high-traffic areas
- Parking that is visually prominent (along roads, in front of buildings, etc.)
- Housing types that don't match with the surrounding residential areas or are too great in cost/value.

Sardis Connector Overlay



Legend

-  Proposed Sardis Connector Overlay
-  Business Nodes & Corridors
-  Regional Activity Nodes & Corridors
-  Future Sardis Connector

EAST HALL

Vision

The East Hall community envisions a future that upholds its distinct identity while promoting responsible growth, safety, and environmental preservation, particularly around the new Inland Port. A focus on attainability, cleanliness, and access to quality services reflects East Hall's commitment to a high quality of life for all of its residents.

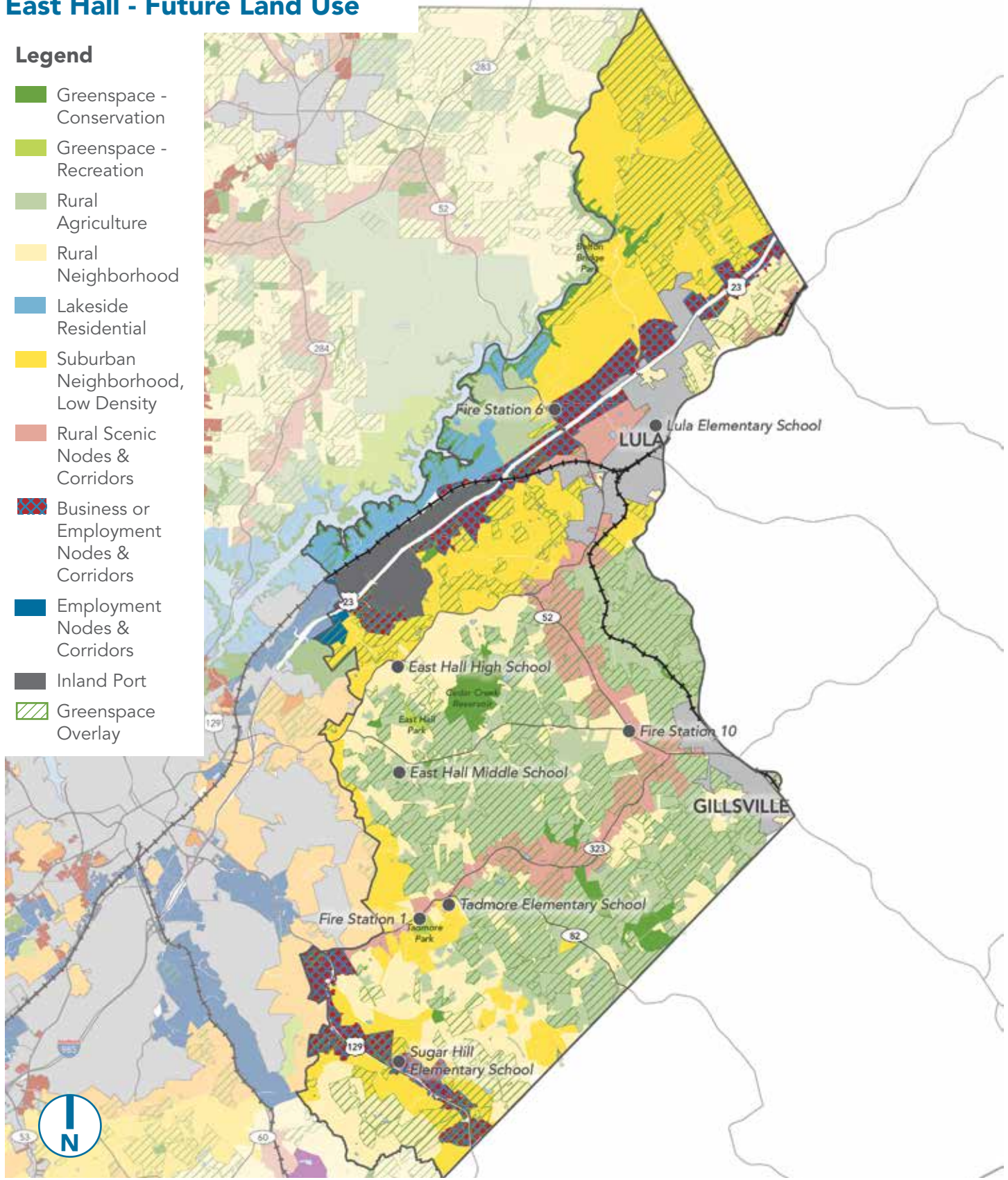
Supporting Ideas

- **Development of the Inland Port.** The new Inland Port along SR 365/Cornelia Highway will bring with it new industrial development along with the potential for supportive businesses and housing for its employees. New industrial, commercial, and residential development should be prioritized near the Inland Port to take advantage of available and soon-to-be available sewer services and preserve open space and agricultural lands elsewhere in East Hall.
- **Smart Transportation Solutions.** Traffic flow and safety on key roads should be improved by implementing well-designed intersections and traffic management strategies to create a smoother travel experience. New development should be prioritized along four-lane roads that can support additional vehicles.
- **Beautification and Neighborhood Improvement.** Prioritizing code enforcement should increase the attractiveness of its neighborhoods.
- **Housing Diversity Through Zoning.** The community recognizes the importance of maintaining the character of its neighborhoods. The County should implement zoning regulations that help the East Hall area ensure balanced development, prevention of overcrowding, and housing diversity, while respecting the natural surroundings.
- **Environmental Stewardship.** New developments should strive to maintain the beauty of the landscape, protect wildlife habitats, and preserve the overall well-being of its surroundings.
- **Quality Housing and Amenities.** New residential developments should be in the form of thoughtfully designed neighborhoods that prioritize green spaces, recreational facilities, and high-quality houses. East Hall aims to attract residents seeking a country feel with quality living and vibrant amenities.
- **Balanced Commercial Growth.** To encourage economic development throughout East Hall, new commercial development should ensure a mix of businesses that cater to residents' needs, fostering livability while honoring its more rural character.

East Hall - Future Land Use

Legend

- Greenspace - Conservation
- Greenspace - Recreation
- Rural Agriculture
- Rural Neighborhood
- Lakeside Residential
- Suburban Neighborhood, Low Density
- Rural Scenic Nodes & Corridors
- Business or Employment Nodes & Corridors
- Employment Nodes & Corridors
- Inland Port
- Greenspace Overlay



EAST HALL

Tying It Back to Growth...

Under this future land use strategy, East Hall can expect to see up to 14,500 new households before 2050 if land is developed or redeveloped to the highest density allowed by zoning. To ensure quality of life, this means that:

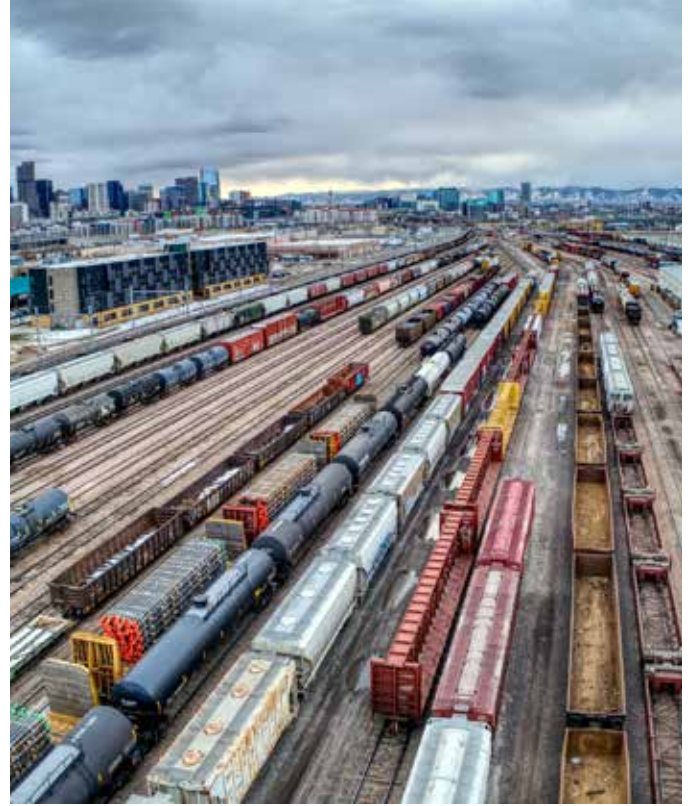
- Hall County will need to build or set aside up to 350 additional acres of programmed parks and/or greenspace (assuming 8.5 acres per 1,000 new residents).
- Hall County Schools will need to accommodate up to 7,000 additional students in this area.
- Anywhere between 9,000 and 25,000 additional vehicles will be on the roads (assuming 1.7 cars per new household).

Key Strategies

- Continue updating and implementing the North Hall Sewer System master plan to ensure the success of new development in and around the Inland Port.
- Leverage the North Oconee Water Supply Watershed Protection Overlay District to continue environmental protection efforts.
- Conduct a corridor development study for SR 365/Cornelia Highway to determine optimal industrial capacity, the best industries to locate along them, the impacts to infrastructure, and propose alternative locations for new industry.
- Prioritize locating new parks and recreational facilities in this area.

East Hall Future Land Use & Zoning Compatibility Table

Future Land Use	AG-1	AR-1	V-C	R-1-L	R-1	R-TF	R-X	R-MF	MHP	O-I	S-S	H-B	M-U	I-1	I-2	PCD	PID	POD	PRD
Greenspace - Recreation	X	X	X	X	X		X			X	X		X	X	X	X	X	X	
Greenspace - Conservation	X	X	X	X	X					X	X		X	X	X	X	X	X	
Rural Agriculture	X	X																	
Rural Neighborhood		X		X															
Lakeside Residential			X	X	X														
Suburban Neighborhood, Low-Density				X	X		X												
Rural Scenic Nodes & Corridors	X	X								X	X					X			
Business or Employment Nodes & Corridors							X	X		X	X	X	X	X		X	X	X	X
Employment Nodes & Corridors							X	X		X			X	X	X		X	X	X
Inland Port															X	X	X	X	



Note: Images are for example purposes only and may not be located in unincorporated Hall County.

CHESTNUT MOUNTAIN/CANDLER

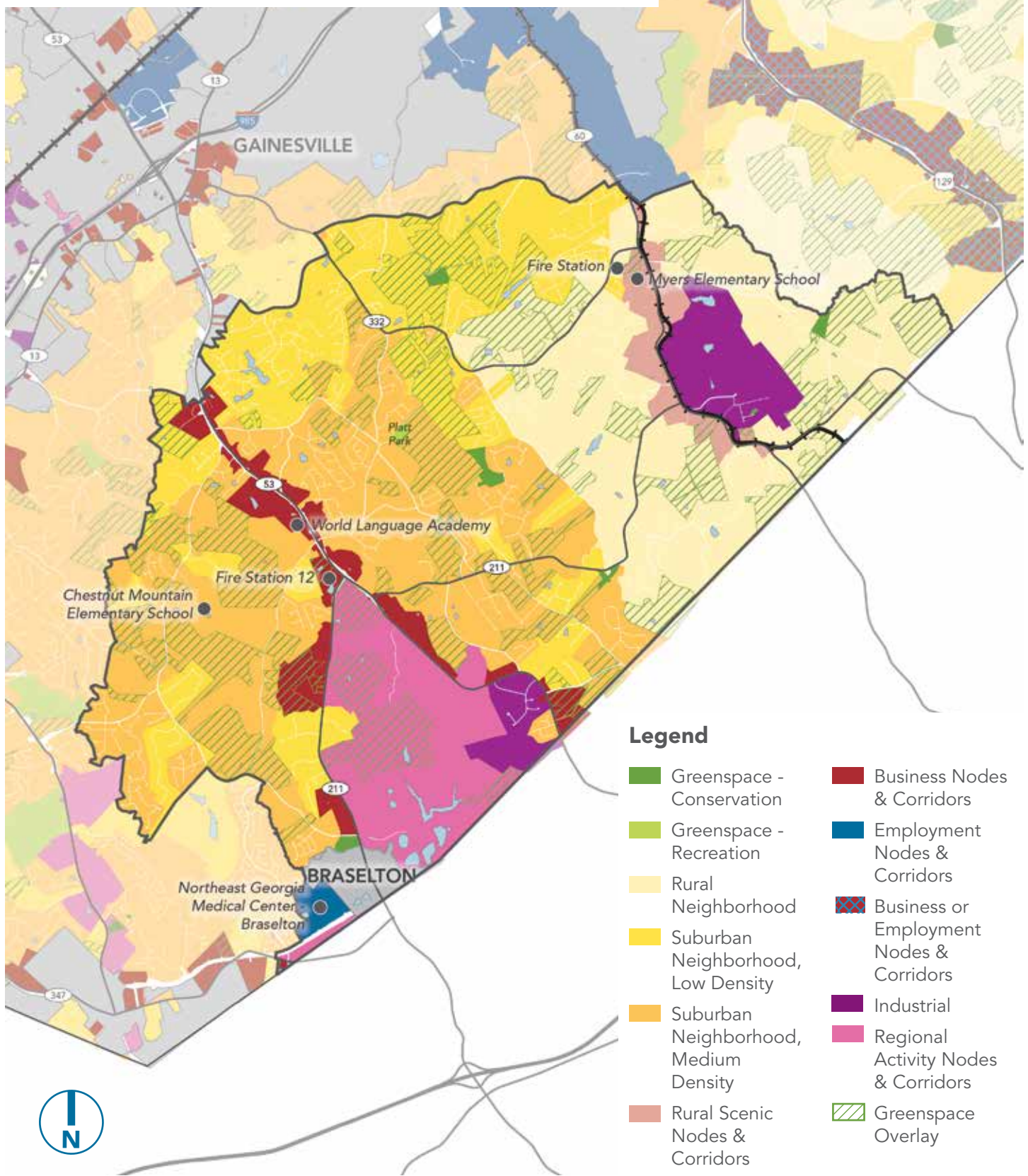
Vision

Although the Chestnut Mountain/Candler area is one of Hall County's fastest growing areas, the community envisions a balanced future that upholds the area's rural and suburban charm while strategically incorporating the growth that is coming through thoughtfully designed, high-quality developments. With a commitment to preserving its natural beauty and enhancing the well-being of its residents, this area seeks to create an environment that reflects its distinctive character.

Supporting Ideas

- **Balanced Planning and Zoning.** The Chestnut Mountain/Candler area is at a crossroads: situated between the ever-growing South Hall and Gainesville areas and a fast-growing Jackson County, this area will absorb a significant portion of the county's growth in the coming years, highlighting the importance of planning and zoning that is aligned with the area's wishes for balanced growth. With a focus on preserving open spaces and avoiding over-development where there is no infrastructure to support it, the Chestnut Mountain/Candler area seeks to create a flourishing and sustainable environment for new growth.
- **Educational Access and Efficiency.** It is imperative that the County and the Hall County Board of Education continue to have conversations about growth's future effects on enrollment. New schools should be sited so that they minimize travel times and provide convenient access.
- **Safety and Services.** The Chestnut Mountain/Candler area values the safety and security of its residents. The preservation and growth of law enforcement and fire/paramedic services will be prioritized to ensure public safety and rapid emergency response to both established and fast-growing communities.
- **Balanced Commercial Growth.** While promoting responsible development best practices, Chestnut Mountain/Candler will maintain a balance between commercial growth and the preservation of its rural charm. Shopping and dining options that cater to various preferences and provide an enriching experience should be prioritized.
- **Infrastructure and Connectivity.** Chestnut Mountain/Candler recognizes the need for well-planned infrastructure to support its growth. Future improvements should enhance connectivity and accommodate increasing traffic demands.
- **Environmental Stewardship.** The community values the importance of protecting its natural areas, particularly greenspace. With an emphasis on environmental responsibility, Chestnut Mountain/Candler will strive to balance new development with preservation.
- **Neighborhood Development.** The community envisions a blend of neighborhoods with diverse housing options that cater to different income levels. It seeks to enhance the quality of life for its residents by promoting well-designed, comfortable, and aesthetically pleasing residential areas.

Chestnut Mountain/Candler - Future Land Use



CHESTNUT MOUNTAIN/CANDLER

Tying It Back to Growth...

Under this future land use strategy, Chestnut Mountain/Candler can expect to see up to 18,000 new households before 2050 if land is developed or redeveloped to the highest density allowed by zoning. To ensure quality of life, this means that:

- Hall County will need to build or set aside up to 450 additional acres of programmed parks and/or greenspace (assuming 8.5 acres per new 1,000 residents).
- Hall County Schools will need to accommodate up to 8,500 additional students in this area.
- Anywhere between 12,500 and 31,000 additional vehicles will be on the roads (assuming 1.7 cars per new household).

Key Strategies

- Continue working with the Cities of Gainesville and the Town of Braselton to coordinate land use planning efforts, solve code enforcement issues and provide joint services where necessary.
- Prioritize the creation of new parks and recreational facilities in this area.
- Continue updating and implementing the South Hall Sewer System master plan.
- Continue to plan for commercial and industrial growth along SR 53 and SR 60/Candler Road.

Chestnut Mountain/Candler Future Land Use & Zoning Compatibility Table

Future Land Use	AG-1	AR-1	V-C	R-1-L	R-1	R-TF	R-X	R-MF	MHP	O-I	S-S	H-B	M-U	I-1	I-2	PCD	PID	POD	PRD
Greenspace - Recreation	X	X		X	X		X	X		X	X	X	X	X	X	X	X	X	X
Greenspace - Conservation	X	X		X	X		X	X		X	X	X	X	X	X	X	X	X	X
Rural Neighborhood		X		X															
Suburban Neighborhood, Low-Density				X	X		X												
Suburban Neighborhood, Medium-Density							X												
Rural Scenic Nodes & Corridors	X	X								X	X					X			
Business Nodes & Corridors										X	X	X	X	X		X			
Employment Nodes & Corridors										X			X	X			X	X	
Business or Employment Nodes & Corridors										X	X	X	X	X		X	X	X	X
Industrial														X	X		X		
Regional Activity Centers							X	X		X	X	X	X			X			X



SOUTH HALL

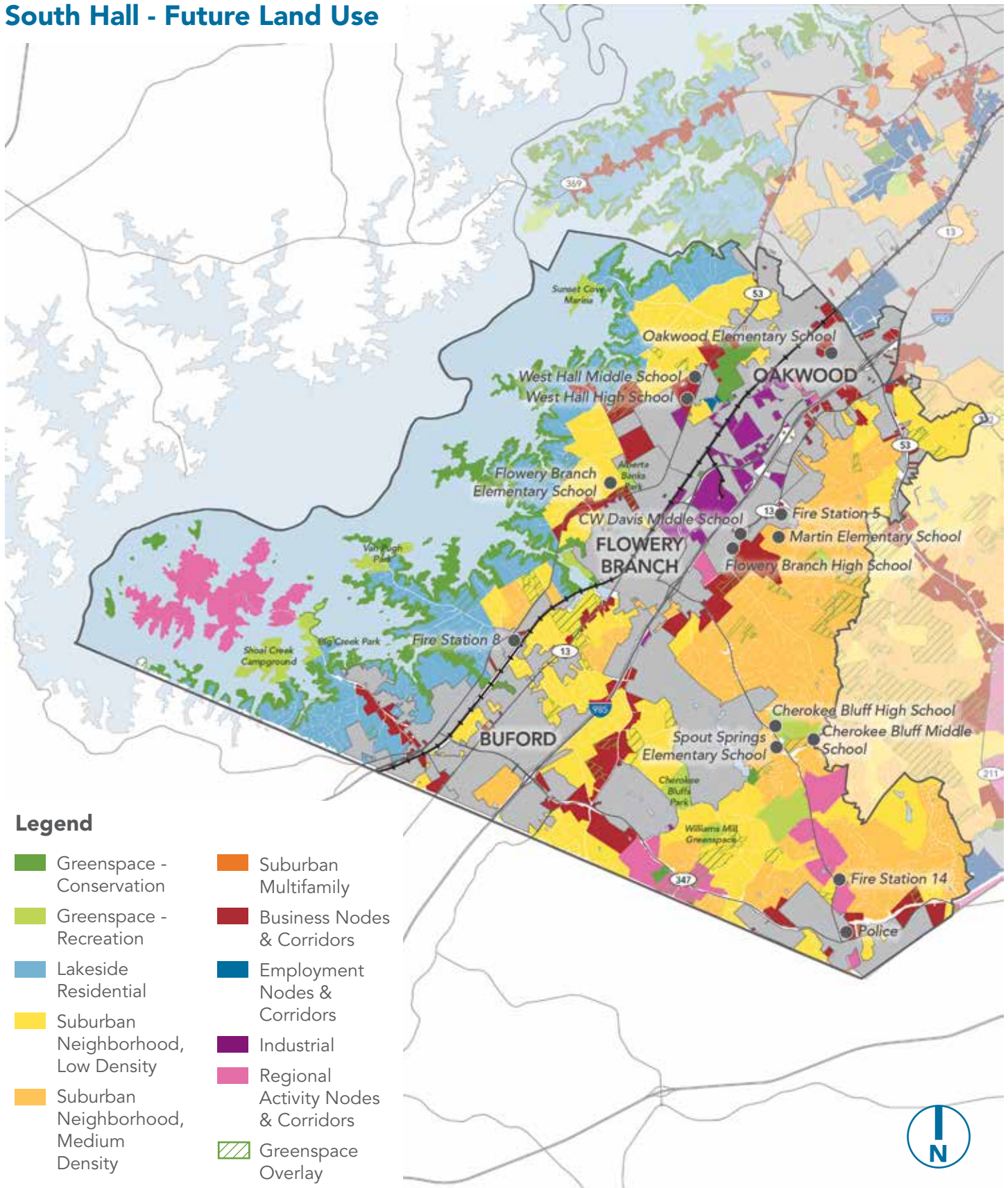
Vision

The vision for South Hall is to foster growth and development that realigns the balance between residential and non-residential areas and creates a unique, suburban character. To achieve this balance, infrastructure, housing, and conservation must be strategically planned in a way that respects the needs and desires of its diverse population. This would set the area up to become a model for responsible and prosperous development in the region.

Supporting Ideas

- **Regional Collaboration and Informed Planning.** Recognizing the intergovernmental impacts of decisions, South Hall aims to establish a platform for collaboration between the Cities of Buford, Flowery Branch, and Oakwood to better enhance planning outcomes and ensure a holistic approach to land development.
- **Livable Communities.** South Hall endeavors to promote development that prioritizes the creation of vibrant, connected neighborhoods with efficient traffic flow. Mindful of congestion and commute times, the community seeks solutions that enhance daily life for residents and minimize negative impacts.
- **Preservation of Greenspace and Character.** What was once considered a quiet area has experienced a spillover of growth from neighboring Gwinnett County, causing rapid suburbanization. Continuing to preserve South Hall's natural beauty is paramount to existing residents. A focus on balanced development, reduced tree cutting, and integration of green spaces into neighborhoods will ensure a harmonious coexistence of nature and urban spaces.
- **Quality Housing and Affordability.** South Hall should continue to offer diverse housing options, including housing affordable for all income levels. Prioritizing incremental development, the community will ensure that its housing supply is aligned with programmed and future infrastructure projects, maintaining housing affordability and economic stability.
- **Quality of Community Resources.** South Hall's growth plan will seek to accommodate the needs of the school system, healthcare facilities, and road networks to support a thriving environment for residents of all ages. It is imperative that the County and the Hall County Board of Education continue to have conversations about growth's future effects on enrollment.
- **Balanced Urbanization.** New development in South Hall should avoid the pitfalls of the urban sprawl that has plagued the area for decades. With thoughtful zoning and development practices, responsible growth can occur while preserving the aspects of community character that residents enjoy. The establishment of mixed-use and mixed-density developments to promote walkability and access to local amenities should be prioritized where noted in the Future Development Strategy. With a focus on well-designed spaces, South Hall will create environments that cater to both residents and businesses.
- **Environmentally Responsible Growth.** South Hall should continue to protect its natural resources and open spaces. By adopting sustainable practices, enforcing tree ordinances, and minimizing pollution, the environment's health and longevity can be preserved.

South Hall - Future Land Use



SOUTH HALL

Tying It Back to Growth...

Under this future land use strategy, South Hall can expect to see up to 15,000 new households before 2050 if land is developed or redeveloped to the highest density allowed by zoning. To ensure quality of life, this means that:

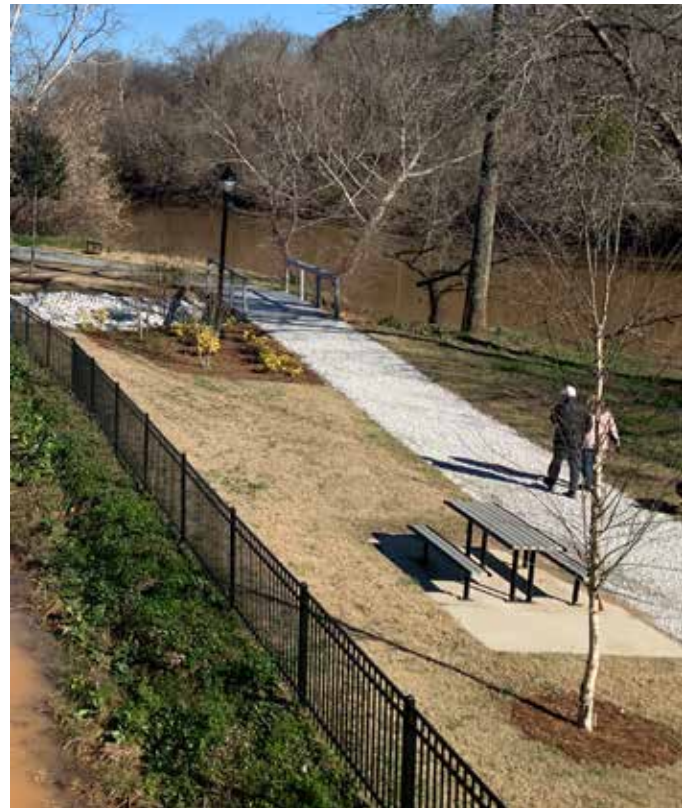
- Hall County will need to build or set aside up to 400 additional acres of programmed parks and/or greenspace (assuming 8.5 acres per new 1,000 residents).
- Hall County Schools will need to accommodate up to 7,000 additional students in this area.
- Anywhere between 12,000 and 26,000 additional vehicles will be on the roads (assuming 1.7 cars per new household).

Key Strategies

- Continue working with the Cities of Flowery Branch, Oakwood, and Buford as well as the Town of Braselton to coordinate land use planning efforts, solve code enforcement issues and provide joint services where necessary.
- Continue updating and implementing the South Hall Sewer System master plan.
- Continue efforts to fully construct the Highlands to Islands Trails system and explore other opportunities for regional trail connections.
- Promote the construction of new sidewalk connections in new developments.
- Prioritize fixing transportation issues along McEver Road, Mundy Mill Road, SR 347/ Friendship Road, Spout Springs Road, and SR 13/Atlanta Highway.

South Hall Future Land Use & Zoning Compatibility Table

Future Land Use	AG-1	AR-1	V-C	R-1-L	R-1	R-TF	R-X	R-MF	MHP	O-I	S-S	H-B	M-U	I-1	I-2	PCD	PID	POD	PRD
Greenspace - Recreation			X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Greenspace - Conservation			X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Lakeside Residential			X	X	X		X												
Suburban Neighborhood, Low-Density				X	X		X												
Suburban Neighborhood, Medium-Density						X	X		X										
Business Nodes & Corridors								X		X	X	X	X	X		X			X
Employment Nodes & Corridors										X			X	X			X	X	
Industrial														X	X		X		
Regional Activity Centers						X	X	X		X	X	X	X			X			X



Note: Images are for example purposes only and may not be located in unincorporated Hall County.

Future Land Use & Infrastructure Alignment























A common theme of this plan is aligning future development with infrastructure. The key to Hall County's future land use strategy being successful is ensuring that infrastructure, particularly sewer, will be able to keep up with both population and employment growth in the coming years.

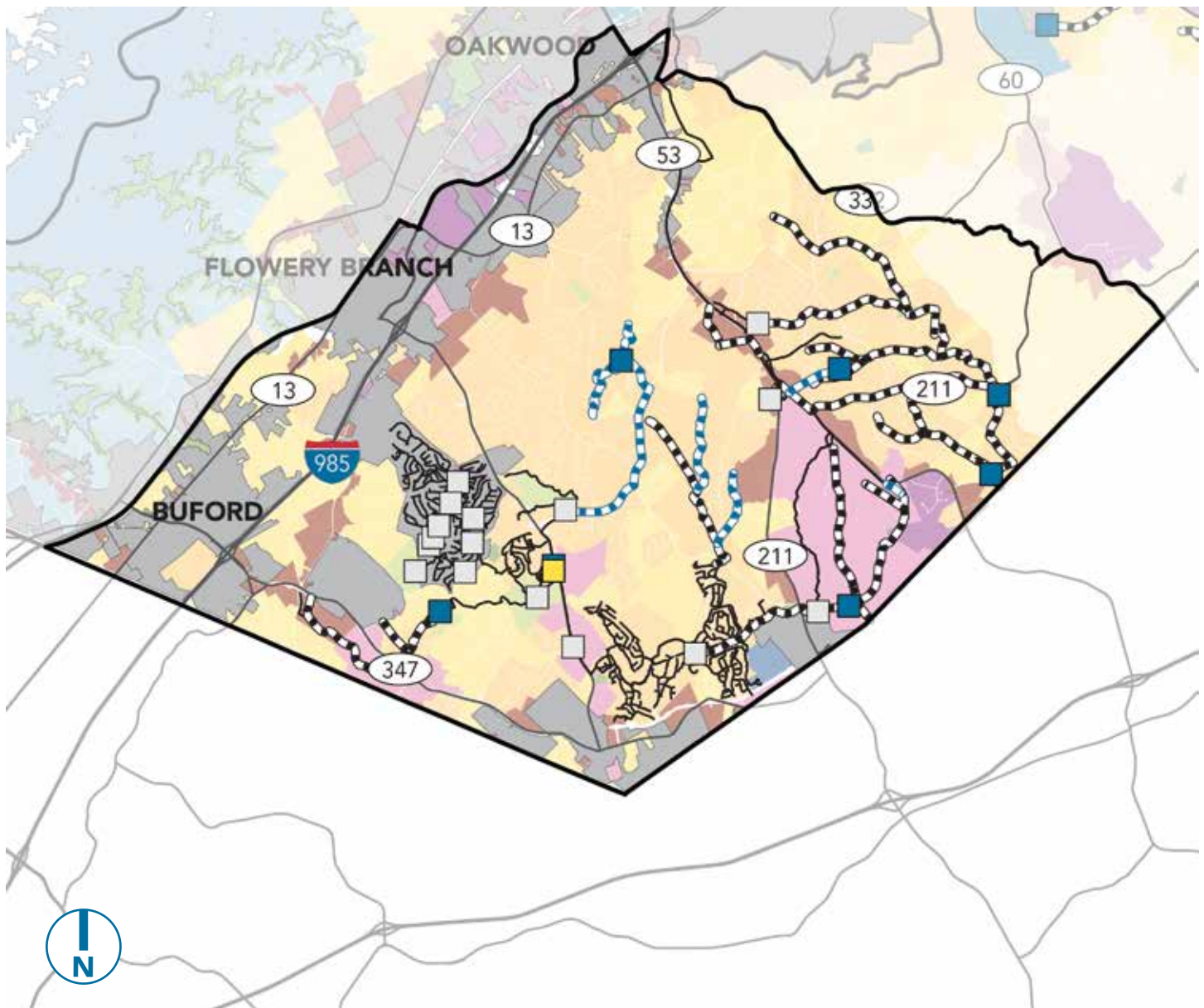
To develop the future land use strategy outlined in this plan, the County's most recent update of the *Sewer System Master Plan & Rate Study* was considered. Areas that were prioritized for sewer were marked for higher density development, provided that the fully built system's capacity could meet the excess demand. (See pages 65-67) for more information about the *Sewer System Master Plan & Rate Study*.) Pages 197 and 198 show the proposed sewer expansion by County Commission district overlaid onto the future land use map. The proposed sewer expansion does not occur in Commissioner Districts 2 and 4.

In Commissioner District 1, which encompasses most of South Hall and some of Chestnut Mountain/Candler, 35 miles of new County-built and developer-built sewer lines and eight new pump stations were proposed to address current deficiencies within the area and accommodate future growth. When fully built, it will provide an average daily flow of 4.7 million gallons per day, half of which is anticipated to serve existing and new residential areas. As it relates to the future land use strategy, sewer expansion will accommodate primarily areas marked for Suburban Neighborhood, Medium Density; Business Nodes & Corridors; and Regional Activity Nodes & Corridors. These areas will be able to accommodate the anticipated future growth as the expanded system is built. These new lines, when built, can provide a base for expansion beyond the year 2040 if and when additional growth is anticipated.

Future Land Use & Infrastructure Alignment - Commissioner District 1

Legend

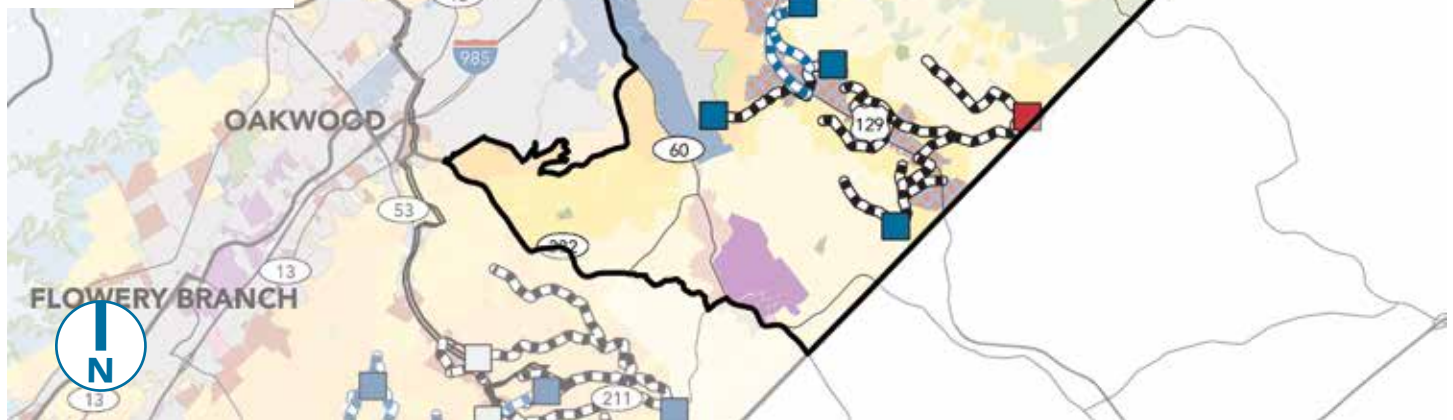
 Greenspace - Recreation	 Suburban Neighborhood, Low Density	 Business Nodes & Corridors	 Regional Activity Nodes & Corridors	 Existing WRF
 Greenspace - Conservation	 Suburban Neighborhood, Medium Density	 Employment Nodes & Corridors	 Existing County Sewer Line	 Proposed WRF
 Rural Agriculture	 Suburban Multifamily	 Employment or Business Nodes & Corridors	 Proposed County Built Sewer Line	 Existing Pump Station
 Rural Neighborhood	 Rural Scenic Nodes & Corridors	 Industrial	 Proposed Developer Built Sewer Line	 Proposed Pump Station
 Lakeside Residential		 Inland Port		



Future Land Use & Infrastructure Alignment - Commissioner District 3

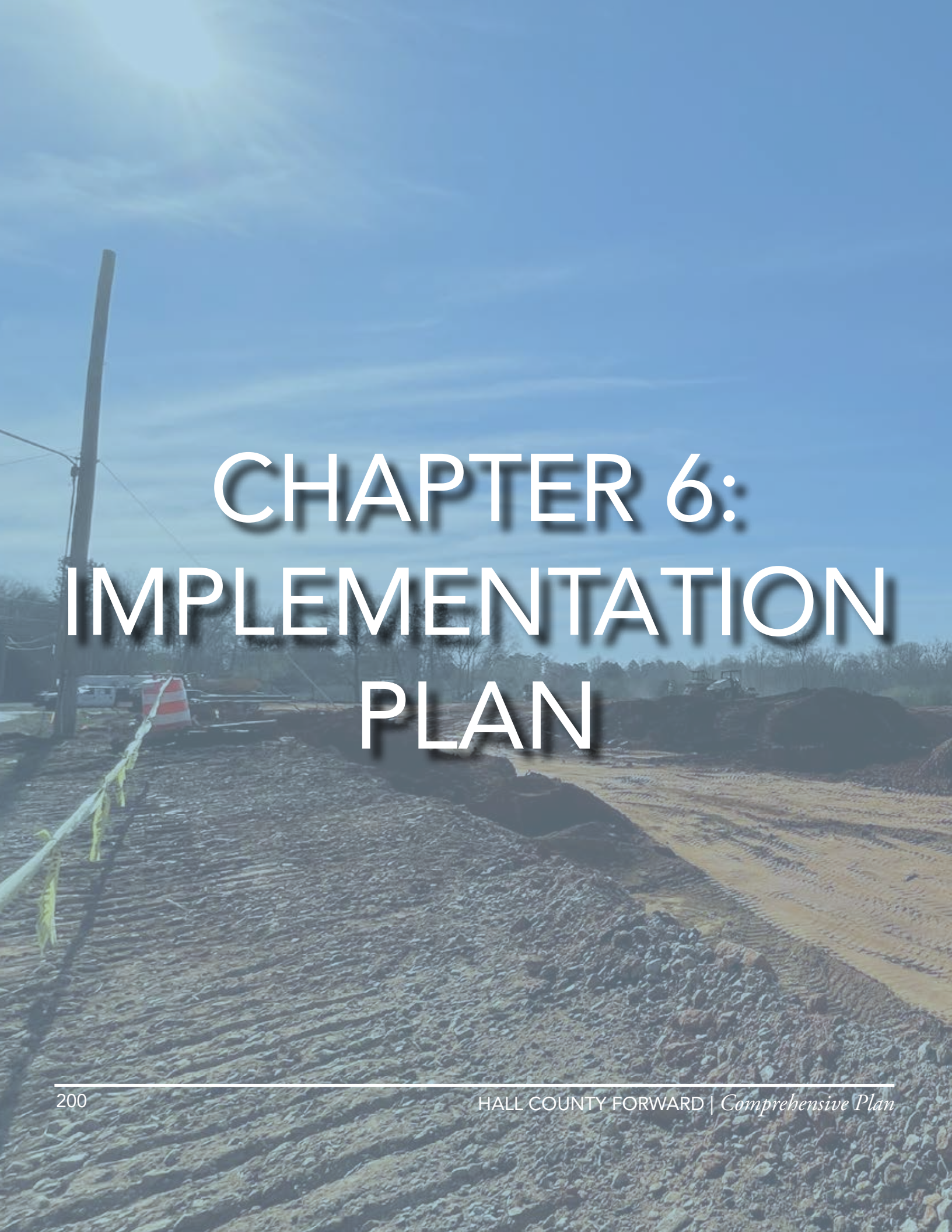
Legend

- Greenspace - Recreation
- Greenspace - Conservation
- Rural Agriculture
- Rural Neighborhood
- Lakeside Residential
- Suburban Neighborhood, Low Density
- Suburban Neighborhood, Medium Density
- Suburban Multifamily
- Rural Scenic Nodes & Corridors
- Business Nodes & Corridors
- Employment Nodes & Corridors
- Employment or Business Nodes & Corridors
- Industrial
- Inland Port
- Regional Activity Nodes & Corridors
- Existing County Sewer Line
- Proposed County Built Sewer Line
- Proposed Developer Built Sewer Line
- Existing WRF
- Proposed WRF
- Existing Pump Station
- Proposed Pump Station



In Commissioner District 3, which encompasses all of East Hall and North Hall, the remainder of Chestnut Mountain Candler, and portions of the Gainesville Area and Murrayville/Sardis, two areas were studied: North Hall and the Pond Fork Area. Together, they propose over 65 miles of new County-built and developer-built sewer lines, 12 new pump stations (one to be built by the City of Gainesville), 4 new water reclamation facilities (WRFs), and the purchase of additional capacity at Lula's Water Pollution Control Plant to address current deficiencies in the level of service and accommodate future growth, particularly employment-related growth. When fully built, both North Hall and Pond Fork will provide a combined average daily flow of 8.5 million gallons per day, with over 5 million gallons anticipated to serve residential areas, 2 million gallons serving commercial and industrial areas, and the remainder serving other land uses. As it relates to the future land use strategy, sewer expansion will accommodate primarily areas marked for Rural Neighborhoods; Suburban Neighborhood, Low Density; Business Nodes & Corridors; Employment Nodes & Corridors; and the Inland Port. These areas will be able to accommodate the anticipated future growth as the expanded system is built. These new lines, when built, can provide a base for expansion beyond the year 2040 if and when additional growth is anticipated, particularly as it relates to employment-related growth in and around the Inland Port and along SR 365/Cornelia Highway.



A background image of a construction site under a blue sky. The foreground shows a large pile of dark gravel or crushed stone. In the middle ground, there's a dirt road with tire tracks, a red and white striped traffic barrel, and a utility pole. In the background, there are trees and a tractor.

CHAPTER 6: IMPLEMENTATION PLAN

Success Through Collaboration 202
Community Work Program 203
Supplemental Plans 226
Plan Maintenance 227
Capital Improvement Element..... 227

IMPLEMENTATION PLAN

To achieve the goals set forth in Chapter 4 and implement the future land use strategy in Chapter 5, a series of implementation steps will need to be pursued by Hall County. These actions will involve multiple stakeholders, including government agencies, community organizations, interest groups, and private sector partners. Funding for the various programs and initiatives must be secured through a combination of County resources, State and Federal dollars, grants, and public-private partnerships. The implementation timeline spans a period of 20 years with specific actions outlined for each goal and corresponding action item but pays special attention to the next 10 years.

Success Through Collaboration

Implementing this plan will require joint efforts that go beyond the county government. The success of this plan cannot rest on Hall County alone, even with the support of its various boards and commissions. The County should continue to maintain its supportive association with local experts and organizations to bring the vision to fruition while exploring new partnerships. This approach will continue to make the best use of government resources and yield better results through cooperation with the following groups.

County-Based Agencies & Organizations

- Gainesville-Hall County Economic Development Council
- Gainesville-Hall Metropolitan Planning Organization (GHMPO)
- Greater Hall Chamber of Commerce (GHCC)
- Hall Area Transit
- Hall County Convention & Visitor's Bureau
- Hall County Schools
- Northeast Georgia Latino Chamber of Commerce
- Vision 2030 Greenspace Committee

Other Public Agencies & Organizations

- Town of Braselton
- City of Buford
- Town of Clermont
- City of Flowery Branch
- City of Gainesville
- City of Gillsville
- City of Lula
- City of Oakwood
- Georgia Mountain Regional Commission
- Georgia Department of Transportation
- Georgia Environmental Protection Division (GAEPD)

Third Party Entities

- Chattahoochee Riverkeepers
- Hispanic Alliance
- Lake Lanier Association
- Lanier Technical College
- North Georgia Land Trust
- Northeast Georgia Health Systems
- The Arts Council
- United Way
- University of North Georgia - Gainesville
- University of Georgia Cooperative Extension Office

Consideration of Potentially Annexed Land

Many of the recommendations within this comprehensive plan involve the acquisition of property. Any potential acquisition of property should be carefully considered for their implications on annexation throughout Hall County. Hall County can proactively identify strategic areas where annexation considerations are especially relevant, particularly as they relate to conservation, health, and welfare of Hall County Citizens.

Community Work Program

The Community Work Program (CWP), shown on pages 200-219, identifies specific implementation actions the County and other entities intend to take over the next decade. The implementation of these projects will set forth the vision of *Hall County Forward* to balance population, economic, and employment growth with the desire to maintain rural character, greenspace, and natural resources.

For each action, the CWP outlines the following information:

- Brief description
- Timeframe for undertaking the activity (2025 through 2032)
- Estimated cost
- Responsible party for implementing the activity
- Funding source
- Any pertinent information related to the action.

Some actions described in the CWP will be ongoing—those that will be continually implemented over the next 10 years or in perpetuity. Examples include implementing existing plans with 10- to 20-year project timelines, like the GHMPO's Regional Plan, the Highlands to Islands Trail Plan, and the Sewer Plan. Other ongoing items include broader policies for County operations, protocols, and the creation of affordable housing. Approximately half of all tasks fall into this category. Other actions will have a targeted date for completion, and those are included in this Community Work Program. As these items are implemented, the County will need to remain flexible to ensure that the intent of this plan is preserved even as changing conditions and strategies require alternate solutions. This plan should be revisited and minor revisions be made in the 2032 timeframe to ensure its relevance, with a full update to follow in five to ten years.

Hall County 2024-2032 Community Work Program (WP)

Action Item	Estimated Timeframe							
	2025	2026	2027	2028	2029	2030	2031	2032
Growth Management								
Work with the Georgia Mountain Regional Commission (GMRC) and its participating counties to tackle regional issues with growth management.	X	X	X	X	X	X	X	X
Track the construction of new developments to ensure that growth is happening as projected and to update level of service projections.	X	X	X	X	X	X	X	X
Establish regular communication with Hall County Schools to share data on new construction and population estimates so that educational facilities can be updated or added to accommodate projected enrollment.	X	X	X	X	X	X	X	X
Prepare a Unified Development Code to update, consolidate, and streamline land use and development regulations and to support the goals of the Comprehensive Plan.	X							
Evaluate the effectiveness of the County's tree protection standards and identify potential amendments, as necessary.	X							
Evaluate the effectiveness of the County's Conservation Subdivision Design Option and identify potential amendments, as necessary.	X							
Evaluate zoning buffer standards to ensure they are sufficient where commercial or industrial uses abut residential properties and identify potential amendments, as necessary.	X							
Review use and outdoor storage/display standards in the Gateway Corridor Overlay District to identify appropriate locations and screening requirements.	X							
Assess compatibility of municipalities' corridor standards/design guidelines with the County's; identify any requirements that could enhance the quality of development in the county.	X							
Review existing regulations for impediments to special housing needs and opportunities such as senior housing, accessory dwelling units, and affordable housing.	X							
Amend regulations to reinforce infrastructure requirements for single-family development (based on commonly applied conditions of zoning).	X							
Update Gateway Corridor Overlay District standards to help blend existing and new development in rural areas, particularly along US-129/Cleveland Highway and SR 365/Cornelia Highway	X							

Estimated Cost	Responsible Party	Funding Source	Notes
Staff Time	Planning & Development; GMRC	General Fund	
Staff Time	Planning & Development	General Fund	
Staff Time	Planning & Development; Hall County Schools	General Fund	
\$25,000	Planning & Development	General Fund	
Staff Time	Planning & Development	General Fund	
Staff Time	Planning & Development; Consultant	General Fund	Part of UDC scope
Staff Time	Planning & Development; Consultant	General Fund	Part of UDC scope
Staff Time	Planning & Development; Consultant	General Fund	Part of UDC scope
Staff Time	Planning & Development; Consultant	General Fund	Part of UDC scope
Staff Time	Planning & Development; Consultant	General Fund	Part of UDC scope
Staff Time	Planning & Development	General Fund	Part of UDC scope
Staff Time	Planning & Development	General Fund	

Hall County 2024-2032 Community Work Program (CWP)

Action Item	Estimated Timeframe							
	2025	2026	2027	2028	2029	2030	2031	2032
Growth Management (con't)								
Implement the recommendations from the neighborhood-level planning effort with the Morningside Heights, Black and Cooley Drive, and Gaines Mill Road Communities.		X	X					
Maintain residential or agricultural use as the primary use(s) along roadways that do not have a "corridor" designation on the Future Development Map.	X	X	X	X	X	X	X	X
Develop design guidelines that reflect the Quality Development Strategies shown in the plan that inform standards for landscaping, connectivity, site design, amenities, etc.		X	X					
Create a small area plan for the Inland Port Area.	X	X						
Conduct a small area plan for the Sardis Connector that could be used as a basis for the development of a zoning overlay to guide future land use decisions as the corridor develops.		X	X					
Housing								
Coordinate and discuss affordable/workforce housing-related needs and initiatives with the cities, Habitat for Humanity, and other public or private stakeholders.	X	X	X	X	X	X	X	X
Establish a joint program with the City of Gainesville to address housing attainability through the Georgia Initiative for Community Housing (GICH) program.	X	X						
Continue to review existing regulations that create barriers for special housing needs and opportunities such as senior housing, accessory dwelling units, and affordable housing.	X	X	X	X	X	X	X	X
Use existing data on affordability, existing residential inventory, housing market, and housing needs in Hall County to develop policy that reflects the needs and priorities of all members of the community.	X							

Estimated Cost	Responsible Party	Funding Source	Notes
Staff Time	Board of Commissioners; County Staff; Citizens of Gainesville and Hall County	General Fund	
Staff Time	Planning & Development	General Fund	
\$50,000	Planning & Development; Consultant	General Fund	
\$200,000	Planning & Development; Consultant	General Fund	
\$50,000	Planning & Development; Consultant	General Fund	
Staff Time	Board of Commissioners, Joint Municipal Association; Habitat for Humanity; County Administration; Planning & Development	General Fund	
Staff Time	Planning & Development	General Fund	
Staff Time	Planning & Development	General Fund	
\$100,000	Planning & Development; Consultant	General Fund	

Hall County 2024-2032 Community Work Program (CWP)

Action Item	Estimated Timeframe							
	2025	2026	2027	2028	2029	2030	2031	2032
Housing (con't)								
Establish affordability incentives for new development as part of the affordability study.	X							
Continue to identify properties suitable for federal Community Home Investment Program (CHIP) and Neighborhood Stabilization Program (NSP) grants to assist with house repairs/rehabilitation and to provide affordable housing opportunities.	X	X	X	X	X	X	X	X
Create an affordable housing task force with developers, banks, and housing advocates.	X	X	X	X	X	X	X	X
Infrastructure Maintenance & Expansion								
Sardis Road Connector – SR 60/Thompson Bridge Road to Sardis Road/Chestatee Road.	X	X						
Widening of SR 11/US 129 from Lakeview Street to south of Nopone Road (Phase I).	X	X						
Widening of SR 211/Old Winder Highway from SR 53/Winder Highway To SR 347/Friendship Road.			X	X	X			
Widening of SR 60/Candler Rd.– From south of I-985 to SR 124.		X	X	X	X	X	X	
East-West Corridor Study/(Northern Bypass Study).	X	X						
Widening of I-985 From I-85/Gwinnett to SR 53/Mundy Mill Road.								X
Widening of US 129/Cleveland Highway - Lakeview Street to S of Nopone Road, Phase I.								X
Widening of US 129/Cleveland Highway - Brittany Court to S of Lakeview Street, Phase II.								X
Widening of US 129/Cleveland Highway - Limestone Parkway to N of Brittany Court, Phase III.								X
SR 365/Cornelia Highway at Howard Road - New Interchange.								X

Estimated Cost	Responsible Party	Funding Source	Notes
See above, Staff Time	Planning & Development; Consultant	General Fund	
Staff Time	Planning & Development	General Fund	
Staff Time	Planning & Development	General Fund	
\$32,000,000	GHMPO	HB 170; SPLOST	GH-016; PI 003626
\$39,000,000	GHMPO	HB 170; SPLOST	GH-020A; PI 122060
\$35,000,000	GHMPO	HB 170; SPLOST	GH-025; PI 007233
\$65,000,000	GHMPO	GDOT	GH-11
\$110,000	GHMPO	Parks & Leisure Fund	
\$38,000,000	Federal; State	TSPLOST	Contingent on passage of TSPLOST
\$76,000,000	Federal; State	TSPLOST	Contingent on passage of TSPLOST
\$36,000,000	Federal; State	TSPLOST	Contingent on passage of TSPLOST
\$28,000,000	Federal; State	TSPLOST	Contingent on passage of TSPLOST
\$100,000,000	Federal; State	TSPLOST	Contingent on passage of TSPLOST

Hall County 2024-2032 Community Work Program (CWP)

Action Item	Estimated Timeframe							
	2025	2026	2027	2028	2029	2030	2031	2032
Infrastructure Maintenance & Expansion (con't)								
Widening of SR 369/Browns Bridge Road From SR 53/McEver Road to Forsyth County line.								X
Widening of SR 11/US 129/Cleveland Highway from North of CR 65/ Nopone To SR 284/Clarks Bridge Road.								X
Widening of SR 60/Thompson Bridge Rd from SR 136/Price Rd to CR 158/Yellow Creek Rd in Murrayville.								X
White Sulphur Road realignment (new roadway).					X			
Widening of Spout Springs Road Phase II from Union Circle to South of Thompson Mill Road.								X
Widening of McEver Road from SR 347/Lanier Islands Parkway TO CS 537/Gainesville Street/Jim Crow.					X			
Widening of Cagle Road improvements.					X			
Resurfacing of access road to Laurel Park (Old Cleveland to End).		X						
Intersection improvements at Sloan Mill Road/Schubert Road Roundabout.		X						
Intersection improvements at Little Five Points (Belton/Skits Mtn/ Lula).		X						
Intersection improvements at Mount Vernon/Rilla Road Intersection.		X						
Intersection improvements at Mount Vernon/Jim Hood Intersection.		X						
Intersection improvements at McEver Road and Lights Ferry intersection.		X						
Railroad crossing improvements at West Ridge Road near Short Street.		X						
Ed Cobb wooden bridge replacement.		X						

Estimated Cost	Responsible Party	Funding Source	Notes
\$47,000,000	State	TSPLOST	Contingent on passage of TSPLOST
\$35,000,000	State	TSPLOST	Contingent on passage of TSPLOST
\$67,000,000	State	TSPLOST	Contingent on passage of TSPLOST
\$5,800,000	Hall County	TSPLOST	Contingent on passage of TSPLOST
\$51,400,000	Hall County	TSPLOST	Contingent on passage of TSPLOST
\$5,700,000	Hall County	TSPLOST	Contingent on passage of TSPLOST
\$4,000,000	Hall County	TSPLOST	Contingent on passage of TSPLOST
\$2,500,000	Hall County	TSPLOST	Contingent on passage of TSPLOST
\$2,500,000	Hall County	TSPLOST	Contingent on passage of TSPLOST
\$2,500,000	Hall County	TSPLOST	Contingent on passage of TSPLOST
\$3,000,000	Hall County	TSPLOST	Contingent on passage of TSPLOST
\$2,500,000	Hall County	TSPLOST	Contingent on passage of TSPLOST
\$2,500,000	Hall County	TSPLOST	Contingent on passage of TSPLOST
\$1,870,000	Hall County	TSPLOST	Contingent on passage of TSPLOST
\$5,000,000	Hall County	TSPLOST	Contingent on passage of TSPLOST

Hall County 2024-2032 Community Work Program (CWP)

Action Item	Estimated Timeframe							
	2025	2026	2027	2028	2029	2030	2031	2032
Infrastructure Maintenance & Expansion (con't)								
County-wide roadway pipe replacement.		X	X	X				
Resurfacing of access road to Laurel Park (Old Cleveland to End).	X							
County-wide resurfacing program.	X	X	X	X	X	X	X	X
Review regulations for any impediments to low impact development (LID) or green infrastructure approaches to stormwater management.	X	X						
Construct and operate a new regional material recycling facility (MRF).	X	X						
Continue to seek innovative approaches to landfill operations to extend its life.	X	X	X	X	X	X	X	X
Continue to implement and update the <i>Sewer Master Plan and Rate Study</i> .	X	X	X	X	X	X	X	X
Study the feasibility of future sewer extensions in strategic areas SR 60/Athens Highway to support commercial and industrial growth along the corridor going into both Gainesville and Jackson County.		X	X					
Use data from corridor development study for SR 365/Cornelia Highway to determine infrastructure capacity for the Inland Port.	X	X						
Use the future land use map along with development data to guide future planning for sewer infrastructure projects.	X	X	X	X	X	X	X	X
Continue intergovernmental coordination with Hall County City and Town governments on issues related to transportation, water, and sewer.	X	X	X	X	X	X	X	X
Adopt the Department of Community Affairs' (DCA) Broadband Model Ordinance to apply for a Broadband Ready Community Designation.	X	X	X	X	X	X	X	X
Update the Impact Fee Program and Amend Capital Improvements Element (CIE).	X	X	X	X	X	X	X	X

Estimated Cost	Responsible Party	Funding Source	Notes
\$10,000,000	Hall County	TSPLOST	Contingent on passage of TSPLOST
\$1,500,000	Hall County	TSPLOST	Contingent on passage of TSPLOST
\$12,000,000	Hall County	TSPLOST	Contingent on passage of TSPLOST
Staff Time	Engineering	General Fund	
TBD	Engineering; Public Works & Utilities	Landfill, SPLOST	
TBD	Engineering; Public Works & Utilities	Landfill	
Staff Time	Engineering; Public Works & Utilities	Water & Sewer Fund	
TBD	Engineering; Public Works & Utilities; Consultant	General Fund	
TBD	GHMPO	GDOT	
Staff Time	Engineering; Public Works & Utilities	General Fund	
Staff Time	Engineering; Public Works & Utilities	General Fund	
Staff Time	Engineering; Public Works & Utilities	General Fund	
TBD	Planning & Development; Finance	Impact Fees	

Hall County 2024-2032 Community Work Program (CWP)

Action Item	Estimated Timeframe							
	2025	2026	2027	2028	2029	2030	2031	2032
Parks & Recreation								
Work with Hall County Schools to identify opportunities for shared use between the County and Schools and build new facilities most in need by the schools.	X	X	X	X	X	X	X	X
Prioritize East Hall and the Chestnut Mountain/Candler areas for new parkland.	X	X	X	X	X	X	X	X
Acquire additional land to expand Cool Springs Park, North Hall Park, and East Hall Park.	X	X	X	X	X	X	X	X
Acquire an additional 1,000 acres of land to build 30+ new parks.	X	X	X	X	X	X	X	X
Create incentives to fund new park facilities through private redevelopment.	X	X	X	X	X	X	X	X
Construct new park at Spout Springs with new sports fields and senior center	X	X	X	X	X			
Conduct a 10-year update to the <i>Parks Facilities Master Plan</i> .				X				
Greenspace								
Update tree ordinance	X							
Evaluate and promote options for the permanent conservation of land	X	X	X	X	X	X	X	X
Create a new full-time County staff position and division to promote and implement greenspace recommendations and to liaise with Vision 2023 Greenspace Committee.	X	X	X	X	X	X	X	X
Strengthen partnerships with the Vision 2030 Greenspace Committee, the Chattahoochee Riverkeepers, and Lake Lanier community groups.	X	X	X	X	X	X	X	X

Estimated Cost	Responsible Party	Funding Source	Notes
Staff Time	Parks & Leisure; Hall County Schools	General Fund, Grants	
Staff Time	Parks & Leisure	General Fund	
TBD	Parks & Leisure	TBD	
TBD	Parks & Leisure	TBD	
TBD	Parks & Leisure; Private Developers	TBD	
TBD	Parks & Leisure	General Fund	
\$200,000	Parks & Leisure; Consultant	General Fund	
Staff Time	Planning & Development; Consultant	General Fund	Incorporate into UDC Update Process
Staff Time	County Administration; Parks & Leisure; Vision 2030 Greenspace Committee	General Fund	
TBD	County Administration; Vision 2030 Greenspace Committee	General Fund	
Staff Time	County Administration; Vision 2030 Greenspace Committee	General Fund	

Hall County 2024-2032 Community Work Program (CWP)

Action Item	Estimated Timeframe							
	2025	2026	2027	2028	2029	2030	2031	2032
Greenspace (con't)								
Collaborate with the newly formed North Georgia Land Trust to acquire new land for greenspace preservation and expand green infrastructure.	X	X	X	X	X	X	X	X
Create a process that identifies land for permanent protection based upon its recreational, ecological, environmental, aesthetic, cultural, historic, or agricultural value. Identify land using this process and begin implementation measures that assure protection of the land identified.	X	X	X	X	X	X	X	X
Create a dedicated Greenspace Acquisition Fund using SPLOST funding and other funding tools.	X	X	X	X	X	X	X	X
Create a nature preserve at Glade Farm.				X	X	X	X	
Resource Conservation								
Implement the recurring items in the Metropolitan North Georgia Water Planning District's <i>Water Resource Management Plan</i> .	X	X	X	X	X	X	X	X
Coordinate with the Georgia Environmental Protection Division on its Total Maximum Daily Load (TMDL) Implementation Plan for Lake Lanier to address pollutants.	X	X	X	X	X	X	X	X
Promote public awareness of annual community and lake clean-up events.	X	X	X	X	X	X	X	X
Leverage SPLOST funds to address shoreline erosion on Lake Lanier.	X	X	X	X	X	X	X	X
Partner with and promote local recycling initiatives and events.	X	X	X	X	X	X	X	X

Estimated Cost	Responsible Party	Funding Source	Notes
Staff Time	County Administration; Vision 2030 Greenspace Committee	General Fund	
Staff Time	County Administration; Vision 2030 Greenspace Committee; North Georgia Land Trust	General Fund	
Staff Time	County Administration	SPLOST, General Fund, Developers	
TBD	County Administration; Consultant	General Fund, Grants	
Staff Time	Engineering	General Fund	
Staff Time	Engineering	Sewer & Water Fund	
Staff Time	Board of Commissioners; Lake Lanier Association; Keep Hall Beautiful	General Fund	
Staff Time	Board of Commissioners; Lake Lanier Association; DNR; USACE; Private donors	General Fund	
Staff Time	Board of Commissioners; Hall County Schools; Keep Hall Beautiful	General Fund	

Hall County 2024-2032 Community Work Program (CWP)

Action Item	Estimated Timeframe							
	2025	2026	2027	2028	2029	2030	2031	2032
Resource Conservation (con't)								
Partner with Gainesville on pollution prevention activities and public outreach.	X	X	X	X	X	X	X	X
Identify eligible projects for federal Sec. 319(h) Non-Point Source Implementation Grants to address pollutants in impaired waters.	X	X	X	X	X	X	X	X
Leverage greenspace, conservation easements, zoning, and buffers as instruments to provide watershed protection to Lake Lanier and its tributaries.	X	X	X	X	X	X	X	X
Partner with a University of Georgia Cooperative Extension Office to promote sustainable agricultural practices.	X	X	X	X	X	X	X	X
Multi-Modal Transportation								
Prioritize sidewalk and street lighting needs based on frequency of use.	X	X	X	X	X	X	X	X
Coordinate with City and Town efforts to build and connect multi-modal infrastructure.	X	X	X	X	X	X	X	X
Incentivize mixed-use developers to include trails and trail connections, where appropriate, in their plans.	X	X	X	X	X	X	X	X
Encourage developers to construct trail systems within a half-mile of mixed-use projects.	X	X	X	X	X	X	X	X
Encourage connections to activity centers within the Cities and Towns.	X	X	X	X	X	X	X	X
Examine how County and City/Town parks can be connected through new trails.	X	X	X	X	X	X	X	X
Continue building the Highlands to Islands Trail Network.	X	X	X	X	X	X	X	X
Implement projects from the <i>2014 Bicycle and Pedestrian Plan</i> .	X	X	X	X	X	X	X	X

Estimated Cost	Responsible Party	Funding Source	Notes
Staff Time	Board of Commissioners; City of Gainesville	General Fund	
Staff Time	Engineering; USDA National Resources Conservation Office	General Fund	
Staff Time	County Administration	General Fund	
Staff Time	County Administration; University of Georgia	General Fund	
Staff Time	GHMPO and Hall County	General Fund	
Staff Time	GHMPO, Hall County and City Staff	General Fund	
Staff Time	Engineering; Planning & Development	General Fund	
Staff Time	Engineering; Planning & Development	General Fund	
Staff Time	Engineering; Planning & Development	General Fund	
Staff Time	Engineering; Planning & Development	General Fund	
\$14,000,000	GHMPO,, Hall County and Cites	General Fund, TSPLOST	Developer contribution as part of zoning or development conditions of approval where possible
TBD	Engineering	General Fund, SPLOST	

Hall County 2024-2032 Community Work Program (CWP)

Action Item	Estimated Timeframe							
	2025	2026	2027	2028	2029	2030	2031	2032
Multi-Modal Transportation (con't)								
Implement projects from the <i>2019 South Hall Trail Study</i> .	X	X	X	X	X	X	X	X
Adopt a complete streets policy.	X							
Implement an ADA plan that identifies existing ADA barriers on sidewalks and crossings to allow for updates to be made on an ongoing basis.		X	X	X	X			
Safety & Security								
Establish benchmarks to assist in setting measurable and attainable goals for decreasing the level of crime in Hall County.	X	X	X	X	X	X	X	X
Continue to monitor crime statistics and make them easily accessible to the public.	X	X	X	X	X	X	X	X
Ensure that new developments are accessible for emergency vehicles.	X	X	X	X	X	X	X	X
Track the construction of new developments to ensure that police and fire services can serve the growing population at the ideal level of service.	X	X	X	X	X	X	X	X
Create a plan for long-term capital investments to fund new public safety facilities.	X	X						
Establish a Citizens Advisory Committee on public safety.	X	X	X	X	X	X	X	X
Assess the ability to form a Neighborhood Watch program, with the assistance of the Sheriff's Office Public Information and Community Services Unit.	X	X	X	X	X	X	X	X
Research the requirements needed to participate in the National Flood Insurance Program's (NFIP) Community Rating System (CRS) Program to potentially reduce flood insurance premium rates.	X							
Fire Station #17.	X							

Estimated Cost	Responsible Party	Funding Source	Notes
TBD	Engineering	General Fund, SPLOST	
TBD	Engineering; Public Works & Utilities; Planning & Development	General Fund	
TBD	Engineering; Public Works & Utilities; Planning & Development	General Fund	
Staff Time	Public Safety; Sheriff's Office	General Fund	
Staff Time	Public Safety; Sheriff's Office	General Fund	
Staff Time	Planning & Development	General Fund	
Staff Time	Planning & Development	General Fund	
Staff Time	Public Safety; Sheriff's Office	General Fund	
Staff Time	Public Safety; Sheriff's Office	General Fund	
Staff Time	Public Safety; Sheriff's Office	General Fund	
Staff Time	Engineering	General Fund	
\$3,385,846	Fire	Impact Fees, SPLOST	

Hall County 2024-2032 Community Work Program (CWP)

Action Item	Estimated Timeframe							
	2025	2026	2027	2028	2029	2030	2031	2032
Safety & Security (con't)								
Fire Station #18.	X							
Fire Apparatus for Station #18.	X							
Economic Development								
Prepare and update County-wide Economic Development Plan.	X	X	X	X	X	X	X	X
Collaborate with the City of Gainesville on a Tax Allocation District for Atlanta Highway from exit 17 on I-985 to Browns Bridge Road	X	X						
Collaborate with the City of Gainesville on a Tax Allocation District for Athens Highway from Martin Luther King, Jr. Blvd to Gaines Mill Road	X	X						
Continue to work with the Greater Hall Chamber of Commerce in support of their economic development initiatives.	X	X	X	X	X	X	X	X
Coordinate with the Lake Lanier Convention and Visitors Bureau to promote agritourism in the county.	X	X	X	X	X	X	X	X
Coordinate with the Georgia DCA to seek Less Developed Census Tract designation for the Chicopee Mill area along Atlanta Highway.	X	X	X					
Prepare a Historic Preservation Plan.	X	X						

Estimated Cost	Responsible Party	Funding Source	Notes
\$3,385,846	Fire	Impact Fees, SPLOST	
\$1,133,269	Fire	Impact Fees, SPLOST	
Staff Time	Greater Hall Chamber of Commerce	General Fund	
\$10,000	County Administration; City of Gainesville	General Fund	
\$10,000	County Administration; City of Gainesville	General Fund	Could be used to implement City of Gainesville's Athens Street/Highway 129 Corridor Master Plan
Staff Time	Board of Commissioners, County Administration; Greater Hall Chamber of Commerce	General Fund	
Staff Time	Board of Commissioners; County Administration	General Fund	
Staff Time	Board of Commissioners; Greater Hall Chamber of Commerce	General Fund	
\$40,000	Planning & Development; Greater Hall Chamber of Commerce	General Fund	

Hall County 2024-2032 Community Work Program (CWP)

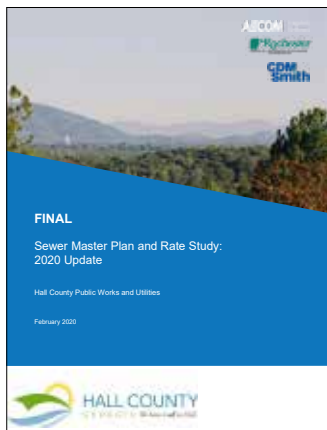
Action Item	Estimated Timeframe							
	2025	2026	2027	2028	2029	2030	2031	2032
Economic Development (con't)								
Promote the Healan's-Head's Mill Visitor and Heritage Center upon its completion.	X	X	X	X	X	X	X	X
Conduct a corridor development study for SR 365/Cornelia Highway to determine optimal industrial capacity, the best industries to locate along them, the impacts to infrastructure, and propose alternative locations for new industry.	X	X						
Create a placemaking strategy that integrates public art into economic development projects	X	X	X	X	X	X	X	X

Estimated Cost	Responsible Party	Funding Source	Notes
Staff Time	Greater Hall Chamber of Commerce; Convention and Visitors Bureau; County Administration	General Fund	
\$150,000	Planning & Development	General Fund	
Staff Time	Greater Hall Chamber of Commerce; Planning & Development	General Fund, Grants	

Supplemental Plans

Supplemental plans are planning documents that address in detail a specific topic or issue of importance to the community and that have applicable project recommendations for Hall County. These plans support the implementation of the Comprehensive Plan by addressing identified goals and strategies in Chapters 3 and 4, and their recommendations should be used by the County to identify and prioritize projects in conjunction with the Community Work Program. The supplemental plans listed below are incorporated into *Hall County Forward* by reference.

- Hall County Sewer Master Plan and Rate Study (2020)
- Hall County Parks Facilities Master Plan (2019)
- Gainesville-Hall Regional Transportation Plan Update (2020)



Plan Maintenance

The BOC is responsible for maintaining *Hall County Forward* to accurately reflect current community conditions and the community's vision and priorities for the future. Specific requirements for amendments and updates are described in the Rules of Georgia Department of Community Affairs (DCA Chapter 110-12-1 "Minimum Standards and Procedures for Local Comprehensive Planning."

Annual Review

County staff will provide a status of the plan implementation to the Board of Commissioners on an annual basis. Specifically, the Community Work Program will be reviewed to identify the current status of the implementation measures and an informal progress report will be prepared. If the County chooses, the annual review process can be used to undertake a formal annual update (see below).

Plan Amendments

According to the DCA's rules, the local government determines when a plan amendment is necessary to address changing circumstances that may have detracted from the usefulness of the plan as a guide to local decision-making.

Updates to the Comprehensive Plan

At a minimum, a plan update must be completed every five years, in accordance with the Local Comprehensive Plan Recertification Schedule maintained by DCA. An annual update option is provided for communities wanting to update their plan on a more frequent basis. The annual update requires submittal of a new fifth year for the Community Work Program (CWP) and any changes needed for the other years of the CWP, and if needed, changes can be made to other elements of the Comprehensive Plan. For communities collecting impact fees, an annual update of the CWP is required.

Capital Improvements Element

The Hall County Capital Improvements Element (CIE) was adopted in 2023. The CIE plays a significant role in the implementation of an annual/master budget by providing the link between planning and budgeting for capital projects/equipment purchases. The CIP process precedes the overall annual budget process and is used to develop the capital portion of the annual budget.

The Capital Improvement Plan is an overall six-year plan (current adopted budget plus the succeeding five planning years) that details anticipated capital expenditures and their correlations to approved sources of funding. By approving the CIE, the Hall County Board of Commissioners acknowledges that these projects and acquisitions represent a reasonable interpretation of the upcoming needs for the County, and that the projects and acquisitions contained in the first year of the plan are suitable for inclusion in the upcoming budget. The capital improvement plan is simply that – a plan. As such, capital projects and equipment purchases are subject to change based on new or shifting service needs, special financing opportunities, emergency needs, or other directives or priorities established by the Hall County Board of Commissioners and County Administration. Because priorities can change, capital expenditures included in future planning years are not guaranteed for funding and will be subject to further review until that year's respective budget is legally adopted.

An aerial photograph of a large, paved parking lot with many marked spaces, situated in a wooded area. A road curves around the parking lot, and there are some landscaped areas with trees and grass. The image is overlaid with a semi-transparent dark grey filter.

APPENDIX



Report of Accomplishments 224
Public Engagement Plan 228
2050 Regional Transportation Plan | 2020 Update.....246
2023 Capital Improvements Element Update.....248

Report of Accomplishments

Action	Completed	Underway	Postponed/ Delayed	Dropped/No Longer Applicable	Notes (if Postponed/ Dropped)
Regulations					
Prepare a Unified Development Code to update, consolidate, and streamline land use and development regulations and to support the goals of the Comprehensive Plan		X			
Evaluate the effectiveness of the County's tree protection standards and identify potential amendments, as necessary		X			
Evaluate the effectiveness of the County's Conservation Subdivision Design Option and identify potential amendments, as necessary		X			
Evaluate zoning buffer standards to ensure they are sufficient where commercial or industrial uses abut residential properties and identify potential amendments, as necessary		X			
Amend regulations to reinforce infrastructure requirements for single-family development (based on commonly applied conditions of zoning)		X			
Review use and outdoor storage/display standards in the Gateway Corridor Overlay District to identify appropriate locations and screening requirements		X			
Assess compatibility of municipalities' corridor standards/design guidelines with the County's; identify any requirements that could enhance the quality of development in the county.		X			
Review existing regulations for impediments to special housing needs and opportunities such as senior housing, accessory dwelling units, and affordable housing		X			
Establish buffer requirements for the portion of the Chattahoochee River not under the jurisdiction of the U.S. Army Corps of Engineers	X				

Action	Completed	Underway	Postponed/ Delayed	Dropped/No Longer Applicable	Notes (if Postponed/ Dropped)
Functional Plans					
Prepare a county-wide Economic Development Plan		X			GHCC prepares annual report
Implement the recurring items in the Metropolitan North Georgia Water Planning District's Water Resource Management Plan		X			
Prepare a Historic Preservation Plan		X			
Coordinate with the Georgia Environmental Protection Division on its Total Maximum Daily Load (TMDL) Implementation Plan for Lake Lanier to address pollutants.		X			
Small Area/Master Plans					
Implement the recommendations from the neighborhood-level planning effort with the Morningside Heights, Black and Cooley Drive, and Gaines Mill Road Communities			X		Not a priority currently. Growth did not occur as expected in previous plan.
East-West Corridor Study			X		The East-West Corridor Study, also known as the Northern Bypass Study, is still listed as an unfunded planning study item in the MPO's FY 2024 budget document. Hall County wants to get work underway on the Sardis Connector Project before possibly doing a study on how to connect where the Sardis Road Connector will end on Thompson Bridge Road/SR 60 over to Cleveland Highway/US 129

Action	Completed	Underway	Postponed/ Delayed	Dropped/No Longer Applicable	Notes (if Postponed/ Dropped)
Process/Program					
Continue to work with the Greater Hall Chamber of Commerce in support of their economic development initiatives		X			Ongoing
Coordinate with the Lake Lanier Convention and Visitors Bureau to promote agritourism in the county		X			Ongoing
Maintain residential or agricultural use as the primary use(s) along roadways that do not have a "corridor" designation on the Future Development Map		X			
Coordinate with the Georgia Department of Community Affairs (DCA) to seek Less Developed Census Tract designation for the Chicopee Mill area along Atlanta Highway		X			
Promote the Healan's-Head's Mill Visitor and Heritage Center upon its completion		X			
Designate an existing county employee position to promote and implement greenspace recommendations (from the Recreation Plan update) and to liaise with the Chamber's Greenspace Committee		X			CWP item reworded to: "Create a new full-time County staff position and division to promote and implement greenspace recommendations and to liaise with Vision 2023 Greenspace Committee."
Promote public awareness of annual community and lake clean-up events		X			Annual Shore Sweep Lake Lanier Association
Partner with and promote local recycling initiatives and events		X			
Partner with Gainesville on pollution prevision activities and public outreach		X			
Continue to support and promote Green Hall Alliance and its activities				X	Vision 2030 has assumed the work of the Green Hall Alliance, which no longer operates.
Identify eligible projects for federal Sec. 319(h) Non-Point Source Implementation Grants to address pollutants in impaired waters.		X			

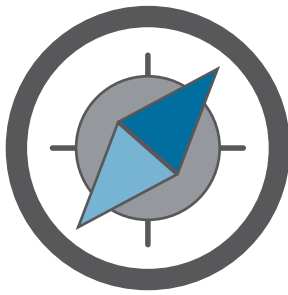
Action	Completed	Underway	Postponed/ Delayed	Dropped/No Longer Applicable	Notes (if Postponed/ Dropped)
Inventory/Assessment					
Research the requirements needed to participate in the National Flood Insurance Program's (NFIP) Community Rating System (CRS) Program to potentially reduce flood insurance premium rates		X			
Review regulations for any impediments to low impact development (LID) or green infrastructure approaches to stormwater management		X			Ongoing
Evaluate and promote options for the permanent conservation of land		X			
Coordinate and discuss affordable/workforce housing-related needs and initiatives with the cities, Habitat for Humanity, and other public or private stakeholders		X			Ongoing, GICH, City of Gainesville
Community Improvements/Infrastructure Projects					
Implement projects from the 2014 Bicycle and Pedestrian Plan		X			Segments of the Highlands to Islands Trail continue to be constructed. GHMPO has also begun a full update to the 2014 Bicycle/ Pedestrian Plan. The updated plan is scheduled to be completed by May 2025.
Construct and operate a new regional material recycling facility (MRF)		X			
Continue to seek innovative approaches to landfill operations to extend its life		X			
Update Impact Fee Program and Amend Capital Improvements Element (CIE)		X			Completed every year
Fire Station #17		X			
Fire Apparatus for Station #17	X				
Fire Station #18			X		Financial constraints
Fire Apparatus for Station #18			X		Financial constraints
East Hall Precinct	X				

Public Participation Plan - Updated September 2022

PUBLIC PARTICIPATION OVERVIEW

Public participation creates and maintains a community that is educated, aware, motivated, engaged, and fulfilled. A complete public participation plan can make all aspects of a planning process run more smoothly even when the feedback received is negative; it saves time and headache to know it earlier rather than later. By exercising effective public participation practices, a plan can then become a reflection of the community's wishes.

This public participation plan provides a framework for how Hall County will reach the community about matters related to future development. This plan breaks down the public engagement process of *Hall County Forward* into 4 key phases:



Orientation

OCTOBER 2022 TO DECEMBER 2022

Learn about the key issues and opportunities in Hall County.



Determine Direction

JANUARY 2023 TO MAY 2023

Figure out what Hall County stakeholders want for the future.



Plan Development

JUNE 2023 TO SEPTEMBER 2023

Create draft recommendations.



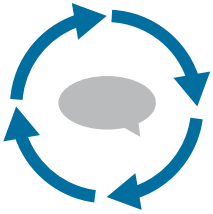
Confirm Direction

OCTOBER 2023 TO FEBRUARY 2024

Present our recommendations to the County and ask the question, "Did we get it right?"

PUBLIC PARTICIPATION GOALS

This plan has four goals for public participation:



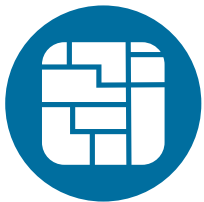
1. **Continuously build on previous input**



2. **Reach as many people as possible**



3. **Provide different options to give input besides traditional public meetings**



4. **Align engagement efforts with the UDC update as much as possible**

TYPES OF PARTICIPATION

Participation can be broken out into 4 types:



AND/OR



AND/OR



Active

Requires approaching or reaching out directly to individuals or groups.

Passive

Requires reaching out to individuals or groups indirectly OR the public approaching the Planning Team.

In-Person

Face-to-face interaction with individuals or groups

Virtual

Interaction using technology, like the internet, computers, phones, etc.

OUTREACH METHODS

The following are methods that should be utilized when advertising outreach:

- Project website (Wix or Social Pinpoint)
- County website*
- Distributing printed flyers*
- Distributing business cards with website information*
- Billboards*
- Press releases*
- Social media posts with links to project website*
 - Email blasts
 - NextDoor postings*
 - Facebook*

*Hall County would be responsible for these tasks.



Project Website **P** **V**

A project website for the Comprehensive Plan will help keep all information about the plan, including opportunities for public input, in one place for ease of access. The website will include the following:

- Information about the plan and planning process
- Important links
- Surveys
- Videos of previous presentations
- Previous presentation slides and display boards
- Online activities
- Draft documents
- Contact information

The project website will be hosted either through Wix or Social Pinpoint, which can integrate all the above items into one smooth user experience.

A separate website will be maintained for UDC-specific information.



Email List A V

Emailing people is a great way to spread the word about the planning process. With the help of the County, the Planning Team can manage a listserv of email addresses. Additional email addresses can be gathered at public meetings, through surveys, and using an embedded link on the project website and County website. Email “blasts” would be sent through MailChimp, and recipients would have the option to opt out, if desired. These blasts would include information about the website, upcoming meetings and events, surveys, opportunities to give input, and other important milestones.

Bilingual Outreach A P IP V

Hall County has a large Hispanic/Latino population, some of whom may not speak English with fluency. In order to reach this important segment of the population, the Planning Team will:

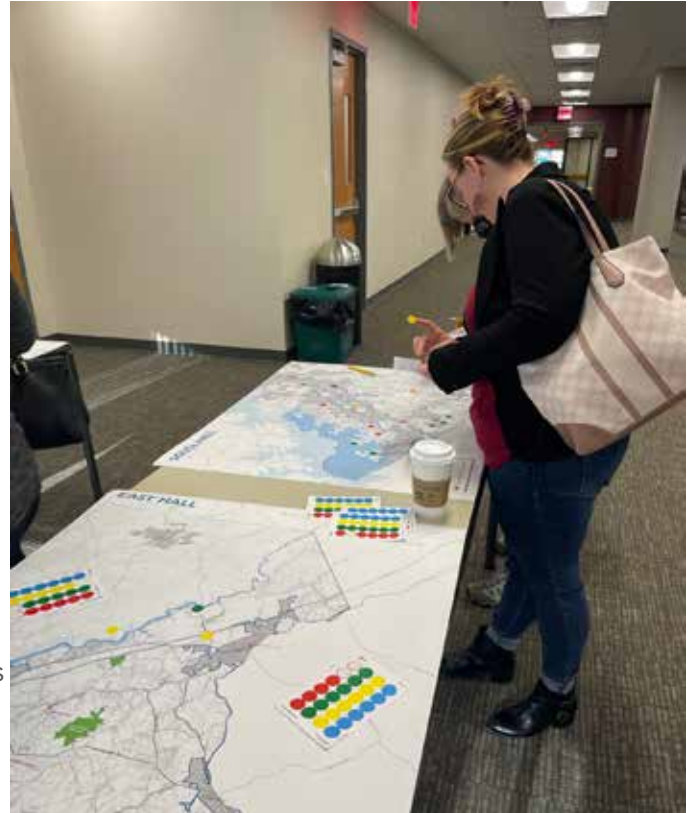
- Partner with representatives from Hispanic/Latino organizations to ensure that outreach techniques are appropriate.
- Have one Spanish-speaking consultant available at some public meetings who can help translate.
- Translate all marketing materials to Spanish. The County can assist by placing those materials in areas with larger concentrations of Hispanic/Latino residents.
- Have a Spanish version of all surveys available.
- **Option: Have one additional public meeting in 2023 that takes place in the Hispanic/Latino community and partner with a local organization.**



SURVEYS

There will be a series of interactive surveys created throughout the process:

- Long-form survey
 - North Hall
 - Murrayville/Sardis
 - East Hall
 - Gainesville Area
 - Chestnut Mountain/Candler
 - South Hall
- Student survey
- Short-form survey
- Visual preference survey



Long-Form Surveys P V

The survey will have general questions about the thoughts of residents, employees, and visitors about the state of Hall County today and what would improve the County's quality of life. The long-form survey will be broken out by planning area and will have around 20 questions that will dive into what the community's wants and needs are.

Survey takers will be able to take as many surveys for each area as needed (for example, if someone lives in South Hall but works in the Gainesville Area, they can take both surveys.) An optional demographics section will be included to help the Planning Team better target community input from under-represented populations. They will be hosted online, and hard copies can be made available upon request. The surveys may also be translated to Spanish to capture input from members of the Hispanic/Latino community where English is not their first language.

Short-Form Surveys P IP

The short-form survey will be less than 10 questions and can be passed out at community meetings and events. It will ask more general questions about future development in Hall County.

Student Survey P V

The student survey, also hosted online, will be distributed to all middle and high school students. It will ask questions that are similar to the long-form survey but will use more simplified language and may include questions targeted towards adolescents.

Visual Preference Surveys P IP

See "Forward Action Workshop" for more information.

MEETINGS & EVENTS

The following addresses the intended objectives of each meeting, and how we plan to gather input.

Stakeholder Committee

Throughout this process, there will be **four meetings with one main Stakeholder Committee** consisting of individuals who can share “big picture” ideas with the Planning Team; inform on present issues and opportunities as they relate to planning in Hall County; contribute to the development of plan recommendations; provide feedback on plan recommendations; and ,assist with community outreach (i.e., “Community Champions”).

In addition to the main stakeholder committee meetings, there will be **three Strategic Advisory Meetings** that be formed for the purpose of having targeted discussions regarding different elements of the plan. These targeted meetings will likely meet later in the planning process and could be composed of a combination of the following committee categories:

- **Citizens Advisory Committee**, which will focus primarily on “big picture” conversations and assisting with community outreach
- **Technical Advisory Committee**, which will focus primarily on the “nuts and bolts” of the plan
- **Intergovernmental Advisory Committee**, which will focus primarily on matters related to City/County relationships

Citizens Advisory Committee

The Citizens Advisory Committee (CAC) would be made up of a group of concerned Hall County residents and representatives from county-based interest groups. Members of this committee may include a combination of representatives from:

- 3-4 residents from each of the six planning areas identified in the previous planning processes:
 - North Hall Area
 - Murrayville/Sardis Area
 - Gainesville Area
 - East Hall Area
 - Chestnut Mountain/Candler Area
 - South Hall
- Homeowner associations (HOAs) and/or neighborhood groups
- The Hispanic community
- Religious organizations
- Arts and cultural organizations
- Schools and universities (specifically teachers/instructors)
- Advocacy groups
- Any other interested citizens identified by the County

MEETINGS & EVENTS

It is recommended that this committee be formed through both identifying individuals who would be a good fit for the CAC and could commit to a minimum of three meetings, and through an application process open to all residents, which can gauge the overall interest of the community and help identify interested people.

The main tasks of the CAC would include:

- Representing the interests of their neighborhood, organization, or group;
- Sharing “big picture” ideas with the Planning Team;
- Contributing to the development of plan recommendations;
- Providing feedback on plan recommendations; and
- Assisting with community outreach (i.e., “Community Champions”)

By serving on the CAC, members will serve as “Community Champions” responsible for helping with outreach, such as using social media to promote public outreach, posting flyers, passing out business cards, and leading “meetings in a box.”



Technical Advisory Committee

The purpose of having a Technical Advisory Committee is to have a forum to discuss the finer points of plan development and implementation with those who will either a) be most affected by the County’s planning activities and/or b) will be responsible for carrying out the plan. These conversations will be more detailed than those with other Advisory Committees. Members of this committee may include representatives from:

- Hall County Board of Commissioners
- Hall County Planning Commission
- Hall County departments, agencies, and other key staff
- Gainesville-Hall Metropolitan Planning Organization (GHMPO)
- GDOT District 1
- Georgia Mountain Regional Commission (GMRC)
- Greater Hall Chamber of Commerce
- Northeast Georgia Latino Chamber of Commerce
- Vision 2030 Greenspace Committee
- Hall County Schools
- Hall Area Transit
- Real estate developers
- Local engineering groups

The main tasks of the Technical Advisory Committee would include:

- Representing their agency or group's interests;
- Listing present issues and opportunities as they relate to development in Hall County;
- Participation in discussions related to plan organization, future development, zoning, and public policy
- Assisting with the creation of the implementation plan, including coordinating efforts from other agencies and groups, giving input on projects and policy items, and identifying funding sources and partnerships.

Intergovernmental Advisory Committee

The Intergovernmental Advisory Committee would be made up of key members of the County's administrative and planning staff and representatives from each city and town government within the County:

- Town of Braselton
- City of Buford
- Town of Clermont
- City of Flowery Branch
- City of Gainesville
- City of Gillsville
- City of Lula
- City of Oakwood

The main tasks of the Intergovernmental Advisory Committee would include:

- Representing their city or town's interests;
- Contributing to the development of plan recommendations;
- Providing feedback on plan recommendations; and
- Discussions related to intergovernmental coordination.



MEETINGS & EVENTS

Roundtables A V

In addition to Stakeholder Committees, there may be a need for additional, focused conversations about land use, the UDC, transportation, economic development, housing, natural resource and environmental protection, and/or other topics that might arise from the process. Up to **two Roundtable meetings** may include a combination of members from the Stakeholder Committee, selected representatives from other organizations, and members of the general public. The exact topics up for discussion may be dependent on preliminary feedback from the community and their immediacy.



ROUNDTABLES ROUND 1: DISCUSSION GUIDE

ASSESSING OUR PRESENT, IMAGINING OUR FUTURE

ROUNDTABLES ROUND 2: DISCUSSION GUIDE

AFFORDABLE, INCLUSIVE, MOBILE, AND GREEN

ROUNDTABLES ROUND 3: DISCUSSION GUIDE

COMMUNITY CONNECTION, CIVIC SPIRIT

In our first Roundtable discussion we shared our thoughts about Decatur — what we're proud of, what needs work, and what aspirations we hold for the future.

In our second Roundtable session, we explored specific topics where there was no clear agreement among participants regarding how to move forward on some key issues — neighborhood zoning changes that could assist in affordable housing and inclusivity efforts, managing traffic as we build out our walking and biking networks, and how aggressively we should address climate change at the local level.

In this third and final Roundtable session we will explore how we become and stay connected — to the city, to nonprofits and civic organizations, and to each other — and how those connections can be strengthened and better leveraged in the service of addressing our challenges.

INTRODUCTION TO THE DISCUSSION

Welcome by facilitator [15 minutes total]
Welcome, reconnection, and ground rules

- » Introductions:
 - » Much has happened since we last met in person. Take the necessary time for re-introductions and reconnection among the group.
- » Leading the conversation requires a *neutral role*
 - » Facilitators can contribute as individuals but should not *advocate* for particular positions or otherwise work to *influence* others' opinions.
 - » Facilitators encourage discussion among the entire group but *do not challenge comments or opinions shared within the group*.
 - » Facilitators ensure the group stays focused with a fair and productive conversation.
 - » For full transparency, notes taken should be circulated among the group post-discussion to ensure that all are in agreement with how comments are being documented.

DESTINATION:2030

2020 STRATEGIC PLAN | DECATUR, GEORGIA

Student Roundtable(s)

Typically, comprehensive planning processes only acknowledge and involve older segments of the population. In other words, the under-18 crowd is very seldom involved. Comprehensive plans look so far into the future and will have the most impact on the youngest residents.

A roundtable with middle and high school students will help the Planning Team understand the perspectives of the younger generations. It is recommended that each of the following schools identify one engaged student from each grade level to participate in the focus group:

- Middle Schools (~27 students):
 - Academies of Discovery at South Hall
 - Cherokee Bluff Middle School
 - Chestatee Academy
 - Davis Middle School
 - East Hall Middle School
 - North Hall Middle School
 - West Hall Middle School
 - World Language Academy
 - The Foundry
- High Schools (~40 students):
 - Cherokee Bluff High School
 - Chestatee High School
 - East Hall High School
 - Flowery Branch High School
 - Johnson High School
 - Lanier College Career Academy
 - North Hall High School
 - West Hall High School
 - Howard E. Ivester Early College
 - The Foundry

Targeted questions for these students may include:

1. How would you describe life in Hall County today and what it could be tomorrow?
2. From a younger person’s perspective, what is missing in Hall County?
3. If you plan on going away somewhere after you finish high school, do you think you would want to come back to live in Hall County? Why or why not?
4. If you don’t think you’d come back to Hall County, what improvements would you want to see in the county to encourage you to return?
5. What is your favorite thing to do after school and during the summer break? What can the County do to make it easier or better for you to do that activity?

What are some of your favorite after school activities?



What one word would you use to describe what it could become in the future?



What one word would you use to describe the North End today?



MEETINGS & EVENTS

Traditional Public Meetings A IP V

Public Kick-Off Meeting

Targeted Date: November 14, 2022, at 5:30pm

Location: Zoom

Objective: Introduce the plan and planning process to the public and start gathering input.

Presentation (~30 minutes)

- Introductions
- What is a comprehensive plan? Why are we updating it?
- Present the schedule and process
- Brief summary of existing conditions
- Introduce website, survey, and online activities

Activities

Activity 1: Live Polling Questions (~10 minutes).

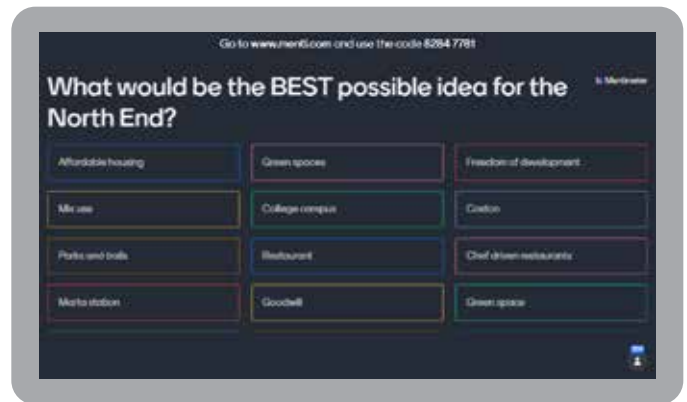
These questions will be asked following the presentation:

- Icebreaker question (this will help make sure the polling software chosen is working)
- Question 1: What is your favorite thing about Hall County?
- Question 2: What is your least favorite thing about Hall County?
- Question 3: What is a big idea that you have for your community?

Activity 2: Mapping Activity (open for three weeks).

A map will be produced via Social Pinpoint. Participants will place virtual “stickers” to describe their thoughts and ideas for Hall County. Ideas include but are not limited to:

- Strong places
- Weak places
- Redevelopment opportunity
- Ideas for the future
- Other comment



Activity 3: S.O.A.R. Idea Wall (open for three weeks). On the Social Pinpoint site, a virtual idea wall will have four prompts:

- Strengths (What can we build on?)
- Opportunities (How do we best meet the needs of County residents, businesses, and other stakeholders?)
- Aspirations (What do you care deeply about?)
- Results (What does success look like?)

Activity 4: UDC Update. Provide a background on the UDC and key recommendations from the Diagnostic for reaffirmation.

Forward Thinking Workshop (2 meetings)

Targeted Date: March 2023

Location: Two Hybrid Meetings (to account for one meeting in each district throughout planning process)

Objective: Start generating ideas about planning goals and land use changes

Presentation (~20 minutes)

- Update on schedule and progress
- Brief summary of kick-off meeting and survey results
- Activities
- Next steps

Activities (~70 minutes)

Activity 1: Goal Formulation Activity (open for three weeks). A series of boards will be set up around the room, one for each plan element (future land use, transportation, economic development, etc). Participants will write down one word or short phrase to describe that element for the future and place it on the board. These will be used to begin formulating goal statements. An online version of this activity will be open after the workshop series concludes.



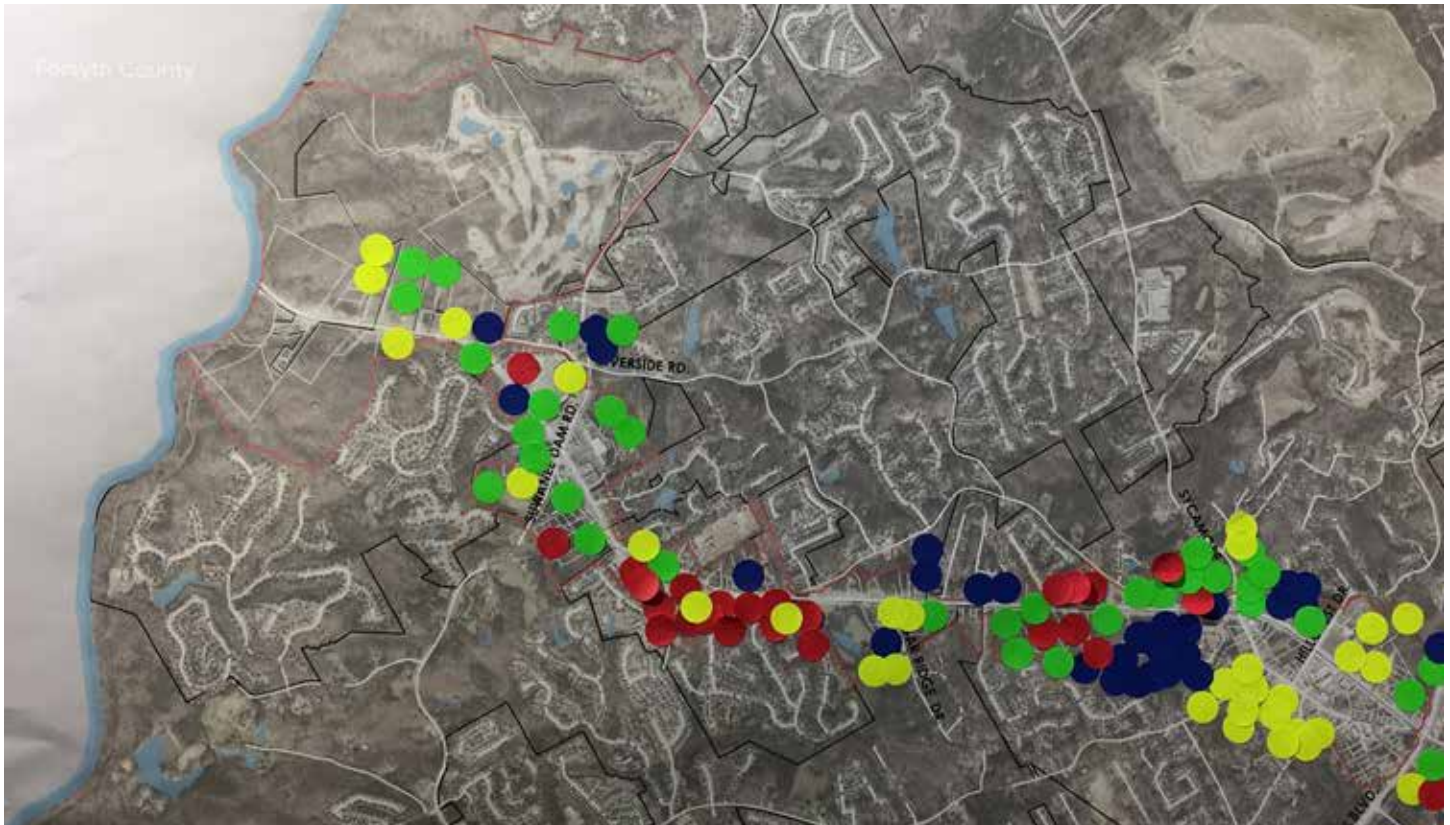
MEETINGS & EVENTS

Activity 2: Mapping Activity (open for three weeks). One map of each planning area and its existing land uses will be printed out and displayed around the room. Where people indicated “weak places” or “strong places” during the kick-off will be circled for reference. Participants will place stickers showing their preferences for land use changes:

- Green = greenspace or open space preservation
- Yellow = residential
- Red = commercial
- Blue = industrial
- Black = mixed use

An online version of this activity will be open after the workshop series concludes.

Activity 3: UDC Update: Optional exercise to gather input on UDC topics, as needed.



Forward Action Workshop (2 meetings)

Targeted Date: May 2023

Location: Two Hybrid Meetings (to account for one meeting in each district throughout planning process)

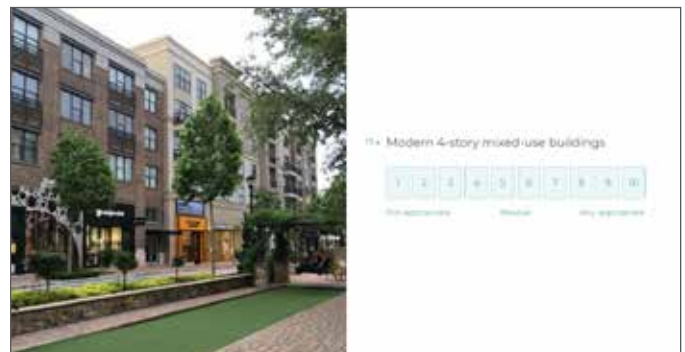
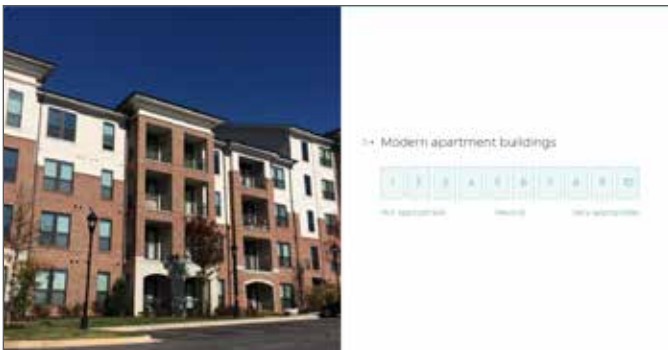
Objective: Confirm direction and begin to think about how Hall County will look in the future.

Presentation (~20 minutes)

- Update on schedule and progress
- Brief summary of Forward Thinking Workshops
- Activities
- Next steps

Activities (~70 minutes)

- **Activity 1: Draft Goals and Actions (open for three weeks).** A table of draft goals and action statements will be displayed for review and feedback. Participants will place stickers showing their preferences for each statement: agree, don't agree, needs work. An online version of this activity will be open after the workshop series concludes.
- **Activity 2: Visual Preference Survey (open for three weeks).** A map of potential redevelopment areas will be displayed, along with some preliminary ideas and a VPS for that area. Participants will rate each image 1 through 5, with 1 meaning "very inappropriate" and 5 meaning "very appropriate." An online version of this activity will be open after the workshop series concludes.
- **Activity 3: UDC Update (TBD).**



MEETINGS & EVENTS

Draft Plan Open House

Targeted Date: October 2023

Location: TBD

Objective: Present the draft plan to the public for feedback. This will be a day-long, drop-in, open house style event without a formal presentation. May schedule staffing in shifts.

Display Boards

- Background information about the plan
- Draft goals and recommendations
- Future land use maps and policies
- Transportation maps
- UDC update
- Projects

Report Cards

Each board will have a QR code at the bottom that will take participants to a virtual “report card” for them to “grade” recommendations. Hard copies will also be made available at the meeting.

Report Card	
Future Land Use Map:	B-
Future Land Use Policies:	B+
Transportation Policies:	B
Transportation Projects:	A
Other Projects:	C-
UDC Update:	A+

Road Show

After the event, the County will place copies of the display boards in key, high traffic locations around the county for the community to give comment. These will be displayed for three weeks.



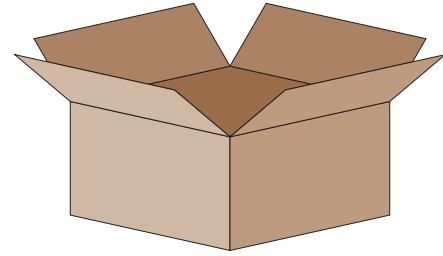
“Meeting-in-a-Box” P IP V

“Meeting-in-a-Box” is a public engagement technique designed for community groups, neighborhood associations, or friends to gather at a convenient time and location to share their opinions about the plan. It encourages group conversation, discussion, and a deeper level of self-directed engagement. This toolkit is designed to respond to the emerging ideas and recommendations from the Planning Team and provide new ideas for consideration. The toolkit will have options for virtual or in-person meetings.

The “Meeting-in-a-Box” tool will be made available in January 2023 up until before the Draft Plan Open House. The tool will include the following:

- A how-to guide for meeting hosts (“facilitators”)
- A welcome presentation with a script
- Worksheets
- Reporting tools

The Citizens Advisory Committee will be educated about the “Meeting-in-a-Box” during their first meeting and will be encouraged to host their own meetings using the toolkit. The toolkit will also be advertised and made available online for anyone from the public to use. Depending on the budget available, a small stipend (~\$20) could be made available to facilitators and hosts of in-person meetings to cover printing costs, refreshments, etc after the completion of their meeting.



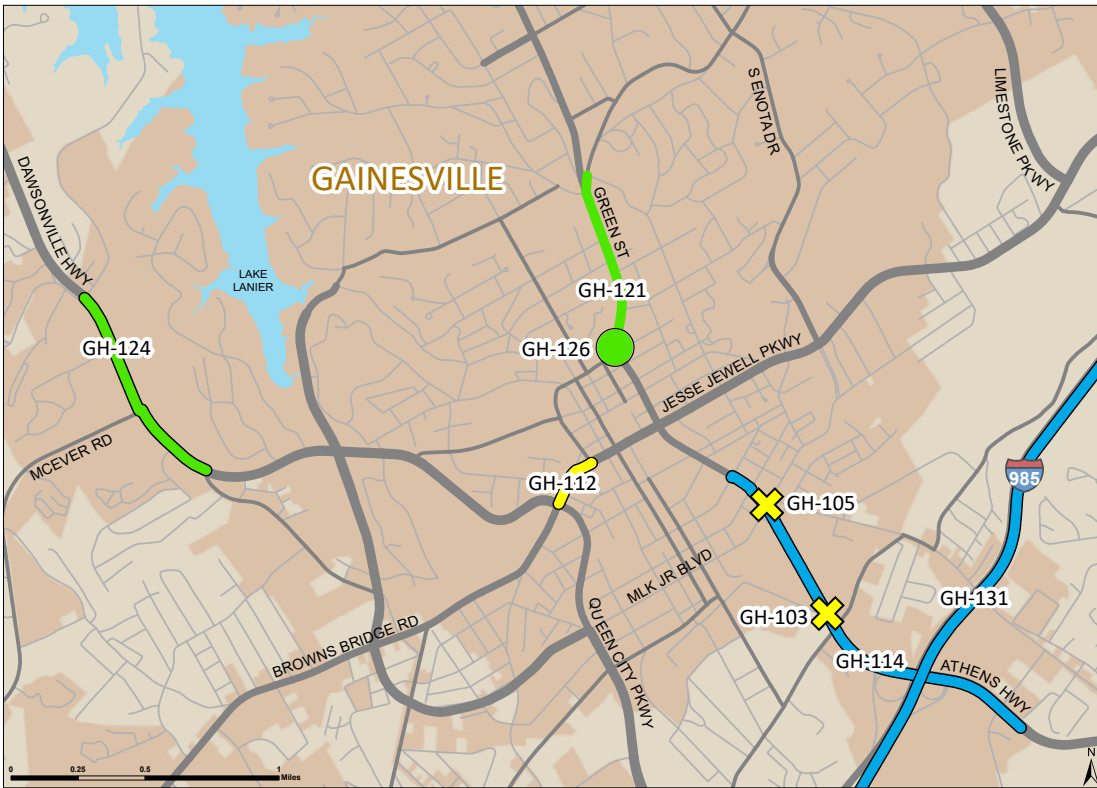
Public Plan Review

A 30-day period will allow the public and other stakeholders to review the plan and provide feedback. The plan will be uploaded onto the project website. Feedback may be received via email, survey, or whatever other means the County finds acceptable. This will occur concurrently with the DCA/GMRC’s review process.

TIMELINE

	Oct 2022	Nov 2022	Dec 2022	Jan 2023	Feb 2023	Mar 2023	Apr 2023
	Orientation			Determine Direction			
Stakeholder Committee	IP				V		
Strategic Advisory Meetings							V
Roundtables				V	V		
Long-Form and Short-Form Community Input Survey							
Student Survey							
Visual Preference Survey							
Public Hearing #1/Public Kick-Off Meeting & Activities		V					
Forward Thinking Workshop & Activities						H	H
Forward Action Workshop & Activities							
Draft Plan Open House & Road Show							
"Meeting-in-a-Box"							
Public Plan Review Process							

- IP In-Person Meeting
- V Virtual Meeting
- H Hybrid Meeting (In-person and Virtual)



GHMPD #	SOOT PI #	Band	Project Name and Description	Project Type
GH-016	003426	1	Islands Road Connector	Widening
GH-018	0013626	3	SR 365/Browns Bridge Road From SR 53/McEver Road To Forsyth County Line	Widening
GH-020	122060	2	SR 11/US 129 from Lakerview Street to south of Nopone Road (Phases A, B, & C)	Widening
GH-025	0007233	2	SR 211/OM Winder Highway From SR 53/Winder Highway To SR 347/Friendship Road	Widening
GH-028	0013809	2	SR 132/Poplar Springs Road at Walnut Creek & Overflow	Bridges
GH-033	0001822	4-LF	SR 13/Atlanta Highway from Railroad Road to South of SR 53	Widening
GH-035	0014129	3	US 129/Cleveland Hwy - N of Nopone/Hood Road to SR 284/Clarke Bridge Road	Widening
GH-038	132610	2-3	SR 60/Thompson Bridge Road - SR 136/Price Road to Yellow Creek Road in Murrayville	Widening
GH-040	0013310	3-4	SR 53/Winder Highway from I-85/Jackson County to SR 211/Tanners Mill Road/44th County	Widening
GH-046	0013574	3-4	SR 321/Giltsville Highway from SR 11/US 129/Athens Highway to SR 82/Holly Springs Road	Widening
GH-056	0007170	1	SR 136/Price Road at Chentatee River	Bridges
GH-079	122030	3	McEver Road Widening - Jim Crow Road to SR 53/ Mundy Mill Road	Widening
GH-084	0001821	3	McEver Road from SR 347/Lanier Islands Parkway to CS 537/Gainesville Street	Widening
GH-085	0010212	1	SR 53/Dawsonville Hwy Westbound at Chattahoochee River	Bridges
GH-100		3	SR 365/Browns Bridge Rd. Operations- from McEver Road to Forsyth County Line	Roadway Operations
GH-102	0013086	3-4	I-85 at SR 60 - New Interchange	Interchange
GH-103		2	Athens Highway at Chestnut Street Operations	Intersection
GH-105		2	EE Butler Pkwy/Athens St at MLK Jr. Blvd Improvements	Intersection
GH-109	0012545	1	I-85 from North of SR 53 to North of SR 11 / US 129	Widening
GH-111		2	SR 60/Candler Road from South of I-985 to SR 124	Widening
GH-112		2	SR 369/Jesse Jewell Parkway	Widening
GH-114		3	EE Butler Parkway/Athens Highway/US 129 Capacity	Widening
GH-115	0008434	4-LF	SR 53 from I-85 to Tapp Wood Road	Widening
GH-116	0013922	1	I-985 at CS 991/Elachee Road	Bridges
GH-118	0015551	1	SR 60/Thompson Bridge Road at Chattahoochee River	Bridges
GH-121		1	Green Street Improvements	Roadway Operations
GH-123	110610	1	I-85 from I-985 To North of SR 53	Widening
GH-124	0015702	1	SR 53/Dawsonville Hwy from Ahakua Drive to Shaheenford Road	Widening
GH-126	0015918	1	SR 60/Greet Street at CS 898/Academy Street	Roundabout
GH-127	0016166	1	SR 124 at SR 60 & CR 17/Sam Freeman Road	Roundabout
GH-128		2	SR 60/Candler Rd at Fullerwinder Road Intersection Improvement	Intersection Improvement
GH-129	0016616	3	SR 11/Atlanta Highway at I-985 & at CR 527/Thurmon Tanner Parkway	Operational Improvement
GH-130	0017652	3	SR 60 from SR 400 to Yellow Creek Road	Widening
GH-131		3-4	I-985 from SR 53/Winder Highway to Lanier Tech Drive	Widening
GH-133	0016074	1	SR 345 Cornelia Highway at Lanier Tech Drive - New Interchange	Interchange
GH-141	0017735	1-2	SR 283 at Flat Creek Bridge Replacement	Bridges
GH-144	0019079	2	SR 284/Sheal Creek Road at Eubank Creek	Bridges
GH-145	0016925	1	SR 53/McEver Road @ SR 369/Browns Bridge Road	Intersection Improvement
Local-1		1	Roundabout at McEver Road/Lights Ferry Road	Roundabout
Local-2		1	Roundabout at McEver Road/Gaines Ferry Road	Roundabout

Capital Improvements Element

HALL COUNTY		Annual Impact Fee Financial Report - 2022/2023							Draft as of 1-29-2024
Public Facility	Libraries	Fire Protection	Sheriff's Patrol	Public Safety Facility	Parks/Recreation	Admin	CIE Prep	TOTAL	
Impact Fee Balance June 30, 2022**	\$ 1,164,837.25	\$ 531,169.29	\$ 121,435.18	\$ 248,384.62	\$ 4,909,776.52	\$ 231,653.32	\$ (5,388.32)	\$ 7,201,867.86	
Impact Fees Collected (July 1, 2022 through June 30, 2023)	420,122.16	54,825.87	15,053.64	66,910.13	827,810.83	32,118.40	1,092.45	1,417,933.48	
Interest Earned*									
(Impact Fee Refunds)									
(Project Expenditures)	(200,000.00)	(125,000.00)		(4,173.75)	(593,841.01)			(923,014.76)	
Impact Fee Fund Balance June 30, 2023	\$ 1,384,959.41	\$ 460,995.16	\$ 136,488.82	\$ 311,121.00	\$ 5,143,746.34	\$ 263,771.72	\$ (4,295.87)	\$ 7,696,786.58	
Impact Fees Available	\$ 1,384,959.41	\$ 460,995.16	\$ 136,488.82	\$ 311,121.00	\$ 5,143,746.34	\$ 263,771.72	\$ (4,295.87)	\$ 7,696,786.58	
Impact Fees Obligated	\$ -	\$ 460,995.16	\$ -	\$ -	\$ 800,214.14	\$ -	\$ -	\$ 1,261,209.30	
This annual report covers the last completed fiscal year - July 1, 2022 to June 30, 2023. The Hall County Impact Fee Program began March, 2003									
There was no interest earned in FY 2023. However, impact fee funds are housed in an interest bearing account. The interest for this account is minimal for the County as a whole.									

HALL COUNTY		Capital Improvements Project Update 2013-2023*						
Public Facility:	Libraries							
Service Areas:	County-wide							
Project Description	Project Start Date	Project End Date	Cost of Project*	Percentage of Funding from Impact Fees	Other Funding Sources	Impact Fee Expenditures	Impact Fee Funds Available **	Project Status
Prior Year Expenditures	2004	2012	\$ 1,266,744.22	100.000%		\$ 1,266,744.22	\$ -	Complete
Collection Materials	2011	2012	164,225.00	60.892%	General Fund, State of GA	100,000.00	-	Complete
Collection Materials NH Libr.	2011	2012	54,512.00	100.000%		54,512.00	-	Complete
North Hall Branch Library	2011	2014	2,897,152.00	18.062%	SPLOST	523,275.00	-	Complete
Collection Materials	2012	2013	180,586.00	55.375%	General Fund, State of GA	100,000.00	-	Complete
Collection Materials	2013	2014	305,420.00	32.742%	General Fund, State of GA	100,000.00	-	Complete
Collection Materials	2014	2015	428,611.00	23.331%	General Fund, State of GA	100,000.00	-	Complete
Collection Materials	2015	2016	100,000.00	100.000%		100,000.00	-	Complete
Collection Materials	2016	2017	100,000.00	100.000%		100,000.00	-	Complete
Collection Materials	2017	2018	130,000.00	100.000%		130,000.00	-	Complete
Collection Materials	2018	2019	135,000.00	100.000%		135,000.00	-	Complete
Collection Materials	2019	2020	100,000.00	100.000%		100,000.00	-	Complete
Collection Materials	2020	2021	100,000.00	100.000%		150,000.00	-	Complete
Collection Materials	2021	2022	190,000.00	100.000%		190,000.00	-	Complete
Collection Materials	2022	2023	200,000.00	100.000%		200,000.00	-	In process
Collection Materials	2023	2024	200,000.00	100.000%		-	200,000.00	-
Expansion of Gainesville Library	2018	2021	5,350,000.00	21.691%	SPLOST, State of GA Grant	1,160,460.59	-	Complete
New East Hall Library	2025	2027	5,000,000.00	23.699%	SPLOST, State of GA Grant	-	1,184,959.41	Planning Phase
Total of Costs, Expenditures & Impact Fees Encumbered			\$ 16,902,250.22			\$ 4,509,991.81	\$ 1,384,959.41	

* For Completed Projects, actual amounts expended are shown instead of the originally estimated costs, while assuring that the Percentage of Funding from Impact Fees does not exceed the percentage impact fee eligible from the adopted Capital Improvement Plan.

** Denotes the amount of impact fee funds available as of 6-30-2023

HALL COUNTY Capital Improvements Project Update 2013-2023*								
Public Facility:		Sheriff's Patrol						
Service Areas:		County-wide						
Project Description	Project Start Date	Project End Date	Cost of Project*	Percentage of Funding from		Impact Fee Expenditures	Impact Fee Funds Available**	Project Status
				Impact Fees	Other Funding Sources			
South Hall Precinct	2014	2015	\$ 979,000.00	21.9%	SPLOST	\$ 168,626.24	\$ -	Complete
Construction of New North Hall Precinct	2026	2028	3,000,000.00	4.5%	Capital / SPLOST	-	136,488.82	Not Started Yet; Planning Phase
Unidentified Projects								To be Determined
Total of Costs, Expenditures & Impact Fees Encumbered			\$ 3,979,000.00			\$ 168,626.24	\$ 136,488.82	

* For Completed Projects, actual amounts expended are shown instead of the originally estimated costs, while assuring that the Percentage of Funding from Impact Fees does not exceed the percentage impact fee eligible from the adopted Capital Improvement Plan
** Impact Fee Funds Available as of 6-30-2023

HALL COUNTY Capital Improvements Project Update 2013-2023*								
Public Facility:		Public Safety Facility						
Service Areas:		County-wide						
Project Description	Project Start Date	Project End Date	Cost of Project*	Percentage of Funding from		Impact Fee Expenditures	Impact Fees Funds Available**	Project Status
				Impact Fees	Other Funding Sources			
Expansion of Visitation Room^	2014	2017	\$ 407,402.00	100.000%		\$ 407,401.97	\$ -	Complete
Expansion of Jail Parking	2018	2018	83,737.50	100.000%		83,737.50		Complete
Expansion of Sheriff's Headquarters	2021	2022	1,042,461.00	28.778%	Capital Projects Fund	300,000.00		Complete
Construction of new Sheriff Training Facility	2024	2026	5,000,000.00	6.222%	SPLOST / Capital Projects Fund		311,121.00	In Design Phase
Unidentified Projects	TBD	TBD						To be Determined
Total of Costs, Expenditures & Impact Fees Encumbered			\$ 6,533,600.50			\$ 791,139.47	\$ 311,121.00	

* For Completed Projects, actual amounts expended are shown instead of the originally estimated costs, while assuring that the Percentage of Funding from Impact Fees does not exceed the percentage impact fee eligible from the adopted Capital Improvement Plan
** Impact Fee Funds Available as of 6-30-2023

HALL COUNTY Capital Improvements Project Update 2013-2023*									
Public Facility:		Fire Protection							
Service Areas:		County-wide except the City of Gainesville							
Project Description	Project Start Date	Project End Date	Cost of Project*	Percentage of Funding from		Impact Fee Expenditures	Impact Fee Funds Available**	Impact Fees Obligated***	Project Status
				Impact Fees	Other Funding Sources				
Fire Station #16	2012	2014	\$ 1,408,338.00	12.725%	SPLOST	\$ 179,216.50	\$ -	\$ -	Complete
Fire Station #17	2020	2024	6,705,795.00	6.875%	SPLOST	-	460,995.16	460,995.16	Construction in Progress
Fire Apparatus #17	2020	2022	1,133,269.00	0.000%	SPLOST	-	-	-	Complete
Unidentified Projects	TBD	TBD	-			-	-	-	To be Determined
Total of Costs, Expenditures & Impact Fees Encumbered			\$ 9,247,402.00			\$ 179,216.50	\$ 460,995.16	\$ 460,995.16	

* For Completed Projects, actual amounts expended are shown instead of the originally estimated costs, while assuring that the Percentage of Funding from Impact Fees does not exceed the percentage impact fee eligible from the adopted Capital Improvement Plan.
** Impact Fee Funds Available as of 6-30-2023
*** This is the balance of encumbrances to date in FY2024 for Fire Projects funded with impact fees.

Capital Improvements Element

HALL COUNTY									
Capital Improvements Project Update 2013-2023*									
Public Facility:		Parks & Recreation							
Service Areas:		County-wide except the City of Gainesville							
Project Description	Project Start Date	Project End Date	Cost of Project*	Percentage of Funding		Impact Fee Expenditures	Impact Fee Funds Available **	Impact Fees Obligated***	Project Status
				from Impact Fees	Other Funding Sources				
Ball Fields	2010	2011	\$ 1,666,999.00	4.244%	General Fund	\$ 70,746.91	\$ -	\$ -	Complete
Clermont Gymnasium	2012	2013	1,025,846.00	18.820%	SPLOST	193,067.00	-	-	Complete
Albert Banks Park (Field of Dreams)	2013	2014	400,000.00	56.788%	Grant, General Fund	227,151.02	-	-	Complete
Cherokee Bluffs Park	2015	2021	3,212,958.00	86.438%	SPLOST	2,777,217.13	-	-	Complete
Purchase of Future Greenspace for Healan's Mill Greenway	2018	2018	669,533.02	50.712%	Grant, General Fund	339,533.02	-	-	Complete
Tadmire Park Renovation	2021	2023	1,824,421.51	19.693%	SPLOST	359,290.94	-	-	Complete
Alberta Banks Renovation	2022	2024	1,033,330.00	54.449%	SPLOST	62,640.79	500,000.00	400,750.00	In process
Laurel Park Restoration	2022	2026	2,130,250.00	17.299%	SPLOST / Capital Projects	27,516.00	341,000.00	334,557.00	In process
AG Center Renovation	2022	2024	1,699,000.00		SPLOST / Capital Projects	-	450,000.00	64,907.14	In process
Healan's Mill Park Construction	2022	2025	3,036,197.00	19.283%	N/A	85,462.66	500,000.00	-	In Design Phase
Senior Center	2025	2027	10,000,000.00	30.000%	SPLOST / Capital Projects		3,000,000.00	-	Planning Phase
Unidentified Projects	TBD	TBD	-				352,746.34	-	Not Started
Total of Costs, Expenditures & Impact Fees Encumbered			\$ 26,698,534.53			\$ 4,142,625.47	\$ 5,143,746.34	\$ 800,214.14	

* For Completed Projects, actual amounts expended are shown instead of the originally estimated costs, while assuring that the Percentage of Funding from Impact Fees does not exceed the percentage impact fee eligible from the adopted Capital Improvement Plan.
 ** Impact Fee Funds Available as of 6-30-2023
 ***This is the balance of encumbrances to date in FY2024 for Parks Projects funded with impact fees.

HALL COUNTY									
Capital Improvements Project Update 2013-2023*									
Public Facility:		Administration							
Service Areas:		County-wide							
Project Description	Project Start Date	Project End Date	Cost of Project*	Percentage of Funding from		Impact Fee Expenditures	Impact Fee Funds Available **		Project Status
				Impact Fees	Other Funding Sources				
Unidentified Projects						\$	\$	263,771.72	To be Determined
Total of Costs, Expenditures & Impact Fees Encumbered			\$			\$	\$	263,771.72	

* For Completed Projects, actual amounts expended are shown instead of the originally estimated costs, while assuring that the Percentage of Funding from Impact Fees does not exceed the percentage impact fee eligible from the adopted Capital Improvement Plan
 ** Impact Fee Funds Available as of 6-30-2023

Attachments:

Board Memo

Resolution

Exhibit A - Unified Development Code (UDC)



Hall County Government
COMMUNITY DEVELOPMENT & INFRASTRUCTURE
PLANNING AND ZONING

To: Hall County Board of Commissioners

From: Beth Garmon, Director of Planning and Zoning

Date: October 28, 2024

Subject: A Resolution to Adopt the Unified Development Code

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

PLANNING AND ZONING
DIRECTOR
Beth Garmon

Dear Board of Commissioners,

Over the past five years, Hall County Planning staff has worked with the consulting firm of TSW to develop a Unified Development Code (UDC). A UDC provides the regulations and standards for development within the county, and supports the vision of the comprehensive plan. The Hall County UDC is focused on addressing outdated language within the current code, making information easier to find within the document, and includes the addition of new zoning districts and uses.

The draft addresses the code currently found within Titles 8 (Health and Safety), 15 (Buildings and Construction), 16 (Subdivisions), and 17 (Zoning Regulations). The updated format will enable users to more easily find and interpret the county's development standards.

The draft of the UDC can be found at:

<https://www.hallcounty.org/DocumentCenter/View/13714/Hall-County-UDC-Public-Draft>

The draft plan was also made available from September 15 through October 15 for public review and comment. Staff received two comments during that time related to the draft UDC.

At the November 14, 2024 Board of Commissioners meeting, staff will present a summary of the process and highlight the changes in the new UDC. If adopted, the UDC will be effective immediately.

Sincerely,

Beth Garmon
Director of Planning and Zoning

STATE OF GEORGIA

COUNTY OF HALL

RESOLUTION TO ADOPT THE HALL COUNTY UNIFIED DEVELOPMENT CODE

WHEREAS, the Constitution of the State of Georgia, provides in Article IX, Section II, Paragraph I and IV that the governing authority of the County may adopt plans and exercise the power of zoning; and

WHEREAS, the Hall County Board of Commissioners desires to combine and streamline all ordinances and regulations related to zoning, subdivisions and stormwater in Hall County; and

WHEREAS, the Hall County Board of Commissioners is putting forth this Resolution adopting the Unified Development Code of Hall County (“Exhibit A”) in the interest of promoting the health, safety and general welfare of the present and future inhabitants of Hall County; and

WHEREAS, the adoption of the Unified Development Code shall allow for efficient, consistent, and clear zoning decisions, enforcement and development throughout unincorporated Hall County; and

WHEREAS, once adopted any currently existing portions of the Code of Ordinances of Hall County in conflict with the Unified Development Code shall be repealed; and

WHEREAS, the sections of the Code of Ordinances of Hall County impacted by the adoption of the Unified Development Code shall be Title 2 Chapters 2.10 and 2.60, Title 8 Chapters 8.40, 8.150, 8.170, 8.180, Title 15 Chapter 15.80 and Titles 16 and 17.

NOW, THEREFORE, BE IT RESOLVED that the Hall County Board of Commissioners does hereby adopt the Unified Development Code of Hall County and incorporates it into the Official Code of Ordinances of Hall County.

SO RESOLVED this the _____ day of November, 2024.

HALL COUNTY BOARD OF COMMISSIONERS

By: _____
Richard Higgins, 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

APPROVED AS TO FORM:

William J. Linkous III, County Attorney



Draft for Adoption

October 29, 2024

County Board of Commissioners

Richard Higgins, Commission Chairman

Kathy Cooper, District 1 Commissioner

Billy Powell, District 2 Commissioner

Gregg Poole, District 3 Commissioner

Jeff Stowe, District 4 Commissioner

Prepared by TSW and Keck & Wood

Hall County Department of Planning and Zoning

Table of Contents

Article 1. Introductory Provisions 1-1
 Sec. 1.1. Legal Requirements 1-2
 Sec. 1.2. Official Zoning Map..... 1-4
 Sec. 1.3. Zoning Districts..... 1-6

Article 2. Rules Common to All Districts 2-1
 Sec. 2.1. Measurements and Exceptions..... 2-2
 Sec. 2.2. Design Standards..... 2-8

Article 3. Agricultural Districts..... 3-1
 Sec. 3.1. Agricultural (AG-1)..... 3-2
 Sec. 3.2. Agricultural Residential 1 (AR-1).. 3-3
 Table 3.3.1. Dimensional Standards for All
 Agricultural Districts..... 3-4

Article 4. Residential Districts 4-1
 Sec. 4.1. Vacation Cottage (V-C)..... 4-2
 Sec. 4.2. Residential 1 Low Density (R-1-L) 4-3
 Sec. 4.3. Residential 1 (R-1) 4-4
 Sec. 4.4. Residential Two-Family (R-TF)..... 4-5
 Sec. 4.5. Residential Mixed (R-X) 4-6
 Sec. 4.6. Residential Multi-Family (R-MF)... 4-8
 Sec. 4.7. Manufactured Home Park (MHP).. 4-9
 Sec. 4.8. Conservation Subdivision (CS).... 4-11
 Table 4.9.1. Dimensional Standards for All
 Residential Districts 4-1

Article 5. Mixed-Use and Business Districts. 5-2
 Sec. 5.1. Office and Institutional (O-I) 5-1
 Sec. 5.2. Suburban Shopping (S-S)..... 5-2
 Sec. 5.3. Highway Business (H-B) 5-3
 Sec. 5.4. Mixed-Use (M-U) 5-4
 Sec. 5.5. Light Industrial (I-1)..... 5-7
 Sec. 5.6. Heavy Industrial (I-2) 5-8
 Table 5.7.1. Dimensional Standards for All
 Mixed-use and Business Districts 5-9

Article 6. Special and Overlay Districts 6-1
 Sec. 6.1. Planned Development Districts 6-2
 Sec. 6.2. Gateway Corridor Overlay District. 6-
 11

Sec. 6.3. Black and Cooley Drive Overlay .. 6-24
 Sec. 6.4. Airport Overlay..... 6-27
 Sec. 6.5. Protected Water Supply Watershed
 Overlay..... 6-34

Article 7. Use Provisions..... 7-1
 Sec. 7.1. Use Classification 7-3
 Sec. 7.2. Allowed Use Table 7-6
 Sec. 7.3. Residential Uses 7-14
 Sec. 7.4. Public/Institutional Uses..... 7-20
 Sec. 7.5. Commercial Uses..... 7-47
 Sec. 7.6. Industrial Uses 7-58
 Sec. 7.7. Agricultural Uses..... 7-65
 Sec. 7.8. Accessory Uses..... 7-68
 Sec. 7.9. Temporary Uses 7-77

Article 8. Site Development 8-1
 Sec. 8.1. Parking and Loading..... 8-2
 Sec. 8.2. Fencing and Buffers 8-9
 Sec. 8.3. Tree Protection..... 8-13
 Sec. 8.4. Sidewalks 8-21
 Sec. 8.5. Open Space 8-23
 Sec. 8.6. Signs 8-25

Article 9. Subdivisions..... 9-1
 Sec. 9.1. General Land Development
 Standards..... 9-3
 Sec. 9.2. General Design Requirements..... 9-5
 Sec. 9.3. Streets and Other Rights-of-Way .. 9-7
 Sec. 9.4. Street Construction
 Requirements..... 9-17
 Sec. 9.5. Water and Sanitary Sewer System
 Requirements 9-26
 Sec. 9.6. Street Lighting..... 9-28
 Sec. 9.7. Required Improvements..... 9-33
 Sec. 9.8. Construction Schedule..... 9-37
 Sec. 9.9. Custom Support Signage..... 9-38
 Sec. 9.10. Modification of Standards 9-41

Article 10. Environmental Protection..... 10-1
 Sec. 10.1. Erosion, Sedimentation, and
 Sedimentation Control..... 10-3
 Sec. 10.2. Flood Protection 10-29

Sec. 10.3. Illicit Discharge and Illegal Connection.....	10-50	Sec. 11.4. Enforcement.....	11-39
Sec. 10.4. Stream Buffer Protection Ordinance.....	10-57	Article 12. Definitions.....	12-1
Sec. 10.5. Post-Construction Stormwater Management.....	10-66	Sec. 12.1. General	12-2
Article 11. Administration.....	11-1	Sec. 12.2. Defined Terms.....	12-3
Sec. 11.1. Review Bodies.....	11-2		
Sec. 11.2. Review Process and Procedures .	11-6		
Sec. 11.3. Nonconforming Uses and Structures.....	11-37		

Article 1. Introductory Provisions

Table of Contents

- Sec. 1.1. Legal Requirements 1-2
 - 1.1.1. Authority 1-2
 - 1.1.2. Title 1-2
 - 1.1.3. Purpose..... 1-2
 - 1.1.4. Effective Date 1-2
 - 1.1.5. Conflicting Ordinances Repealed 1-2
 - 1.1.6. Conflict with Other Laws 1-2
 - 1.1.7. Severability 1-3
- Sec. 1.2. Official Zoning Map..... 1-4
 - 1.2.1. General..... 1-4
 - 1.2.2. Adoption of Official Zoning Map..... 1-4
 - 1.2.3. Interpretation of Dist. Boundaries . 1-4
- Sec. 1.3. Zoning Districts..... 1-6
 - 1.3.1. Establishment of Districts..... 1-6
 - 1.3.2. Transition from Previous Districts. 1-6
 - 1.3.3. Prior Approvals 1-6

Sec. 1.1. Legal Requirements

1.1.1. Authority

This ordinance is enacted pursuant to the authority granted by Article IX, Section II, Paragraphs I and IV of the Constitution of the State of Georgia and by O.C.G.A. §36-67, The Zoning Procedures Law.

1.1.2. Title

This document is "The Unified Development Code of Hall County, Georgia" and is referred to or cited throughout the document as "this Unified Development Code" or "this UDC".

1.1.3. Purpose

The Board of Commissioners for Hall County, Georgia, as authorized by Article IX, Section IV, Paragraph II of the Constitution of the State of Georgia, does hereby create a planning commission known as the Hall County Planning Commission, and does hereby adopt zoning regulations for the following purposes:

1. To promote the health, safety and general welfare of the present and future inhabitants of Hall County;
2. To define certain words used herein;
3. To create zone boundaries;
4. To regulate the locations of trades, professions, businesses, industries, apartment houses, and residences;
5. To define the area of lots;
6. To fix the location and size of yards and the alignment of buildings;
7. To establish setback lines;
8. To provide for nonconforming uses;
9. To provide for the administration and enforcement thereof together with penalties for the violation of its provisions;

10. To adopt a map or maps of any section or sections thereof for zoning purposes of the unincorporated areas of Hall County;
11. To authorize special exceptions and conditional uses; and
12. To provide for court review.

1.1.4. Effective Date

This Unified Development Code will take effect and be in force as of November 15, 2024.

1.1.5. Conflicting Ordinances Repealed

The provisions of any ordinance or regulations, or parts thereof, in conflict with this UDC are hereby repealed.

1.1.6. Conflict with Other Laws

Should any requirement or design standard conflict in any manner with any other law, rule or regulation of any local, state or federal governmental body or administrative agency, then the stricter law, rule or regulation shall be applied. It is not intended by this UDC to interfere with or abrogate or annul any easements, covenants or other agreements between parties; provided, however, that, where this UDC imposes a greater restriction upon the use of property or premises or upon the height of buildings, or requires greater space than is imposed or required by other resolutions, rules or regulations or by easements, covenants or agreements, the provisions of this UDC shall govern.

1.1.7. Severability

If any section, subsection, paragraph, sentence, clause, or provision of this UDC is judged by any court of competent jurisdiction to be invalid, that judgment does not affect, impair, invalidate or nullify the remainder of this UDC. The effect of the judgment is confined to the section, subsection, paragraph, sentence, clause, or provision immediately involved in the controversy in which judgment was rendered.

Sec. 1.2. Official Zoning Map

1.2.1. General

No building or land may be used or occupied unless in conformity with the regulations specified for the district in which it is located and without first obtaining an occupancy permit, except as provided for signs in Sec. 8.6.4. No building, structure or part thereof may be constructed, erected, enlarged, altered, repaired, changed, converted, moved or demolished without first obtaining a building permit and other permits as may be required by law, except as provided. In the enforcement of the provisions of this UDC, the Building Official may withhold building or occupancy permits until all provisions of this Unified Development Code are complied with or their decision is appealed to and reversed by the Planning Commission.

1.2.2. Adoption of Official Zoning Map

The map maintained in electronic format by the Hall County Geographic Information System is adopted as the Official Zoning Map of Hall County, Georgia, and incorporated and made part of this UDC.

1. Copies of the map may be printed and made available to the general public for a reasonable fee.
2. The Official Zoning Map of Hall County, Georgia, will be in the custody of and on file in the Department of Planning and Zoning of Hall County, Georgia for public inspection and review.
3. The boundaries of districts are established as shown on the Official Zoning Map of Hall County, Georgia, as amended.
4. If, in accordance with the provisions of this UDC, changes are made in district boundaries or other matters portrayed on the Official Zoning Map, such changes must be entered

promptly after the Hall County Board of Commissioners has approved the amendment.

5. Such changes will be the responsibility of the Hall County Department of Planning and Zoning and must be made under the supervision of the Hall County Director of Planning and Zoning or their designee.
6. In the event that an official zoning map of Hall County becomes damaged, destroyed, lost or difficult to interpret because of the nature or number of changes and additions thereon, the Hall County Board of Commissioners may by resolution adopt one or more new official zoning maps which supersede the prior official zoning map. The new official zoning map or maps may correct drafting or other errors or omissions in the prior official zoning map or maps, but no such correction will have the effect of amending the original official zoning map or maps, and said map or maps must be identified by the signature of the Hall County Director of Planning and Zoning who must certify that the official zoning map or maps supersedes and replaces the previous official zoning map adopted as a part of the resolution of Hall County, Georgia. Unless the previous official zoning map or maps has been lost or destroyed, the prior map or maps or any significant remaining parts thereof must be preserved, together with all available records pertaining to its adoption or amendment.

1.2.3. Interpretation of District Boundaries

Where uncertainty exists with respect to the district boundaries as shown on the zoning map, the following rules apply:

1. Where district boundaries are indicated as approximately following the center lines of streets or highways or railroad right-of-way lines or such lines extended, such center lines or railroad right-of-way lines or such lines extended will be construed to be such boundaries.
2. Where district boundaries are indicated as approximately following the county line or the corporate limit line of any incorporated place, such county line or corporate limit line will be construed to be such boundaries.
3. Where district boundaries are indicated as approximately parallel to the center lines of streets or highways, such district boundaries unless otherwise specifically indicated will be construed as being parallel to and at a distance of 300, 500 or 1,000 feet from the center line of such streets and highways, each above district boundary being shown at scale on the official zoning map of the county.
4. Where district boundaries are indicated as approximately following the center line of stream beds or riverbeds, such center lines or such lines extended will be construed to be such boundaries.
5. Where district boundaries are indicated as approximately parallel to the shoreline of the Buford Dam Reservoir, such district boundaries will be construed as being parallel to and at a distance of 500 feet from the nearest point of the 1070 contour line unless otherwise indicated.
6. District boundary lines are intended to follow property lines. Where a district boundary line as appearing on the zoning map divides a lot in single ownership at the time of the enactment of these regulations, the requirements for the district in which the greater portion of the lot lies will be extended to the balance of the lot, provided that such extension will not include any part of such lot more than 35 feet beyond the district boundary line, and provided further that this provision does not apply to a through lot.
7. In the case of a through lot, the restrictions of the district applying to the adjoining lots which front on the same street as the proposed use of the lot apply.

Sec. 1.3. Zoning Districts

1.3.1. Establishment of Districts

For the purpose of these regulations, the area of jurisdiction within the county is divided into districts designated on Table 1.1. and as established on the Official Zoning Map.

1.3.2. Transition from Previous Districts

Upon adoption of this Unified Development Code, land which is presently zoned with an existing zoning classification and has changed names as set forth in Table 1.1. will be reclassified to the applicable new zoning classification. The boundaries for renamed districts and the conditions of each zoning district will remain the same unless amended in the future in accordance with Sec. 11.2.

1.3.3. Prior Approvals

- A. The adoption of this UDC and its Official Zoning Map will not repeal the conditions of use, operation, or site development accompanying zoning approval(s) or special uses, variances, or permits issued under previous ordinances or resolutions.
- B. The adoption of this UDC and its Official Zoning Map will not repeal any special use permits, conditional use permits, variances, exceptions, modifications, or waivers previously granted by the Director of Planning and Zoning, Planning Commission, or Board of Commissioners.

Table 1.1. Zoning Districts

Rural Districts		Formerly
AG-1	Agricultural General	<i>New</i>
AR-1	Agricultural Residential 1	AR-III, AR-IV
Residential Districts		
V-C	Vacation Cottage	V-C
R-1-L	Residential 1 Low Density	R-I-L
R-1	Residential 1 Single-family	R-I, R-II
R-TF	Residential Two-family	R-TF
R-X	Residential Mixed	<i>New</i>
R-MF	Residential Multi-family	R-MF
MHP	Manufactured Home Park	MHP
CS	Conservation Subdivision	CS
Mixed-use and Business Districts		
O-I	Office and Institutional	O-I
S-S	Suburban Shopping	S-S
H-B	Highway Business	H-B
M-U	Mixed-use	<i>New</i>
I-1	Light Industrial	I-I
I-2	Heavy Industrial	I-II
Special and Overlay Districts		
GCOD	Gateway Corridor Overlay	GCOD, CD
BCOD	Black and Cooley Drive Overlay	BCOD
AO	Airport Overlay	AO
PWS	Protected Water Supply	PWS
PRD		PRD
POD		POD
PCD	Planned Development Districts	PCD
PID		PID
PCFD*		PCFD

Table Notes:

* No additional land may be zoned into these districts.

Article 2. Rules Common to All Districts

Table of Contents

- Sec. 2.1. Measurements and Exceptions..... 2-2
 - 2.1.1. Density 2-2
 - 2.1.2. Frontage 2-2
 - 2.1.3. Lot 2-2
 - 2.1.4. Yards 2-5
 - 2.1.5. Floor Area 2-7
 - 2.1.6. Building Height..... 2-7
- Sec. 2.2. Design Standards..... 2-8
 - 2.2.1. Standards for Single Family and Two-Family Dwellings..... 2-8
 - 2.2.2. Standards for Property Along Divided Four-lane Highways..... 2-9

Sec. 2.1. Measurements and Exceptions

The following rules apply to all buildings, sites or districts in Articles 3 through 7 unless expressly stated otherwise.

2.1.1. Density

A. Defined

The number of dwelling units per acre.

B. Exceptions

1. Accessory Dwelling Units do not count towards density calculations.
2. Approval of a caretaker’s residence or hardship special exception by the Planning Commission.
3. Approval of a Planned Development District or multi-family development by the Board of Commissioners.
4. Density, as defined, does not apply to nonresidential uses.

C. Density Calculation

Density must be determined based on Table 2.1.1.

2.1.2. Frontage

A. Defined

The dimension of a lot as measured along the front lot line or, if the front lot line is curved, along the chord of the arc.

No principal building may be placed or erected on any lot which does not abut a street or road shown on the official county road map or otherwise maintained by a governmental unit, an existing public way not maintained by the county, or a newly created street which meets the standards of the county subdivision regulations.

B. Exceptions

Exceptions to Sec. 2.1.2.A. include the following:

1. A parcel recorded as a separate lot with the clerk of superior court prior to August 28, 1978.
2. A parcel recorded as a result of a judicial decree.

2.1.3. Lot

Table 2.1.1. Density for Residential Districts

District	Density	
AG-1, AR-1, V-C, R-1-L, R-1, R-TF, MHP	As determined per district dimensional standards	
R-X, R-MF, M-U	Conditioned Space of Dwelling	Density Equivalent
	500 sq. ft or less	0.5 units
	501 – 1000 sq. ft	0.75 units
	> 1,001 sq. ft.	1 unit

A. Defined

A parcel of land which is designated as a single unit of property.

1. **Corner Lot.** A lot located at the junction of and abutting on two or more intersecting streets.

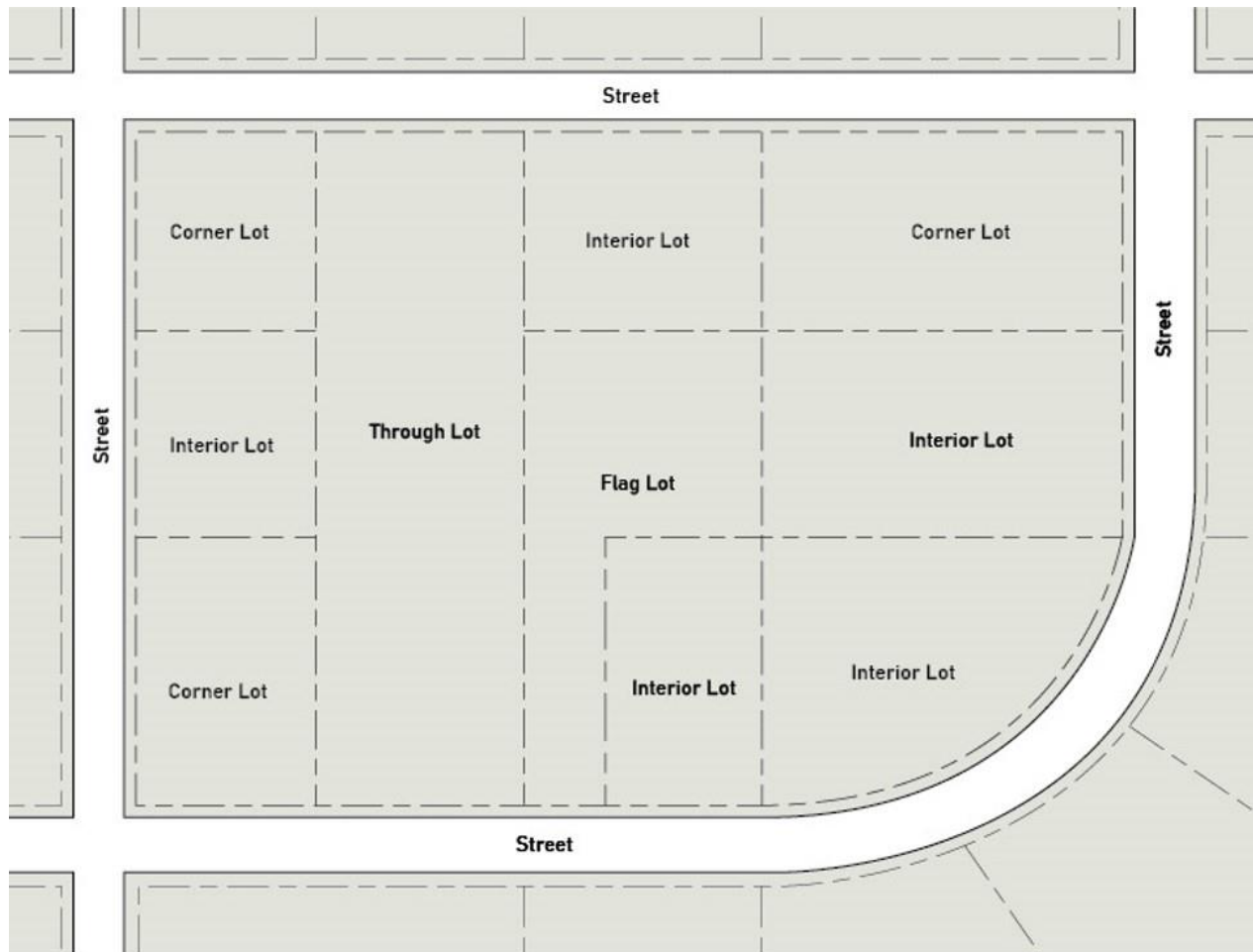


Figure 2-1. Lot Types

2. **Interior Lot.** A lot other than a corner lot.
3. **Through Lot.** A lot with frontage on two or more streets which does not meet the definition of a Corner Lot.
4. **Flag Lot.** A lot where frontage to a public street is provided via a narrow strip of land forming a pole or stem to the buildable portion of the lot.

B. Lot Depth

The distance between the front and rear lot lines measured in the general direction of the side lot lines.

C. Front Lot Line

The front line of an interior lot separating the lot from the right-of-way. The front lot line of a corner lot is the lot line upon which the principal building entrance will front.

D. Rear Lot Line

The lot line generally opposite and parallel to the front lot line.

E. Lot Width

The distance between the side lot lines as measured at the front building line.

1. Lot Width on a Non Cul-de-sac Street

- a. When the lot is served by an approved public or community

water system as defined by the Hall County Health Department, lot width at the building line must be at least 75 feet in all districts.

- b. When the lot is served by an individual well, the lot width at the building line must be at least 150 feet in all districts

2. Lot Width on a Cul-de-sac

Any lot that has at least 60 percent of its frontage on the turn-around portion of a cul-de-sac must have a frontage of at least 40 feet measured on the chord.

3. Flag Lot Width

The minimum required lot frontage for each district must be maintained as the minimum lot width for that portion

of the lot between the front property line and the building site on the lot, even if the building site is a greater distance from the front property line than the minimum required front yard.

F. Exceptions to Lot Size Requirements

1. Public Utility Systems

The minimum lot sizes do not apply to lots containing only structures that are part of public utilities systems and not designed to accommodate persons other than for periodic maintenance. Any such lot must be large enough to include the structure, parking and service areas, required buffers, and tree protection or landscaping requirements.

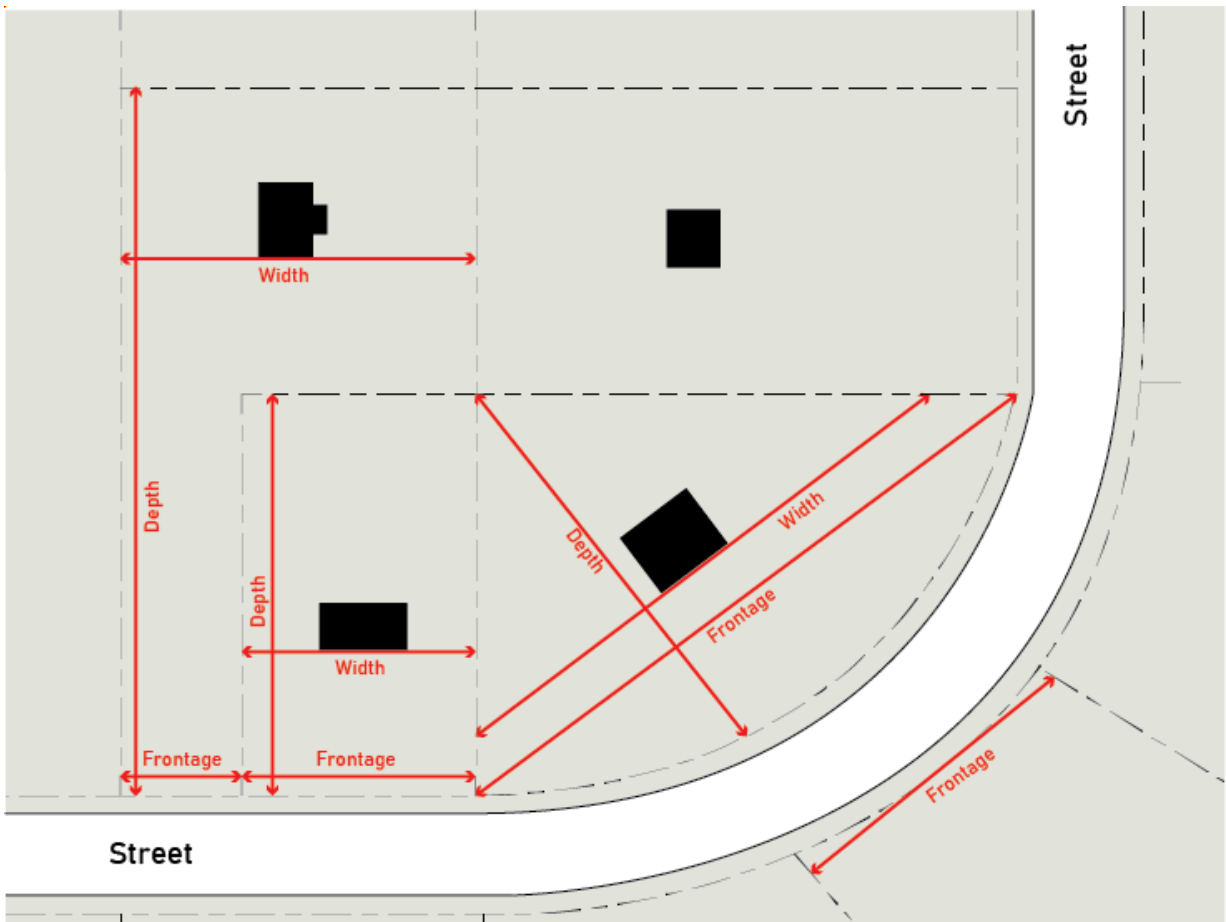


Figure 2-2. Lot Measurements

G. Spite Strips and Access to Landlocked Property

1. Spite strips are prohibited. A spite strip is a portion of a lot that runs for 60 feet or more along a public road with an average depth of the strip along the public road of less than 40 feet.
2. Any landlocked lot of record which is served by an easement and which is within 100 feet of the public road where such easement originates or connects will be deemed to meet all road frontage requirements of this code.

2.1.4. Yards

A. Yard Related Definitions

1. **Yard.** A required open space between a lot line and any principal or accessory building which is unoccupied and unobstructed from the ground upward except as authorized in Sec. 2.1.4.B. A yard requirement may also be referred to as a "setback."
2. **Yard, front.** The yard between the front lot line and any principal or accessory structure extending the full width of the lot.
3. **Yard, rear.** The yard between the rear lot line and any principal or accessory structure extending the full width of the lot.
4. **Yard, side.** The yard between the side lot line and any principal or accessory structure extending from the front yard to the rear yard.
5. **Yard, corner lot.** On corner lots in residential and agricultural districts, the side yard adjacent to the street must be at least 30 feet from the property line.

In all other districts the minimum side yard adjacent to the street must be the same as the front yard setback.

6. **Setback.** A line beyond which no building or structure may be erected. Setbacks are determined under the provisions of this Unified Development Code establishing yard requirements.

B. Encroachments into Yards

The following may encroach into required yards:

1. Trees or plant material.
2. Driveways or walkways.
3. Fences or walls.
4. Accessory structures less than 144 square feet in total floor area may be erected no less than 5 feet from side and rear property lines, except when constructed on a permanent foundation or serviced by electricity or plumbing.
5. Swimming pools or spas, when constructed in-ground.
6. Heating units, air conditioning units, and other HVAC equipment less than 42 inches in height.

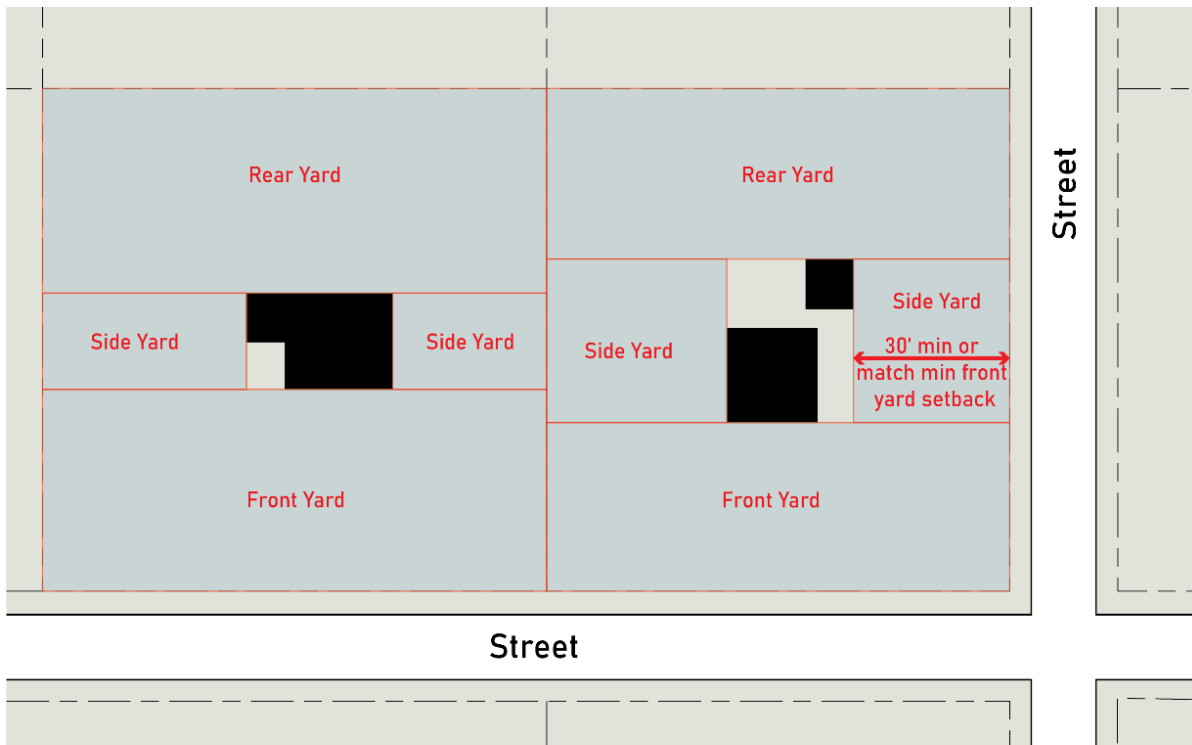


Figure 2-3. Yards

C. Exceptions

1. Average Front Yard for Residential Uses

- a. When the average front yard of nearby lots is developed with buildings that have front yards less than required by the zoning district, the minimum required front yard may be reduced to match the average existing front yard of such lots.
- b. The lots used to determine the average existing front yard above must meet each of the following conditions:
 - i. Be within 100 feet of the subject lot (measured from the closest lot line to closest lot line); and
 - ii. Be located on the same side of a street as the

subject lot, between two intersecting streets; and

- iii. Be in the same zoning district as the subject lot; and
- iv. Not have been subject to an approved variance for a yard reduction as granted by the Planning Commission or Board of Commissioners.

2. Lots Adjacent to Lake Lanier

The minimum yard requirements do not apply to side or rear yard property lines for residential lots which adjoin or abut the Corps of Engineers property line, provided that the sewage treatment system is located wholly on private property or is otherwise lawfully permitted by the county health department.

2.1.5. Floor Area

A. Defined

The sum of finished and conditioned area on all floors within the exterior walls of a building. Floor area does not include unenclosed balconies, unenclosed porches, unenclosed stoops, unfinished attics (residential only), unfinished basements (residential only), garages, carports, or parking structures.

2.1.6. Building Height

A. Defined

The vertical distance from the mean finished ground level at the front of the building to the highest point of a roof or parapet.

B. Maximum Height

The maximum height is as established for the district in which the building is located.

C. Exceptions

The maximum height limits of the applicable zoning district do not apply as follows:

1. **Telecommunication** **Uses.**
Telecommunication uses are subject to the height limits in Sec. 7.4.
2. **Other Building Elements.** Elements common to buildings such as spires, belfries, cupolas, domes, monuments, water towers, observation towers, electrical transmission towers, chimneys, smokestacks, elevators, antennae, solar panels, flag poles, mast, and steeples may exceed the maximum district height.
3. **Agricultural Structures.** Barns, silos, and similar structures customary for the bona fide agricultural use of a property, provided they do not exceed 50 feet in height.

Figure 2-4. Building Height



Sec. 2.2. Design Standards

2.2.1. Standards for Single Family and Two-Family Dwellings

Unless specifically stated otherwise, all single-family and two-family dwellings, including site-built dwelling units, industrialized dwelling units, and manufactured homes, must meet the following standards in order to be constructed, assembled, moved into, or relocated within Hall County.

A. Building Foundations

1. The dwelling must be attached to a permanent foundation constructed in accordance with the Building Code or State regulations, as applicable.
2. Upon placement all wheels, axles, and hitches must be removed.
3. The area beneath the ground floor of the dwelling must be a slab foundation or be enclosed around the exterior of the dwelling with a foundation wall or curtain wall. Enclosures must be constructed of masonry at least 4 inches thick, penetrated by openings only for installed vents and access doors.

B. Exterior Siding

Exterior siding materials may consist of any combination of wood, brick, stone, stucco, or similar materials, or lap siding of hardboard, cementitious siding, vinyl, vinyl-covered or painted metal, or similar materials.

C. Roofs

1. All roof surfaces must have a minimum pitch of 4:12 (four inches of rise for every 12 inches of run). Mansard and gambrel roofs must meet this requirement only for those surfaces that rise from the eaves.
2. All roof surfaces exposed to view must be covered with asphalt or fiberglass

shingles, wood shake or shingles, standing seam (noncorrugated) metal, corrugated metal that simulates standing seam or other architectural roof products, clay tiles, slate, or similar materials.

3. The minimum roof overhang must be at least 6 inches, excluding gutters, along all sides of the dwelling.

D. Minimum Dimensions and Floor Area

A dwelling unit must be at least 16 feet wide on all sides and must be at least 256 square feet in total floor area.

E. Variances

The owner or other person interested in the property, may apply for a variance under the procedures provided by this UDC from the standards contained in this section for a single-family or two-family dwelling upon a finding that all of the following standards are met:

1. The materials to be utilized or the architectural style proposed for the dwelling unit will be compatible and harmonious with existing dwellings in the vicinity; and
2. Such variance will provide an adequate balance between the protection of the health, safety and welfare of the general public and the right to unfettered use of private property.

F. Compliance with Codes

1. All site-built dwelling units must be constructed in accordance with all applicable requirements of the Building Code as adopted by Hall County.
2. All manufactured homes must meet the standards established by the National Manufactured Housing

Construction and Safety Standards Act of 1974 (42 U.S.C. 5401, et. seq.).

3. All industrialized dwelling units must comply with all applicable provisions of state law.

G. Exemptions

Except as specifically excepted by this section, the standards of Sec. 2.2.1 will be applied to existing conditions as follows:

1. Class B manufactured homes may be utilized in all existing manufactured home parks of 12 units or more that are designated as registered with the Department of Planning and Zoning, regardless of the underlying zoning of the existing manufactured home park.
2. Existing legally permitted manufactured homes in zoning districts that allow Class A manufactured homes may be replaced with a Class B manufactured home that is no less conforming to the standards of Sec. 2.2.1. than the existing home to be replaced. Determination of conformity to said standards includes minimum dimension, roof pitch, roof overhang, foundation, and roof and siding material.

2.2.2. Standards for Property Along Divided Four-lane Highways

- A. All property abutting and proposing access from a divided four-lane highway, regardless of zoning classification, must be developed in conformance with the following minimum standards:

1. **Frontage**

Lots created after January 11, 1982, which abut a divided four-lane highway must have at least 500 feet of frontage.

2. **Vehicular Access**

- a. One vehicular access point per lot may be permitted provided that approval from the Georgia Department of Transportation must be obtained prior to the issuance of any permits for construction.

- b. Additional vehicular access points may be approved by the Planning Commission upon finding that:

- i. The additional access is essential to the use of the property; and
- ii. Alternative access from another road, joint access with adjoining property or the construction of a frontage road is not feasible; and
- iii. Additional access would not be detrimental to existing or proposed uses in the area; and
- iv. The Georgia Department of Transportation has approved or will approve the proposed access.

- c. The existence or approval of vehicular access for residential or agricultural purposes does not obligate or require the county or the Georgia Department of Transportation to approve access for a change in use to non-residential or non-agricultural uses.

- B. If the property abutting the four-lane divided highway does not propose direct vehicular access to the highway, the property must meet the frontage requirements for the zoning district along another public right of way.

Article 3. Agricultural Districts

Table of Contents

Sec. 3.1. Agricultural (AG-1).....	3-2
3.1.1. Intent	3-2
3.1.2. Uses	3-2
3.1.3. Dimensional Standards	3-2
3.1.4. Overlay Compliance.....	3-2
3.1.5. Other Standards	3-2
Sec. 3.2. Agricultural Residential 1 (AR-1)..	3-3
3.2.1. Intent	3-3
3.2.2. Uses	3-3
3.2.3. Dimensional Standards	3-3
3.2.4. Overlay Compliance.....	3-3
3.2.5. Other Standards	3-3
Table 3.3.1. Dimensional Standards for All Agricultural Districts.....	3-4

Sec. 3.1. Agricultural (AG-1)

3.1.1. Intent

To provide for locations within the county to be utilized and reserved for agricultural, residential, and compatible commercial or recreational purposes.

3.1.2. Uses

As defined in Article 7 (Use Provisions), Sec. 7.2. (Allowed Use Table).

3.1.3. Dimensional Standards

See Table 3.1.1. for district standards and Sec. 2.1. (Measurements and Exceptions) for additional requirements.

3.1.4. Overlay Compliance

See Article 6 (Special and Overlay Districts) for additional or alternative standards which may be applicable in overlay districts.

3.1.5. Other Standards

See Article 2 (Rules Common to All Districts) and Article 7 (Use Provisions) and Article 8 (Site Development) for additional standards which may be applicable.

Table 3.1.1. AG-1 Dimensional Standards

Site	
Density:	2 dwellings per lot
Site coverage:	35% max.
Lots	
Lot area:	5 acres min.
Lot frontage (regular street, cul-de-sac):	50 ft. min.
Lot width (curved street):	See 2.1.3.E
Yards	
Front yard:	40 ft. min. or average per Sec. 2.1.4.C
Side yard:	15 ft. min.
Rear yard:	25 ft. min.
Building Height	
Maximum:	50 feet

Sec. 3.2. Agricultural Residential 1 (AR-1)

3.2.1. Intent

To provide for locations within the county to be developed and reserved for agricultural, residential, and compatible commercial or recreational purposes.

3.2.2. Uses

As defined in Article 7 (Use Provisions), Sec. 7.2. (Allowed Use Table).

3.2.3. Dimensional Standards

See Table 3.2.1. for district standards and Sec. 2.1. (Measurements and Exceptions) for additional requirements.

3.2.4. Overlay Compliance

See Article 6 (Special and Overlay Districts) for additional or alternative standards which may be applicable in overlay districts.

3.2.5. Other Standards

See Article 2 (Rules Common to All Districts), Article 7 (Use Provisions) and Article 8 (Site Development) for additional standards which may be applicable.

Table 3.2.1. AR-1 Dimensional Standards

Site	
Density:	1 dwelling per lot
Site coverage:	35% max.
Lots	
Lot area: (note 1)	43,560 sq. ft. min. when serviced by public water 65,340 sq. ft. min. otherwise
Lot frontage (regular street, cul-de-sac):	50 ft. min.
Lot width (curved street):	See 2.1.3.E.
Yards	
Front yard:	40 ft. min. or average per Sec. 2.1.4.C.
Side yard:	15 ft. min.
Rear yard:	25 ft. min.
Building Height	
Maximum:	50 feet

Table Notes:

1. Lots of record as of December 9, 1991, 2 acres in size or less which are serviced by public water and a private septic system may be subdivided into lots at least 30,000 square feet in area through the minor subdivision process.

Table 3.3.1. Dimensional Standards for All Agricultural Districts

District	Min. Lot Size	Min. Lot Frontage	Front Yard (ft.)	Side Yard (ft.)	Rear Yard (ft.)	Max. Site Coverage	Max. Building Height
AG-1	5 acres	50 ft.	40	15	25	35%	50 ft.
AR-1	43,560/65,340 sq. ft. ^A	50 ft.	40	15	25	35%	50 ft.

A – Lot size is 43,560 square feet when serviced by public water system. Otherwise, 65,340 square feet is required.

Article 4. Residential Districts

Table of Contents

Sec. 4.1. Vacation Cottage (V-C).....	4-2	4.5.4. Open Space.....	4-6
4.1.1. Intent	4-2	4.5.5. Development Standards.....	4-6
4.1.2. Uses	4-2	4.5.6. Overlay Compliance	4-7
4.1.3. Dimensional Standards	4-2	4.5.7. Other Standards.....	4-7
4.1.4. Overlay Compliance.....	4-2	Sec. 4.6. Residential Multi-Family (R-MF) ..	4-8
4.1.5. Other Standards	4-2	4.6.1. Intent.....	4-8
Sec. 4.2. Residential 1 Low Density (R-1-L)	4-3	4.6.2. Uses.....	4-8
4.2.1. Intent	4-3	4.6.3. Dimensional Standards.....	4-8
4.2.2. Uses	4-3	4.6.4. Open Space.....	4-8
4.2.3. Dimensional Standards	4-3	4.6.5. Overlay Compliance	4-8
4.2.4. Overlay Compliance.....	4-3	4.6.6. Other Standards.....	4-8
4.2.5. Other Standards	4-3	Sec. 4.7. Manufactured Home Park (MHP) .	4-9
Sec. 4.3. Residential 1 (R-1)	4-4	4.7.1. Intent.....	4-9
4.3.1. Intent	4-4	4.7.2. Uses.....	4-9
4.3.2. Uses	4-4	4.7.3. Dimensional Standards.....	4-9
4.3.3. Dimensional Standards	4-4	4.7.4. Development Standards.....	4-9
4.3.4. Overlay Compliance.....	4-4	4.7.5. Overlay Compliance	4-10
4.3.5. Other Standards	4-4	4.7.6. Other Standards.....	4-10
Sec. 4.4. Residential Two-Family (R-TF).....	4-5	Sec. 4.8. Conservation Subdivision (CS)	4-11
4.4.1. Intent	4-5	4.8.1. Intent.....	4-11
4.4.2. Uses	4-5	4.8.2. Applicability of Regulations.....	4-11
4.4.3. Dimensional Standards	4-5	4.8.3. Ownership of Development Site ...	4-11
4.4.4. Overlay Compliance.....	4-5	4.8.4. Max. Yield and Housing Density....	4-11
4.4.5. Other Standards	4-5	4.8.5. Dimensional Standards.....	4-12
Sec. 4.5. Residential Mixed (R-X)	4-6	4.8.6. Application Requirements	4-12
4.5.1. Intent	4-6	4.8.7. Open Space.....	4-12
4.5.2. Uses	4-6	Table 4.9.1. Dimensional Standards for All	
4.5.3. Dimensional Standards	4-6	Residential Districts.....	4-1

Sec. 4.1. Vacation Cottage (V-C)

4.1.1. Intent

The V-C district is intended for areas around Lake Lanier to be utilized and reserved for agricultural, residential, and compatible recreational purposes.

4.1.2. Uses

As defined in Article 7 (Use Provisions), Sec. 7.2. (Allowed Use Table).

4.1.3. Dimensional Standards

See Table 4.1.1. for district standards and Sec. 2.1. (Measurements and Exceptions) for additional requirements.

4.1.4. Overlay Compliance

See Article 6 (Special and Overlay Districts) for additional or alternative standards which may be applicable in overlay districts.

4.1.5. Other Standards

See Article 2 (Rules Common to All Districts) and Article 7 (Use Provisions) and Article 8 (Site Development) for additional standards which may be applicable.

Table 4.1.1. V-C Dimensional Standards

Site	
Density:	1 dwelling per lot
Site coverage:	35% max.
Lots	
Lot area: (see note)	21,780 sq. ft. min. when serviced by public sewer or private system 35,000 sq. ft. min. otherwise
Lot frontage (regular street, cul-de-sac):	50 ft. min.
Lot width (curved street):	See Sec. 2.1.3.E.
Yards	
Front yard:	30 ft. min. or average per Sec. 2.1.4.C.
Side yard:	10 ft. min.
Rear yard:	20 ft. min.
Building Height	
Maximum:	50 feet

Table Notes:

Lots of record as of December 1, 1991, 2 acres in size or less which are serviced by public water and a private septic system may be subdivided into lots at least 30,000 square feet in area through the minor subdivision process.

Sec. 4.2. Residential 1 Low Density (R-1-L)

4.2.1. Intent

The R-1-L district is to be utilized and reserved for low-density residential purposes on larger lots.

4.2.2. Uses

As defined in Article 7 (Use Provisions), Sec. 7.2 (Allowed Use Table).

4.2.3. Dimensional Standards

See Table 4.1.1 for district standards and Sec. 2.1. (Measurements and Exceptions) for additional requirements.

4.2.4. Overlay Compliance

See Article 6 (Special and Overlay Districts) for additional or alternative standards which may be applicable in overlay districts.

4.2.5. Other Standards

See Article 2 (Rules Common to All Districts) and Article 7 (Use Provisions) and Article 8 (Site Development) for additional standards which may be applicable.

Table 4.2.1. R-1-L Dimensional Standards

Site	
Density:	1 dwelling per lot
Site coverage:	35% max.
Lots	
Lot area: (note 1)	43,560 sq. ft. min. when serviced by public water system 65,340 sq. ft. min. otherwise
Lot frontage (regular street, cul-de-sac):	50 ft. min.
Lot width:	See Sec. 2.1.3.E.
Yards	
Front yard:	30 ft. min. or average per Sec. 2.1.4.C.
Side yard:	10 ft. min.
Rear yard:	20 ft. min.
Building Height	
Maximum:	50 feet

Table Notes:

1. Health department requirements regarding minimum lot size and width may differ from these requirements and will prevail where they exceed these requirements.

Sec. 4.3. Residential 1 (R-1)

4.3.1. Intent

The R-1 district is to be utilized and reserved for low-density single family residential and agricultural purposes on medium sized lots.

4.3.2. Uses

As defined in Article 7 (Use Provisions), Sec. 7.2. (Allowed Use Table).

4.3.3. Dimensional Standards

See table 4.3.1 for district standards and Sec. 2.1. (Measurements and Exceptions) for additional requirements.

4.3.4. Overlay Compliance

See Article 6 (Special and Overlay Districts) for additional or alternative standards which may be applicable in overlay districts.

4.3.5. Other Standards

See Article 2 (Rules Common to All Districts) and Article 7 (Use Provisions) and Article 8 (Site Development) for additional standards which may be applicable.

Table 4.3.1. R-1 Dimensional Standards

Site	
Density:	1 dwelling per lot
Site coverage:	35% max.
Lots	
Lot area: (notes 1, 2)	21,780 sq. ft. min. when serviced by public sewer or private system 35,000 sq. ft. min. otherwise
Lot frontage (regular street, cul-de-sac):	50 ft. min.
Lot width:	See Sec. 2.1.3.E.
Yards	
Front yard:	30 ft. min. or average per Sec. 2.1.4.C.
Side yard:	10 ft. min.
Rear yard:	20 ft. min.
Building Height	
Maximum:	50 feet

Table Notes:

1. Health department requirements regarding minimum lot size and width may differ from these requirements and will prevail where they exceed these requirements.
2. Lots of record as of December 1, 1991, 2 acres in size or less which are serviced by public water and a private septic system may be subdivided into lots at least 30,000 square feet in area through the minor subdivision process.

Sec. 4.4. Residential Two-Family (R-TF)

4.4.1. Intent

The R-TF district is to be utilized and reserved for medium-density residential and agricultural purposes on medium sized lots.

4.4.2. Uses

As defined in Article 7 (Use Provisions), Sec. 7.2. (Allowed Use Table).

4.4.3. Dimensional Standards

See Table 4.4.1 for district standards and Sec. 2.1. (Measurements and Exceptions) for additional requirements.

4.4.4. Overlay Compliance

See Article 6 (Special and Overlay Districts) for additional or alternative standards which may be applicable in overlay districts.

4.4.5. Other Standards

See Article 2 (Rules Common to All Districts) and Article 7 (Use Provisions) and Article 8 (Site Development) for additional standards which may be applicable.

Table 4.4.1. R-TF Dimensional Standards

Site	
Density:	2 dwellings per lot
Site coverage:	45% max.
Lots	
Lot area: (note 1)	35,000 sq. ft. min.
Lot frontage (regular street, cul-de-sac):	50 ft. min.
Lot width:	See Sec. 2.1.3.E.
Yards	
Front yard:	40 ft. min. or average per Sec. 2.1.4.C.
Side yard:	10 ft. min.
Rear yard:	20 ft. min.
Building Height	
Maximum:	50 feet

Table Notes:

1. Health department requirements regarding minimum lot size and width may differ from these requirements and will prevail where they exceed these requirements.

Sec. 4.5. Residential Mixed (R-X)

4.5.1. Intent

The R-X district is to be utilized and reserved for a mix of residential housing types in areas served by public water and sewer and with direct access to local streets, collector streets, major streets or state highways. The district allows flexibility of design in spacing and placement of dwellings interior to a development while protecting surrounding properties.

4.5.2. Uses

As defined in Article 7 (Use Provisions), Sec. 7.2. (Allowed Use Table).

4.5.3. Dimensional Standards

See Table 4.5.1 for district standards and Sec. 2.1. (Measurements and Exceptions) for additional requirements.

4.5.4. Open Space

See Sec. 8.5. for open space standards.

4.5.5. Development Standards

The following standards apply to all properties zoned R-X:

A. Residential Requirements

1. The following housing types are permitted in the R-X district:
 - a. Single-family dwellings
 - b. Two-family dwellings
 - c. Townhouses
 - d. Carriage House
 - e. Accessory Dwelling Units
 - f. Guest House
 - g. Cottage Courts
2. All developments must provide at least two different housing types, except for

Table 4.5.1. R-X Dimensional Standards

Site	
Density:	8 units/acre
Site coverage:	45% max.
Lots (note 1)	
Lot area: (note 2)	30,000 sq. ft. min. (combined)
Lot frontage (regular street, cul-de-sac):	50 ft. min.
Lot width:	See Sec. 2.1.3.E.
Lots (single-family detached)	
Lot area:	8,000 sq. ft. min.
Yards (note 1)	
Front yard:	25 ft. min. or average per Sec. 2.1.4.C.
Side yard:	5 ft. min.
Rear yard:	10 ft. min.
Building Height	
Maximum:	50 feet

Table Notes:

1. Minimum standards for lots and yards are only applicable for the overall development tract. Except as provided for single-family detached, lots and yards interior to the development may be reduced to zero provided that all building code requirements are met.
2. Health department requirements regarding minimum lot size and width may differ from these requirements and will prevail where they exceed these requirements.

Cottage Courts which may be permitted as a single use.

3. When only two housing types are provided, no single housing type may represent less than 20% of the total dwelling units in a development, except as provided in Sec. 4.5.5.A.2.
4. When more than two housing types are selected, no single housing type may represent less than 10% of the total dwelling units in a development, except as provided in Sec. 4.5.5.A.2.
5. Cottage Courts, Townhouses, and Accessory Dwelling Units must meet

the additional standards found in Sec. 7.3.1.

4.5.6. Overlay Compliance

See Article 6 (Special and Overlay Districts) for additional or alternative standards which may be applicable in overlay districts.

4.5.7. Other Standards

See Article 2 (Rules Common to All Districts) and Article 7 (Use Provisions) and Article 8 (Site Development) for additional standards which may be applicable.

Sec. 4.6. Residential Multi-Family (R-MF)

4.6.1. Intent

The R-MF district is to be utilized and reserved for medium and high-density residential on large sized lots.

4.6.2. Uses

As defined in Article 7 (Use Provisions), Sec. 7.2. (Allowed Use Table).

4.6.3. Dimensional Standards

See Table 4.6.1 for district standards and Sec. 2.1. (Measurements and Exceptions) for additional requirements.

4.6.4. Open Space

See Sec. 8.5. for open space standards.

4.6.5. Overlay Compliance

See Article 6 (Special and Overlay Districts) for additional or alternative standards which may be applicable in overlay districts.

4.6.6. Other Standards

See Article 2 (Rules Common to All Districts) and Article 7 (Use Provisions) and Article 8 (Site Development) for additional standards which may be applicable.

Table 4.6.1. R-MF Dimensional Standards

Site	
Density: (note 1) (note 2)	12 units/acre
Site coverage	n/a
Lots	
Lot area:	1 acre.
Lot frontage (regular street, cul-de-sac):	50 ft. min.
Lot width:	See Sec. 2.1.3.E.
Yards	
Front yard:	40 ft. min.
Side yard:	10 ft. min.
Rear yard:	20 ft. min.
Building Height	
Maximum:	75 feet

Table notes:

1. Additional density may be granted with approval of a Special Use by the Board of Commissioners.
2. For institutional residential uses as defined in Sec. 7.3.2.E. density will be established by the Board of Commissioners as a part of the Special Use application.
3. Health department requirements regarding minimum lot size and width may differ from these requirements and will prevail where they exceed these requirements.

Sec. 4.7. Manufactured Home Park (MHP)

4.7.1. Intent

The MHP district is to be utilized and reserved for residential developments consisting of more than one manufactured home on a single lot.

4.7.2. Uses

As defined in Article 7 (Use Provisions), Sec. 7.2. (Allowed Use Table).

4.7.3. Dimensional Standards

See Table 4.7.1 for district standards and Sec. 2.1. (Measurements and Exceptions) for additional requirements.

4.7.4. Development Standards

The following development standards apply to all properties zoned MHP.

A. Site Design

1. Individual spaces within the park must be at least 8,000 square feet in area if separate individual sewage disposal facilities are located within the bounds of the manufactured home space. In cases where shared or central sewage disposal facilities are utilized, the individual space size may be reduced to 6,000 square feet.
2. The front setback for each manufactured home must be at least 25 feet from the front line of the individual space.
3. Manufactured homes must be separated from other buildings and structures by at least 25 feet.
4. All manufactured home spaces must front upon an interior driveway. All interior driveways may have a width of at least 30 feet and have unobstructed access to a public street or highway.

Table 4.7.1. MHP Dimensional Standards

Site	
Density:	n/a
Site coverage:	n/a
Lots	
Lot area:	5 acres min.
Lot frontage (regular street, cul-de-sac):	50 ft. min.
Lot width:	See Sec. 2.1.3.E.
Yards (note 1)	
Front yard:	40 ft. min.
Side yard:	40 ft. min.
Rear yard:	40 ft. min.
Building Height	
Maximum:	35 feet

Table notes:

1. Minimum standards for lots and yards are only applicable for the overall development tract. See Sec. 4.7.4. for setbacks and building spacing requirements for individual manufactured home spaces.
5. All interior streets within the park must be graded, based, and paved in accordance with the typical cross section as approved by the county engineer. If a proposed street is to be greater than 300 feet in length, a plan profile for the road system must be submitted along with the site plan for review by the county engineer.
6. The park street system must be lit and adequately maintained by the owner. The lighting units must be spaced and equipped to provide for the safe

movement of pedestrians and vehicle traffic at night, subject to approval by the Director.

7. Parks designed to accommodate more than 25 manufactured homes must provide one or more recreation areas. The size of the recreation area must be at least 100 square feet for each manufactured home space. Recreation areas must be located as to be free of traffic hazards and should, where topography permits, be centrally located.
 - a. If a swimming pool is developed or planned as a part of the park, the facility must be enclosed by fence at least four feet high. Fences must include a self-latching or self-closing gate.
8. All park grounds must be maintained with grass, trees, and shrubs.

B. Community Service Facilities

1. Community service facilities may be permitted for the convenience and well-being of park residents. Such structures include, but are not limited to, the following:
 - a. Park management offices, repair shops, and storage.
 - b. Community sanitary facilities.
 - c. Community laundry facilities.
 - d. Community postal facilities.
 - e. Indoor community recreation facilities.
 - f. Commercial facilities of 1,000 square feet or less supplying essential goods or services for the use of park residents. Such facilities should be centrally located and may not be erected along the boundary of the park.

C. Utilities

Every park must have a public, community or private water and sewer system, approved by the county Health Department and the local water department when appropriate. Water and sewer approval must be obtained prior to submission of a site plan to the Planning Commission.

D. Restrictions

No individual lot in any park may be sold or control of that lot transferred with the intent or effect of a sale unless that lot and park meet all requirements of the county subdivision regulations and the park owner holds a valid subdivision recording permit.

4.7.5. Overlay Compliance

See Article 6 (Special and Overlay Districts) for additional or alternative standards which may be applicable in overlay districts.

4.7.6. Other Standards

See Article 2 (Rules Common to All Districts) and Article 7 (Use Provisions) and Article 8 (Site Development) for additional standards which may be applicable.

Sec. 4.8. Conservation Subdivision (CS)

4.8.1. Intent

The CS district is designed to allow for the development of subdivisions that cluster development and provide for preservation of natural resources or open space as an alternative to conventional subdivision development. This section is specifically intended to:

- A. Provide for the preservation of greenspace as a nonstructural stormwater runoff and watershed protection measure;
- B. Provide a residential development option that permits flexibility of design in order to promote environmentally sensitive and efficient uses of the land;
- C. Preserve in perpetuity unique or sensitive natural resources such as groundwater, floodplains, wetlands, streams, steep slopes, woodlands and wildlife habitat;
- D. Permit clustering of houses and structures on less environmentally sensitive soils which will reduce the amount of infrastructure, including paved surfaces and utility easements, necessary for residential development;
- E. Reduce erosion and sedimentation by minimizing land disturbance and removal of vegetation in residential development;
- F. Promote interconnected greenways and corridors throughout the community;
- G. Promote contiguous greenspace with adjacent jurisdictions;
- H. Encourage interaction in the community by clustering houses and orienting them closer to the street, providing public gathering places and encouraging use of parks and community facilities as focal points in the neighborhood;

- I. Encourage street designs that reduce traffic speeds and reliance on main arteries;
- J. Promote construction of convenient landscaped walking trails and bike paths both within the subdivision and connected to neighboring communities, businesses, and facilities to reduce reliance on automobiles;
- K. Conserve scenic views and reduce perceived density by maximizing the number of houses with direct access to open space; and
- L. Preserve important historic and archaeological sites.

4.8.2. Applicability of Regulations

The CS district is available as an alternative for the development of subdivisions that are served by public sewer or an approved private sewer system as provided for in Chapters 13.20 and 13.30 of Title 13 of the Official Code of Hall County, Georgia, and as permitted according to Sec. 7.2. (Allowed Use Table). The applicant must comply with all other provisions of this UDC and all other applicable laws, except those that are incompatible with the provisions contained in this Sec 4.8.

4.8.3. Ownership of Development Site

The tract of land to be subdivided may be held in single and separate ownership or in multiple ownership. If held in multiple ownership, the site must be developed according to a single plan with common authority and common responsibility.

4.8.4. Maximum Yield and Housing Density

- A. The maximum yield is the total number of lots on which dwelling units may be constructed. The maximum yield is

determined by dividing the total area to be subdivided by the minimum lot area specified in this UDC for the zoning district for that tract of land.

- B. The housing density per lot may be as specified in this UDC for the zoning district applicable to the tract of land being subdivided.
- C. A preliminary plat must be prepared and submitted by the applicant. The design must be capable of being constructed given site features and the requirements of this UDC and all other applicable laws.

4.8.5. Dimensional Standards

Once the maximum yield is determined pursuant to Sec. 4.8.4, the preliminary plat must be submitted which meets the requirements of this Sec. 4.8. and Article 9 of this UDC. The minimum lot size is determined by dividing the total area of the land to be subdivided, less the area of the open space, by the associated maximum yield. The lots in a conservation subdivision may be less than the minimum lot size required by this UDC for the zoning district for that tract of land, provided that each lot must have an area of at least 10,000 square feet.

4.8.6. Application Requirements

A. Site Analysis Map

Concurrent with the submission of a preliminary plat, the applicant must prepare and submit a site analysis map to ensure that the important site features have been adequately identified prior to the creation of the site design and that the proposed open space will meet the requirements of this UDC. The site analysis map must include the following information:

- 1. Property boundaries.

- 2. All streams, rivers, lakes, wetlands and other hydrologic features.
- 3. Topographic contours of no less than five-foot intervals for hilly terrain (slopes greater than ten percent), two feet intervals for rolling terrain (two percent to ten percent), and one foot for flat terrain (slopes less than two percent) as referenced in the Hall County, Georgia subdivision regulations.
- 4. All primary and secondary conservation areas labeled by type, as described in Sec. 4.8.7.A.
- 5. General vegetation characteristics.
- 6. General soil types.
- 7. The planned location of protected open space.
- 8. Existing roads and structures.
- 9. Potential connections with existing greenspace and trails.

B. Other Requirements

The applicant must adhere to all other applicable requirements of the underlying zoning district, the Hall County Subdivision Regulations in Article 9, and all other applicable provisions of the Official Code of Hall County, Georgia.

4.8.7. Open Space

Open space is as defined in Sec. 8.5.1.B. The open space in a CS district must be reserved in perpetuity using an approved legal instrument.

A. Standards to Determine Open Space

- 1. The open space must comprise at least 40 percent of the gross lot area.
- 2. The following are considered primary conservation areas and must be included within the open space, unless the applicant demonstrates that this provision would constitute an unusual

hardship and be counter to the purposes of this section:

- a. The regulatory 100-year floodplain.
 - b. Buffer zones of at least 75 feet in width along all perennial and intermittent streams.
 - c. Slopes greater than 25 percent and at least 5,000 square feet in contiguous area.
 - d. Wetlands that meet the definition used by the Army Corps of Engineers pursuant to the Clean Water Act.
 - e. Populations of endangered or threatened species, or habitat for such species.
 - f. Archaeological sites, cemeteries, and burial grounds.
3. The following are considered secondary conservation areas and may be included within the open space to the maximum extent feasible:
- a. Important cultural or historic sites or resources.
 - b. Existing forested areas at least one acre in contiguous area.
 - c. Individual existing healthy trees greater than eight inches caliper, as measured from the diameter at breast height (DBH).
 - d. Other significant natural features and scenic viewsheds such as ridge lines, peaks and rock outcroppings, particularly those that can be seen from public roads.
 - e. Prime agricultural lands of at least five acres of contiguous area.
 - f. Existing trails that connect the tract to neighboring areas.
4. Above-ground utility rights-of-way and small areas of impervious surface may be included within the protected

open space but will not be considered as contributing to the minimum area requirement, except for historic structures and existing trails. Large areas of impervious surface are excluded from open space.

5. At least 75 percent of the open space must be contiguous. The open space should adjoin any neighboring areas of open space, other protected areas, and non-protected natural areas that would be candidates for inclusion as part of a future area of protected open space.
6. The open space must be directly accessible to the largest practicable number of lots within the subdivision. Non-adjoining lots must be provided with safe, convenient access to the open space.

B. Permitted Uses of Open Space

The following may be considered as permissible uses within required open space:

1. Walking or bicycle trails, provided they are constructed of porous paving materials.;
2. Passive recreation areas.
3. Active recreation areas, provided that they are limited to no more than ten percent of the total open space and are not located within primary conservation areas. Active recreation areas may include impervious surfaces. Active recreation areas in excess of this limit must be located outside of the protected open space.
4. Agriculture, horticulture, silviculture or pasture uses, provided that all applicable best management practices are used to minimize environmental impacts, and such activities are not conducted within primary conservation areas.

5. Nonstructural stormwater management practices.
6. Easements for drainage, access, and underground utility lines including underground drip-emitter lines.
7. Golf courses, provided that they may not account for more than 50 percent of the total open space.
8. Other conservation-oriented uses compatible with the purposes of this section as determined by the Director.

C. Prohibited Uses of Open Space

The following may not be considered as permissible uses within required open space:

1. Roads, parking lots and impervious surfaces, except as specifically authorized in Sec. 4.8.7.
2. Agricultural and forestry activities not conducted according to accepted Best Management Practices.
3. Above ground parts, facilities, impervious surfaces and other apparatus associated with public sewer or approved private sewer systems.

D. Ownership and Management of Open Space

1. The applicant must identify an owner of the open space who will be responsible for maintaining the open space and any common facilities located within the subdivision. If a Homeowners Association is to be the owner, membership in the association is required for all homeowners of the subdivision and their successors.
2. The applicant must submit a plan for management of open space and common facilities that:
 - a. Allocates responsibility and guidelines for the maintenance and operation of the open space and any common facilities ,

including provisions for ongoing maintenance and for long-term capital improvements;

- b. Estimates the costs and staffing requirements needed for maintenance and operation of the open space and outlines the means by which such funding will be obtained or provided;
 - c. Provides that any changes to the plan be approved by the Board of Commissioners; and,
 - d. Provides for enforcement of the plan.
3. In the event the party responsible for maintenance of the open space fails to maintain all or any portion in reasonable order and condition, Hall County, Georgia may assume responsibility for its maintenance and may enter the premises and take corrective action, including the provision of extended maintenance. The costs of such maintenance may be charged to the owner, Homeowners Association, or to the individual property owners that make up the Homeowners Association and may include administrative costs and penalties. Such costs may become a lien on all subdivision properties.

E. Legal Instrument for Permanent Protection

The open space must be protected in perpetuity by a binding legal instrument that is recorded with the deed. The instrument for permanent protection must include clear restrictions on the use of the open space and include all restrictions contained in this UDC, as well as any further restrictions the applicant chooses to place on the use of the open space. The instrument may be one of the following:

1. A permanent conservation easement in favor of either:

- a. A land trust or similar conservation-oriented non-profit organization with legal authority to accept such easements. The organization must be legitimate and in perpetual existence and the conveyance instrument must contain an appropriate provision for retransfer in the event the organization becomes unable to carry out its functions; or
 - b. A governmental entity with an interest in pursuing goals compatible with the purposes of this section. If the entity accepting the easement is not Hall County, Georgia, then a right of enforcement favoring the county must be included in the easement.
2. A permanent restrictive covenant for conservation purposes in favor of a governmental entity; or
 3. An equivalent legal tool that provides permanent protection, subject to approval by Hall County, Georgia.

Table 4.9.1. Dimensional Standards for All Residential Districts

District	Min. Lot Size	Min. Lot Frontage	Front Yard (ft.)	Side Yard (ft.)	Rear Yard (ft.)	Max. Site Coverage	Max. Building Height
V-C	21,780/35,000 sq. ft. ^A	50 ft.	30	10	20	35%	50 ft.
R-1-L	43,560/65,340 sq. ft. ^B	50 ft.	30	10	20	35%	50 ft.
R-1	21,780/35,000 sq. ft. ^A	50 ft.	30	10	20	35%	50 ft.
R-TF	35,000 sq. ft.	50 ft.	40	10	20	45%	50 ft.
R-X	30,000 sq. ft.	50 ft.	25	5	10	45%	50 ft.
R-MF	1 acre	50 ft.	40	10	20	N/A	75 ft.
MHP	5 acres	50 ft.	40	40	40	N/A	35 ft.

A – Lot size is 21,780 square feet when serviced by public sewer or private system. Otherwise, 35,000 square feet is required.

B – Lot size is 43,560 square feet when serviced by public water system. Otherwise, 65,340 square feet is required.

Article 5. Mixed-Use and Business Districts

Table of Contents

Sec. 5.1. Office and Institutional (O-I)	5-1	Sec. 5.5. Light Industrial (I-1)	5-7
5.1.1. Intent	5-1	5.5.1. Intent.....	5-7
5.1.2. Uses	5-1	5.5.2. Uses.....	5-7
5.1.3. Dimensional Standards	5-1	5.5.3. Dimensional Standards.....	5-7
5.1.4. Open Space	5-1	5.5.4. Open Space.....	5-7
5.1.5. Overlay Compliance.....	5-1	5.5.5. Overlay Compliance	5-7
5.1.6. Other Standards	5-1	5.5.6. Other Standards.....	5-7
Sec. 5.2. Suburban Shopping (S-S).....	5-2	Sec. 5.6. Heavy Industrial (I-2)	5-8
5.2.1. Intent	5-2	5.6.1. Intent.....	5-8
5.2.2. Uses	5-2	5.6.2. Uses.....	5-8
5.2.3. Dimensional Standards	5-2	5.6.3. Dimensional Standards.....	5-8
5.2.4. Open Space	5-2	5.6.4. Open Space.....	5-8
5.2.5. Overlay Compliance.....	5-2	5.6.5. Overlay Compliance	5-8
5.2.6. Other Standards	5-2	5.6.6. Other Standards.....	5-8
Sec. 5.3. Highway Business (H-B)	5-3	Table 5.7.1. Dimensional Standards for All	
5.3.1. Intent	5-3	Mixed-use and Business Districts.....	5-9
5.3.2. Uses	5-3		
5.3.3. Dimensional Standards	5-3		
5.3.4. Open Space	5-3		
5.3.5. Overlay Compliance.....	5-3		
5.3.6. Other Standards	5-3		
Sec. 5.4. Mixed-Use (M-U)	5-4		
5.4.1. Intent	5-4		
5.4.2. Uses	5-4		
5.4.3. Dimensional Standards	5-4		
5.4.4. Open Space	5-4		
5.4.5. Development Standards	5-4		
5.4.6. Overlay Compliance.....	5-6		
5.4.7. Other Standards	5-6		

Sec. 5.1. Office and Institutional (O-I)

5.1.1. Intent

To provide for locations within the county which are generally along major limited access highways, adjacent to residentially zoned or residentially developed areas, and situated as to benefit from proximity, accessibility or visibility from highway corridors. Development is reserved for light business, institutional uses, and public uses and facilities. District regulations are designed to protect the district and surrounding residential areas, to present an appearance of orderly development, and to establish standards for intensity of use and character of development compatible with the purpose of the district.

5.1.2. Uses

As defined in Article 7 (Use Provisions), Sec. 7.2. (Allowed Use Table).

5.1.3. Dimensional Standards

See Table 5.1.1. for district standards and Sec. 2.1. (Measurements and Exceptions) for additional requirements.

5.1.4. Open Space

See Sec. 8.5. for open space standards.

5.1.5. Overlay Compliance

See Article 6 (Special and Overlay Districts) for additional or alternative standards which may be applicable in overlay districts.

Table 5.1.1. O-I Dimensional Standards

Site	
Density:	n/a
Site coverage:	80% max.
Lots	
Lot area:	15,000 sq.ft. min.
Lot frontage (all streets): (note 1)	100 ft. min.
Yards	
Front yard:	30 ft. min.
Side yard:	20 ft. min.
Rear yard:	10 ft. min.
Building Height	
Maximum:	50 feet

Table Notes:

1. The minimum lot frontage may be varied to 50 ft. for lots of record as of August 28, 1978 with approval from the Planning Commission.

5.1.6. Other Standards

See Article 2 (Rules Common to All Districts) and Article 7 (Use Provisions) and Article 8 (Site Development) for additional standards which may be applicable.

Sec. 5.2. Suburban Shopping (S-S)

5.2.1. Intent

To provide for locations within the county to be developed and reserved for neighborhood-oriented business purposes and uses intended to serve the immediately surrounding residential areas. District regulations are designed to discourage uses which would adversely affect the localized commercial character of the district.

5.2.2. Uses

As defined in Article 7 (Use Provisions), Sec. 7.2. (Allowed Use Table).

5.2.3. Dimensional Standards

See Table 5.2.1. for district standards and Sec. 2.1. (Measurements and Exceptions) for additional requirements.

5.2.4. Open Space

See Sec. 8.5. for open space standards.

5.2.5. Overlay Compliance

See Article 6 (Special and Overlay Districts) for additional or alternative standards which may be applicable in overlay districts.

5.2.6. Other Standards

See Article 2 (Rules Common to All Districts) and Article 7 (Use Provisions) and Article 8 (Site Development) for additional standards which may be applicable.

Table 5.2.1. S-S Dimensional Standards

Site	
Density:	n/a
Site coverage:	80% max.
Lots	
Lot area:	15,000 sq.ft. min.
Lot frontage (all streets): (note 1)	100 ft. min.
Yards	
Front yard:	30 ft. min.
Side yard:	20 ft. min.
Rear yard:	10 ft. min.
Building Height	
Maximum:	50 feet

Table Notes:

1. The minimum lot frontage may be varied to 50 ft. for lots of record as of August 28, 1978 with approval from the Planning Commission.

Sec. 5.3. Highway Business (H-B)

5.3.1. Intent

To provide for locations within the county to be developed and reserved for commercial uses intended to serve the public. District regulations are designed to allow for more intensive uses and to encourage efficient traffic movement by utilizing areas on or near major arterial or collector roads or community crossroads.

5.3.2. Uses

As defined in Article 7 (Use Provisions), Sec. 7.2. (Allowed Use Table).

5.3.3. Dimensional Standards

See Table 5.3.1. for district standards and Sec. 2.1. (Measurements and Exceptions) for additional requirements

5.3.4. Open Space

See Sec. 8.5. for open space standards.

5.3.5. Overlay Compliance

See Article 6 (Special and Overlay Districts) for additional or alternative standards which may be applicable in overlay districts.

5.3.6. Other Standards

See Article 2 (Rules Common to All Districts) and Article 7 (Use Provisions) and Article 8 (Site Development) for additional standards which may be applicable.

Table 5.3.1. H-B Dimensional Standards

Site	
Density:	n/a
Site coverage:	80% max.
Lots	
Lot area:	15,000 sq.ft. min.
Lot frontage (all streets): (note 1)	100 ft. min.
Yards	
Front yard:	30 ft. min.
Side yard:	20 ft. min.
Rear yard:	10 ft. min.
Building Height	
Maximum:	50 feet

Table Notes:

1. The minimum lot frontage may be varied to 50 ft. for lots of record as of August 28, 1978, with approval from the Planning Commission.

Sec. 5.4. Mixed-Use (M-U)

5.4.1. Intent

To provide for locations within the county to be developed and reserved for master planned developments that incorporate a mix of residential uses, non-residential uses, and open space. District regulations are designed to encourage the orderly development of larger sites with a mix of uses, allow for innovative and creative site planning and design at a pedestrian scale, facilitate pedestrian interconnectivity between uses, and minimize the impact of the district on surrounding areas.

5.4.2. Uses

- A. As defined in Article 7 (Use Provisions), Sec. 7.2. (Allowed Use Table).
- B. No more than 50 percent of the total dwelling units on a site may be townhouses.

5.4.3. Dimensional Standards

See Table 5.4.1. for district standards and Sec. 2.1. (Measurements and Exceptions) for additional requirements.

5.4.4. Open Space

See Sec. 8.5. for open space standards.

5.4.5. Development Standards

The following development standards apply to all properties within the M-U district. If the standards of the M-U district conflict with those in other sections of this UDC, the standards of this section apply.

A. Nonresidential Requirement

1. At least 20 percent of the total floor area of each development must be nonresidential uses.

Table 5.4.1. M-U Dimensional Standards

Site	
Density:	16 units/acre, or 20 units/acre for institutional residential uses
Site area:	3 acres min.
Site coverage:	80% max.
Lots (note 1)	
Lot area (single-family detached):	8,000 sq. ft.
Lot area (all other):	n/a
Lot frontage (all streets):	100 ft. min.
Yards (Single-family detached/Two-family)	
Front yard:	20 ft. min.
Side yard:	7 ft. min.
Rear yard:	10 ft. min.
Yards (All Other Residential Uses)	
Front yard:	20 ft. min.
Side yard (attached single-family):	7 ft min., except 0 ft between adjoining units
Side yard (all other residential uses):	15 ft. min
Rear yard:	15 ft. min
Yards (Non-residential and mixed-use)	
All yards:	None
Building Height	
Residential:	75' max. for multi-family 50' max. all others
Non-residential:	50' max.
Mixed residential and non-residential:	75' max.
Table Notes	
1. Additional lot area requirements for townhouses may apply. See Sec. 7.3.1.	

B. Internal Streets

1. All developments must incorporate new streets to serve the on-site uses and organize the development in an orderly pattern.
2. All streets, whether public or private, must be built to the public street standards of this UDC.
3. Streets should be designed to allow for future connectivity with adjacent parcels if none exists. Future connectivity must be provided in the form of a stub-out street or other means as determined by the Director.
 - a. The stub-out street right-of-way, pavement, and curbing must extend to the boundary of the abutting parcel where the connection to the anticipated street is expected.
4. If a street connection or stub-out street exists on an adjacent parcel the new streets must connect to the established street.
5. Streets may not be gated, except for private streets serving residential uses, subject to approval by the Director.
6. Cul-de-sacs or dead-end streets are not permitted, except as detailed for future connectivity above. This provision may be modified by the Director due to the presence of topographic or natural features.

C. Block Standards

1. Sites of 10 or more acres in size must incorporate internal streets as provided in Sec. 5.4.5.B. to form an interconnected network with a maximum block perimeter of 3,200 feet, except as otherwise provided below.

2. Blocks exclusively containing the following are exempt from 1 immediately above:
 - a. Any civic use.
 - b. An open space at least one acre in size.
3. Block perimeter is measured along the street centerlines.
4. Blocks required by this Sec. 5.4.5.C. must be bounded by public streets or private streets built to public street standards.

D. Parking

1. Vehicular parking is not permitted between the building and the street and must be located to the side or rear of any non-residential use.
2. Vehicular parking is not permitted in the front yard of any residential use.

E. Driveways and Curb cuts

1. In addition to the standards for driveway construction found in Title 12 of the Hall County Code of Ordinances, the following standards apply to driveways within the M-U district. In the case where these standards conflict with those found in Title 12, the more restrictive standard applies.
 - a. Driveway curb cuts may not be located on any arterial or collector street when access may be provided from a local street.
 - b. Driveway curb cuts must intersect streets at right angles.

F. Inter-parcel Access

1. Developments should provide vehicular access to adjacent parcels by means of street connections, shared driveways, cross-access easements, or other inter-parcel connections.

2. When an adjacent nonresidential property is in a natural or undeveloped state, a future inter-parcel connection should be provided with a driveway or road stub-out and appropriate easements.
3. This provision does not apply to attached and detached single-family dwellings.

G. Pedestrian Access

1. All uses or buildings must incorporate walkways or pathways to provide pedestrian access from one use or building to another use or building. At a minimum, this includes a safe and convenient pedestrian route from the building entrance to the nearest sidewalk.
2. All parking lots or parking structures must incorporate walkways or pathways to provide safe and convenient pedestrian access to building entrances.
3. Public sidewalks must be constructed to connect to existing sidewalks on adjacent parcels. When no such sidewalk exists on adjacent parcels it must be constructed to the property line and reserved for future connection.

H. Residential and Non-residential Connectivity

There must be direct and convenient sidewalks or pathways providing pedestrian access between residential and nonresidential areas.

I. Building Design Standards

1. Buildings must have their primary facade fronting and facing a public street. If located along a private street, buildings must have their primary frontage along such street.
2. All nonresidential buildings within a development must incorporate materials and elements to present a unified design.
3. Building mechanical and accessory features must be located to the side, rear, or roof of the principal structure and in the location of least visibility from the public or private right of way.
 - a. When the above standard is not reasonable due to reasons of topography or other similar existing site conditions, screening of such features with landscaping or fencing is required as indicated in Sec. 8.2.

5.4.6. Overlay Compliance

See Article 6 (Special and Overlay Districts) for additional or alternative standards which may be applicable in overlay districts.

5.4.7. Other Standards

See Article 2 (Rules Common to All Districts) and Article 7 (Use Provisions) and Article 8 (Site Development) for additional standards which may be applicable.

Sec. 5.5. Light Industrial (I-1)

5.5.1. Intent

To provide for locations within the county to be developed and reserved for light industrial uses. District regulations are designed to allow for uses which are not significantly objectionable to surrounding properties and to encourage the formation of a compatible environment for uses generally classified as light industrial in nature.

5.5.2. Uses

As defined in Article 7 (Use Provisions), Sec. 7.2. (Allowed Use Table).

5.5.3. Dimensional Standards

See Table 5.5.1. for district standards and Sec. 2.1. (Measurements and Exceptions) for additional requirements.

5.5.4. Open Space

See Sec. 8.5. for open space standards.

5.5.5. Overlay Compliance

See Article 6 (Special and Overlay Districts) for additional or alternative standards which may be applicable in overlay districts.

5.5.6. Other Standards

See Article 2 (Rules Common to All Districts) and Article 7 (Use Provisions) and Article 8 (Site Development) for additional standards which may be applicable.

Table 5.5.1. I-1 Dimensional Standards

Site	
Density:	n/a
Site coverage:	80% max.
Lots	
Lot area:	15,000 sq.ft. min.
Lot frontage (regular street, cul-de-sac): (note 1)	100 ft. min.
Lot width (curved street):	See Sec. 2.1.3.E.
Yards	
Front yard:	50 ft. min.
Side yard:	20 ft. min.
Rear yard:	20 ft. min.
Building Height	
Maximum:	65 feet

Sec. 5.6. Heavy Industrial (I-2)

5.6.1. Intent

To provide for locations within the county to be developed and reserved for heavy industrial uses which involve extensive manufacturing, processing, or assembly operations. District regulations are designed to allow for uses which require large tracts of land and to discourage encroachment into residential, commercial, or other districts which may be adversely affected by the industrial character of the district.

5.6.2. Uses

As defined in Article 7 (Use Provisions), Sec. 7.2. (Allowed Use Table).

5.6.3. Dimensional Standards

See Table 5.6.1. for district standards and Sec. 2.1. (Measurements and Exceptions) for additional requirements.

5.6.4. Open Space

See Sec. 8.5. for open space standards.

5.6.5. Overlay Compliance

See Article 6 (Special and Overlay Districts) for additional or alternative standards which may be applicable in overlay districts.

5.6.6. Other Standards

See Article 2 (Rules Common to All Districts) and Article 7 (Use Provisions) and Article 8 (Site Development) for additional standards which may be applicable.

Table 5.6.1. I-2 Dimensional Standards

Site	
Density:	s
Site coverage:	80% max.
Lots	
Lot area:	15,000 sq.ft. min.
Lot frontage (regular street, cul-de-sac): (note 1)	100 ft. min.
Lot width (curved street):	See Sec. 2.1.3.E.
Yards	
Front yard:	50 ft. min.
Side yard:	30 ft. min.
Rear yard:	30 ft. min.
Building Height	
Maximum:	65 feet

Table 5.7.1. Dimensional Standards for All Mixed-use and Business Districts

District	Min. Lot Area	Min. Lot Frontage	Front Yard (ft.)	Side Yard (ft.)	Rear Yard (ft.)	Max. Lot Coverage	Max. Building Height
O-I	15,000 sq. ft.	100 feet ^A	30	20	10	80%	50 ft.
S-S	15,000 sq. ft.	100 feet ^A	30	20	10	80%	50 ft.
H-B	15,000 sq. ft.	100 feet ^A	30	20	10	80%	50 ft.
M-U	3 acres	100 feet				80%	
Single-family detached/Two-family			20	7	10		50 ft.
All other residential			20	7/15 ^B	15		50 ft. or 75 ft. ^C
All non-residential/mixed-use			0	0	0		50 ft. or 75 ft. ^D
I-1	15,000 sq. ft.	100 feet	50	20	20	80%	65 ft.
I-2	15,000 sq. ft.	100 feet	50	30	30	80%	65 ft.

A - The minimum lot frontage may be varied to 50 ft. for lots of record as of August 28, 1978, with approval from the Planning Commission.

B - The minimum side yard for single-family attached (townhouse) is 7 feet, except 0 feet is required between adjoining units. For all other multi-family residential uses the side yard setback is 15 feet.

C - The maximum height for single-family attached (townhouse) is 50 feet. For all other multi-family residential uses the maximum height is 75 feet.

D - The maximum height for all non-residential uses is 50 feet. For all mixed residential and nonresidential the maximum height is 75 feet.

Article 6. Special and Overlay Districts

Table of Contents

Sec. 6.1. Planned Development Dist.....	6-2	6.3.10. Other Standards.....	6-26
6.1.1. Intent	6-2	Sec. 6.4. Airport Overlay.....	6-27
6.1.2. Requirements for Rezoning	6-2	6.4.1. Intent.....	6-27
6.1.3. Administrative Procedures	6-3	6.4.2. Definitions.....	6-27
6.1.4. Application Procedures.....	6-4	6.4.3. Airport Zones.....	6-28
6.1.5. District Classifications	6-4	6.4.4. Height Limitations	6-31
6.1.6. District Standards.....	6-4	6.4.5. Uses.....	6-32
6.1.7. Other Standards	6-10	6.4.6. Nonconforming Structures, Objects or Uses.....	6-32
Sec. 6.2. Gateway Corridor Overlay Dist....	6-11	6.4.7. Permits	6-32
6.2.1. Intent	6-11	6.4.8. Other Standards.....	6-33
6.2.2. Boundaries	6-11	Sec. 6.5. Protected Water Supply Watershed Overlay.....	6-34
6.2.3. Applicability of Overlay Provisions...6- 12		6.5.1. Intent.....	6-34
6.2.4. Uses	6-13	6.5.2. Definitions.....	6-34
6.2.5. Site Development Standards.....	6-13	6.5.3. District Classifications.....	6-36
6.2.6. Architectural Standards.....	6-18	6.5.4. North Oconee Water Supply Watershed Dist. Standards.....	6-36
6.2.7. Signs	6-19	6.5.5. Protected Groundwater Recharge Area Dist. Standards	6-37
6.2.8. Property Maintenance Standards	6-19	6.5.6. Wetland Protection District Standards.....	6-39
6.2.9. Other Standards	6-23	6.5.7. Other Standards.....	6-41
Sec. 6.3. Black and Cooley Drive Overlay ..	6-24		
6.3.1. Intent	6-24		
6.3.2. Boundaries	6-24		
6.3.3. Applicability of Overlay Provisions...6- 24			
6.3.4. Uses	6-25		
6.3.5. Site Development Standards.....	6-25		
6.3.6. Architectural Standards.....	6-25		
6.3.7. Accessory Structures.....	6-25		
6.3.8. Building Placement.....	6-26		
6.3.9. Lot of Record Standards	6-26		

Sec. 6.1. Planned Development Districts (PD)

6.1.1. Intent

- A. To permit for the development of property which:
1. Allows for greater flexibility in development standards and site planning considerations;
 2. Is in the best interest of Hall County in terms of its long range development plans; and
 3. Encourages a mixture of uses which without proper design and planning might not be compatible with surrounding uses or zoning districts.
- B. Planned development districts are to be utilized as a “floating zone” and will be individually evaluated for designation. These districts are separate zoning districts and follow the same amendment procedures as other districts. Unless otherwise stated in this section, the development standards and the land uses which are presented with the application for amendment will become the standards for the subject property.

6.1.2. Requirements for Rezoning

- A. An area may be considered for rezoning to a planned development district if any one of the following conditions exist:
1. More than one land use is proposed for development on a single parcel;
 2. Separate land uses which would not otherwise be permitted to locate within the same zoning district are proposed for development on one or more adjacent parcels under single or separate ownership;
 3. Exception or variation from the size, setback, frontage, density, uses or other standards which are required in the other conventional zoning districts

are being proposed as part of a comprehensive development plan.

- B. All proposed planned development district applications must adhere to the following specific requirements:
1. The site proposed for a planned development must contain an area of at least five acres. In no case may the minimum tract size be less than the minimum lot area requirements for the comparable conventional district as specified for each planned development classification in this section. The comparable conventional zoning districts listed in the regulations are R-1 for a PRD, O-I for a POD, S-S for a PCD and I-1 for a PID.
 2. The site must have frontage along a public street for a distance of at least 100 feet.
 3. A suitable plan must be prepared for the development, and this plan must include the following elements where applicable:
 - a. A plan drawn to scale by a registered engineer, architect, land surveyor or landscape architect showing the exact dimensions of the parcel or parcels of land under consideration and including the following information:
 - i. A conceptual site plan drawn to scale and indicating all property dimensions, platting and street systems, proposed building sites, sizes, types of use proposed for buildings, plans for protection of abutting properties, means of ingress and egress, access and circulation arrangements, off-street parking and loading facilities, proposed reservations or dedications

- for streets and other public facilities and, if requested, a contour map of the site.
 - ii. The name of the developers and of the development (if any).
 - iii. A north arrow and scale.
 - iv. If the proposal includes the subdivision of land for any purpose or for the provision of new public streets, a proposed lot and street layout must be submitted as part of the application. Any proposed variation from the standards set forth in the subdivision regulations must be listed and explained. If the plan is approved, a preliminary plat and final plat must be submitted as provided by the subdivision regulations of Article 9.
- b. A written report must also be submitted which explains the type, nature, size, intent and characteristics of the proposed development. This report must include, where applicable:
 - i. A general description of the proposed development and its location.
 - ii. The proposed standards for development, including restrictions on the use of the property, density standards, yard (setback) requirements and any proposed restrictive covenants.
 - iii. An explanation of why the proposed development standards are necessary if the above proposed standards vary from existing standards in the zoning regulations.
 - iv. Plans for the provision of utilities, including water, sewer and drainage facilities.
 - v. Plans and methods for protection of adjacent properties.
 - vi. Data stating the total number of square feet proposed for each type of land use, including public facilities, within the proposed development.
 - vii. Additional relevant data as may be required by the County.
- 4. A proposed development schedule and listing of all proposed uses must be submitted as a part of an application for a planned development district.

6.1.3. Administrative Procedures

- A. Any request pertaining to the establishment of a planned development district will be administered and processed in accordance with the regulations set forth in Sec. 11.2.
- B. All data, plans and specifications presented as part of the planned development district application will, if approved, be the standards of development for that particular planned development, but only to the extent that they do not conflict with the provisions of this UDC. To the extent that they conflict with this UDC all data, plans, and specifications become the standards of development for that particular planned development only if they are set forth as a specific condition of zoning or approved as a zoning variance.
- C. To the extent that the approved standards are consistent with this UDC, set forth as specific conditions, or approved as a zoning variance, all further development

on the property must conform to the standards adopted for the district regardless of any change in ownership. Any proposed changes to those standards must be considered in accordance with the procedures set forth in Sec. 11.2. Appeals based upon hardship or an alleged misinterpretation of the ordinance or this UDC by the building official will be processed in accordance with procedures set forth in Sec. 11.2. In no case may the approved land uses be appealed.

- D. The violation of any provision of the planned development standards as submitted and approved under the provisions of this UDC will constitute a violation of these regulations.

6.1.4. Application Procedures

- A. Any application for a planned development district must be submitted to the Board of Commissioners through the Director of Planning and Zoning or other designated staff member.

B. General Requirements

1. All applications for zoning of property to a planned development district must conform to all requirements of Sec. 11.2. except as may otherwise be required by this section. All applications that do not comply with the requirements of Sec. 11.2. will be returned to the applicant unfiled with notice of the deficiency or deficiencies.
2. No application to rezone property to a planned development district may be accepted until after a pre-application meeting is held between the applicant, appropriate staff of the Office of Planning and Development, appropriate staff of the Office of Public Works and Utilities, and any other applicable local or state agencies. Once a pre-application meeting is requested by the applicant, staff must schedule

the meeting within ten business days. Failure to meet this timeline by staff would negate the pre-application meeting requirement.

6.1.5. District Classifications

- A. The following are classified as planned development districts subject to the provisions of this article and to the standards for each district:
1. PRD: Planned Residential Development.
 2. POD: Planned Office Development.
 3. PCD: Planned Commercial Development.
 4. PID: Planned Industrial Development.

6.1.6. District Standards

A. Planned Residential Development (PRD)

1. **Intent.** A planned residential development is designed to allow for a more flexible placement, arrangement, and orientation of residential structures, the accompanying flexibility in the subdivision of land, and the grouping of open space and accessory facilities such as garages and parking. It may also provide for a mixture of housing types such as single-family, two-family, multi-family, townhomes, cottage court, and live-work according to a carefully designed plan. The proposed residential development should make maximum use of natural features and, through proper site planning measures, should conform to the existing character and development pattern of the surrounding area. Every effort should be made to preserve and protect any existing residential uses from adverse impacts which might result from a higher density development.

Table 6.1.1. PRD Dimensional Standards

Lots (Single-family detached)	
Lot area: (note 1)	8,000 sq. ft. min.
Lot width:	50 ft. min.
Density:	2 dwellings/acre max.
Yards (Single-family detached)	
Front yard:	25 ft. min.
Side yard:	5 ft. min.
Rear yard:	20 ft. min.
Lots (Two-family residential)	
Lot area: (note 1)	30,000 sq. ft. min.
Lot width:	60 ft. min.
Yards (Two-family residential)	
Front yard:	30 ft. min.
Side yard:	10 ft. min.
Rear yard:	20 ft. min.
Lots (Single-family attached and multi-family)	
Lot area: (note 2)	35,000 sq. ft. min.
Lot area: (note 3)	40,000 sq. ft. min.
Building Height	
Maximum:	75' max. for multi-family 50' max. for all others

Table Notes:

1. For lots with access to sanitary sewer. The minimum lot area for lots without access to sanitary sewer is determined by the Hall County Environmental Health Department.
2. For multi-family and single-family attached with 3 units.
3. For multi-family and single-family attached with more than 3 units.

2. Application Requirements. All the general and special requirements in

Sec. 6.1.2. and 6.1.3. for planned developments must be provided. The following special items must be addressed:

- a. The site plan must indicate the proposed size, location, number of units and number of bedrooms of all residential structures.
 - b. All streets and common open spaces not proposed for dedication to the county must have the proposed maintenance and ownership agreements explained in detail.
 - c. The architectural style and proposed siting of all multi-family structures or attached single-family structures must be indicated. Architectural standards for all planned residential developments are as indicated in Sec. 6.1.6.A.8.
 - d. The development controls for the development must be detailed, including lot coverage, setbacks, building heights, and lot sizes.
 - e. Planned developments of at least 5 acres in size may include commercial uses within the development, limited to neighborhood retail intended to serve the needs of the residents of the development unless otherwise specifically approved by the Board of Commissioners. Retail uses must be specified as part of the proposal and are limited to no more than 10,000 square feet of floor area for the entire development site.
3. **Dimensional Standards.** See Table 6.1.1. for district standards and Sec. 2.1. (Measurements and Exceptions) for additional requirements.
 4. **Buffers.** A buffer at least 50 feet in width must be established along the

perimeter of all property boundaries adjacent to residential and non-residential districts to ensure that the planned residential development is appropriately screened. Buffers must meet the standards of Sec. 8.2.4.

5. **Landscaping.** In addition to the tree protection requirements of Sec. 8.3., the following standards apply in planned residential developments:

- a. At least two trees per lot must be provided. Trees may be located in the front, side, or rear yard.
 - i. These trees may not be counted towards the developments tree density unit requirement.
 - ii. Trees located within any utility easement, drainage easement, or septic drain field may not count towards the per lot tree requirement.
- b. The developer is responsible for planting or preserving the individual lot trees prior to issuance of a certificate of occupancy.

6. **Access.** In addition to the requirements of Article 9 (Subdivisions) the following standards apply in all planned residential developments:

- a. Any PRD with 150 or more lots must include at least two vehicular entrances with access to a city, state, or county maintained public right of way. The second entrance must be completed prior to the platting of 150 lots or more.
- b. Any PRD with 400 or more lots must include at least three vehicular entrances with access to a city, state, or county maintained public right of way.
 - i. The county may waive the requirement for immediate

construction of a third entrance based on the development schedule and phasing plan.

- c. In addition to the requirements of Sec. 8.4 and any applicable provisions of Article 9, sidewalks must be installed on both sides of any proposed street.

7. **Open Space.** Open space is required in all PRD districts as follows:

- a. Open space must comprise at least 30% of the gross lot area.
- b. All other standards of Sec. 4.8.7 apply.

8. **Architectural Standards.** The following architectural standards apply to all PRD districts:

- a. **Building materials.** All facades of residential structures and any permitted non-residential structures must be finished with brick, stone, stucco, wood siding, wood shake, or cementitious siding. Vinyl siding is not permitted.
 - i. The front facade must incorporate a variety in building material, texture or color.
- b. **Garages.** Garages for single-family detached and two-family structures on lots less than one acre in size must meet one of the following standards.
 - i. **Flush.** Garage doors are oriented towards the street. Garage doors may be positioned flush with the front wall plane of the residence, extending no more than 55 percent of the width of the residence.
 - ii. **Semi-flush.** Garage doors are oriented towards the street.

- Garage doors may be positioned within 10 feet of flush with the front wall plane of the residence in either direction, extending no more than 55 percent of the width of the residence.
- iii. **Recessed.** Garage doors are oriented towards the street. Garage doors must be positioned at least 10 feet behind the front wall plane of the residence, extending no more than 55 percent of the width of the residence.
 - iv. **Side-loaded.** Garage doors are oriented perpendicular to the front wall plane of the residence. Any wall of the garage must be located at least 3 feet behind the front wall plane of the residence.
 - v. **Carriage court.** Garage doors are oriented perpendicular to the front wall plane. All garage walls are located entirely in front of the front wall plane of the residence.
 - vi. **Detached.** The garage is placed entirely to the rear of the residence.
- c. **Townhouses.** For townhouses garage placement must meet the following standards. Townhouses fronting an arterial or collector street must be rear loaded. Townhouses fronting a minor street may be rear-loaded or front-loaded.
- i. **Rear-loaded.** The garage must be placed entirely to the rear of the townhouse and may be attached or detached. Garage doors must face a rear right-of-way or easement. For detached garages, the garage must be either located 4 feet from the rear right-of-way or easement, or be a minimum of 20 feet from the rear right-of-way or easement.
 - ii. **Front-loaded.** A minimum of 20 feet is required between the garage and the back of sidewalk.
9. **Footing Inspections.** At the time of the footing inspection, the contractor must provide the county building official with a certificate from a licensed surveyor certifying building setbacks for all corners of the structure being inspected.
10. **Cluster Mailbox Unit (CBU).** Pursuant to United States Postal Service Policy, all new subdivisions and new phases of existing subdivisions are required to provide CBU's for regular mail service delivery. A CBU is a structure or shelter housing multiple mailbox units to serve each residential dwelling of the development for the express purpose of regular mail delivery provided by the USPS. The following standards are for construction and maintenance of CBU's for all planned residential developments.
- a. The developer is responsible for confirming the logistics of regular mail delivery to CBU's with the USPS. As such, all CBU's are subject to final approval by the USPS.
 - b. **Maintenance.** The county will not assume any responsibility for the maintenance and repairs of CBU's and associated parking areas. The CBU's and associated parking areas are to be maintained by the homeowners' association, managing entity, or collectively by the property owners.

- c. **Location.** CBU's must be located on their own lot or in an area dedicated for open space or on a public access easement obtained by the developer. The entrance to the proposed vehicular parking area must be located at least 200 feet from the main entrance and at least 60 feet from any street intersection.
- d. **Parking.** The minimum parking ratios established on Table 6.1.2. must be met for all CBU's:

Table 6.1.2. PRD Dimensional Standards

Number of Mailboxes	Required short-term parking
50 or less	3
51-78	4
79-104	5
105 or more	5 plus 1 for every additional 25 mailboxes

- e. **Property Management.** A person owning or having possession or control of any property within a PRD must meet the following property management standards in addition to any conditions of approval placed upon the development as detailed in Sec. 6.1.3:
 - i. Any damaged, dead, diseased or decaying plant materials must be removed and replaced if visible from the public right-of-way.
 - ii. Premises occupied by a residential dwelling must be maintained free from grass, similar vegetation or

uncultivated vegetation in excess of 12 inches in height.

- iii. Fences facing a street or adjacent public right-of-way must be regularly maintained, repaired, and replaced if considered necessary by the building official.

B. Planned Office Development (POD)

1. A Planned Office Development is designed to contain orderly, well-designed office and institutional uses upon a site that results in minimum impact upon the surrounding area. The site plans and building designs should produce a development that can be constructed to achieve maximum utilization of space while maintaining a low-intensity office character protected from more intensive commercial and industrial development and protecting any nearby residential uses.
2. Planned Office Developments may also include a limited number of residential and commercial uses.
3. All the general and special requirements in Sec. 6.1.2. and 6.1.3. for planned developments must be provided. The following special items should also be addressed:
 - a. The site plan must indicate the proposed size, location, and number of stories in each office building.
 - b. The development controls for the district must be detailed, including lot coverage, setbacks, building heights, and lot sizes. If standards are not specifically proposed, then the applicable standards in the Office Institutional (O-I) districts in Sec. 5.1, including screening and buffer requirements, apply.

- c. If residential uses are proposed in conjunction with the planned office development, then the applicable requirements of the planned residential development district or planned commercial development district must be provided.

C. Planned Commercial Development (PCD)

1. A Planned Commercial Development is designed to provide for the maximum attainable commercial usage of property while employing the best aspects of site planning and development controls to insure:
 - a. Protection of surrounding residential uses;
 - b. Safe access by motorists;
 - c. Minimum traffic congestion; and
 - d. A development which is consistent with long-range plans of the county.
2. A limited number of carefully planned residential uses may also be included in a Planned Commercial Development.
3. All the general and special requirements in Sec. 6.1.2. and 6.1.3. for planned developments must be provided. The following specific items must also be addressed:
 - a. A site plan indicating the proposed site preparation and grading, streets and parking areas, loading zones, storm drainage, water, gas and sewage systems, and all buffer areas.
 - b. The development controls for the district must be detailed, including lot coverage, setbacks, building heights, and lot sizes. If standards are not specifically proposed, then the applicable standards in the Suburban Shopping (S-S) district

in Sec. 5.2, including screening and buffer requirements, apply.

D. Planned Industrial Development (PID)

1. A Planned Industrial Development is designed to consist of land which has been designated for a planned, organized and controlled industrial use or for multiple but compatible industrial uses in a planned industrial park. The standards must be designed to encourage the formation and continuance of a compatible environment for the planned industrial uses and the surrounding land uses.
2. Carefully planned office and commercial uses may be incorporated as part of a Planned Industrial Development.
3. All of the general and special requirements for planned developments in Sec. 6.1.2. and 6.1.3. must be provided. The following specific items must also be addressed:
 - a. A site plan indicating the proposed site preparation and grading, streets and parking areas, loading zones, outdoor storage areas, rail facilities, storm drainage, water, gas and sewage systems and all buffer areas.
 - b. The development controls for the district must be detailed, including lot coverage, setbacks, building heights, and lot sizes. If standards are not specifically proposed, then the applicable standards in the Light Industrial (I-1) district in Sec. 5.5, including screening and buffer requirements, apply.
 - c. If office or commercial uses are proposed in conjunction with the Planned Industrial Development, then the applicable requirements in the POD or PCD district must be provided.

6.1.7. Other Standards

See Article 2 (Rules Common to All Districts) and Article 7 (Use Provisions) and Article 8

(Site Development) for additional standards which may be applicable.

Sec. 6.2. Gateway Corridor Overlay District (GCOD)

6.2.1. Intent

A. The purpose of the Gateway Corridor Overlay District is:

1. To promote the general health, safety and welfare of the community.
2. To improve the efficient operation of traffic around the county.
3. To promote safe and efficient movement within the Overlay District for persons using all modes of travel including motorized vehicles, bicycles and walking.
4. To create a sense of place that is aesthetically appealing and environmentally responsible.
5. To encourage innovative development projects that set standards for landscaping, community design and aesthetics.
6. To establish consistent and harmonious design standards for public improvements and private property development within the Overlay District to unify the distinctive visual quality of the Gateway Corridors.

6.2.2. Boundaries

A. The provisions of this section apply to all lots of record within the unincorporated portion of Hall County having frontage on the following road segments as of March 22, 2007. These road segments will be referred to as the "Gateway Corridors."

1. S.R. 211 from S.R. 53 (Winder Highway), south to Thompson Mill Road.
2. U.S. 129 (Athens Highway) from the Gainesville City limits, south to Gillsville Highway.

3. S.R. 53 (Winder Highway) from S.R. 13 (Falcon Parkway), east to the Jackson County line.
4. S.R. 13 (Atlanta Highway and Falcon Parkway) from the Flowery Branch City limits, north to S.R. 53 (Winder Highway).
5. McEver Road from the Buford City limits, north to the northernmost intersection with Radford Road.
6. Martin Road from S.R. 53 (Winder Highway) to S.R. 13, to continue along a proposed extension of Martin Road to Thurmond Tanner Pkwy pursuant to final alignment approved by GDOT.
7. Spout Springs Road from the Flowery Branch City limits, south to Friendship Road.
8. Friendship Road from Bogan Road, east to Thompson Mill Road.
9. Realigned Thompson Mill Road from Spout Springs Road east to S.R. 211 (Old Winder Highway), pursuant to final alignment approved by GDOT.
10. All state controlled rights-of-way within the jurisdiction of Hall County.

B. This Sec. 6.2. may also apply to any lot of record within the unincorporated portion of Hall County when a portion of said parcel falls within 300 feet of the centerline of the Gateway Corridors as of March 22, 2007. Any parcel subject to the ordinance on the above date of adoption may continue to be subject to the provisions of this section, even if the parcel is subdivided in the future.

C. Upon written application, the Director may grant exemptions from the requirements of this section for parcels or portions of a parcel that would otherwise be included in the GCOD, based on one or more of the following findings:

1. Portions of the subject property to be exempted lie more than 300 feet from the centerline of a Gateway Corridor.
2. The property to be exempted does not have access to a Gateway Corridor and will not require access to a Gateway Corridor when developed.
3. Due to site topography development of the property to be exempted will not be visible from a Gateway Corridor.
4. Due to the location, size and shape of the property, development of the parcel under its current zoning and in conformity with the requirements of the GCOD would present a severe and unique hardship.

If the Director does not issue a written decision regarding such exemption within 15 working days of receipt of the application required in this section, the exemption will be deemed to be approved.

6.2.3. Applicability of Overlay Provisions

- A. This Overlay District is supplemental to the underlying zoning district classifications established within this UDC. The provisions of this section are overlaid upon and imposed in addition to said underlying zoning regulations and other Hall County ordinances.
- B. In any case where the standards and requirements of the GCOD conflict with those of the underlying zoning district or subdivision regulations, the standards and requirements of the GCOD govern.
- C. The provisions of this Sec. 6.2. do not apply to the following:
 1. Completion of work subject to preliminary plats, site development plans, construction plans, building permits, or interior finish permits approved prior to March 22, 2007.
 2. Reconstruction, rehabilitation, restoration, repair or addition of an

existing non-residential structure, interior renovations or interior finishes within an existing structure, or addition to an existing non-residential structure that was permitted prior to March 22, 2007, provided that such construction is on a lot of record and does not result in addition or change to more than 75 percent of the floor area of the existing permitted structure.

3. Rezonings and planned developments that were approved by the Board of Commissioners prior to March 22, 2007, except for those approvals with specific reference to the GCOD.
- D. The following requirements apply to reconstruction, replacement or addition to a legally permitted and existing non-residential structure when such change consists of more than 75 percent of the floor area of the existing structure:
 1. The portion of the project that is reconstructed, replaced or added must meet the Architectural Standards of 6.2.6.
 2. If the reconstruction, replacement or addition includes the addition of 50 parking spaces or more, the newly constructed parking spaces must meet the parking lot design requirements of Sec. 6.2.5.C.
 3. If the reconstruction, replacement or addition decreases the distance between the subject building and abutting property that is used for single-family residential purposes, the property line where the distance abutting residential property has been decreased must provide a transitional buffer as required in Sec. 6.2.5.A.
 4. If the reconstruction, replacement or addition includes the reconstruction or addition of loading and service areas adjacent to property that is used for single-family residential purposes,

such loading and service areas must be screened as required in section Sec. 8.1.5.

5. Any new signs must meet the requirements of Sec. 8.6.

E. Building plan application.

1. All building plans submitted pursuant to an application for a building permit should clearly indicate compliance with the proposed landscaping, architectural design, building materials, access management, and signage requirements of this Sec. 6.2.
2. The plans must clearly show the location and calculate the amount or percentages of all building materials per building face as indicated in Sec. 6.2.6.B.
3. Groups of buildings on the same parcel of land may be reviewed and permitted as a single project rather than individual buildings.

6.2.4. Uses

- A. Uses are permitted in accordance with the underlying zoning, except as set forth below. See Sec. 7.2. (Allowed Use Table).
- B. The following uses are not allowed in the GCOD:
 1. Adult entertainment establishments.
 2. Billboards.
 3. Junk or salvage yards.
 4. Mobile home.
 5. Manufactured home.
- C. The following uses are allowed only with approval of a Special Use by the Board of Commissioners:
 1. Car wash.
 2. Outdoor storage.
 3. Outdoor recreation.

4. Self-storage warehouse.
5. Truck stop.
6. Truck terminal.
7. Truck yard.
8. Vehicle repair, minor or major.
9. Vehicle sales, new or used.

6.2.5. Site Development Standards

The following site development standards apply to all newly constructed buildings used for office, commercial, industrial, institutional, and public purposes within the GCOD.

A. Transitional Buffers.

1. Applicability.
 - a. Transitional buffers required in this section must provide an effective visual screen between dissimilar uses or activities unless permitted as a single project per Sec. 6.2.3.E.3.
 - b. A transitional buffer is required along and inside the property line of a nonresidential property abutting a residential use or residentially zoned property.
 - c. Transitional buffers are required along and inside the property line at the perimeter of a planned development district that abuts single-family residential zoning or uses, in accordance with the requirements of this subsection, but no transitional buffers are required between dissimilar uses within the planned development district.
2. Width of transitional buffer.
 - a. Where a commercial zoning district abuts property zoned for single-family residential, multi-family residential or agricultural use, the width must be at least 25 feet.

- b. Where an industrial zoning district abuts property zoned for residential or agricultural use, the width must be at least 50 feet.
 - c. Public and institutional uses must comply with the standards in this section that apply to commercial zoning districts.
3. Transitional buffers that are at least 25 feet in width or greater must meet at least two of the three following criteria:
 - a. Be planted with a staggered double row of evergreen trees at least six feet in height, or
 - b. A single row of deciduous shade trees at least two inches caliper DBH with a minimum height of 30 feet at maturity and two staggered rows of evergreen shrubs at least three feet in height, planted a maximum of four feet on center, or
 - c. Other arrangements which provide a similar visual screen, as approved by the Director.
4. Adjustments to buffer width.
 - a. If a 6 foot high solid wood fence or masonry wall is incorporated into the design of a transitional buffer, the width of the buffer may be reduced by no more than 10 feet. The fence or wall must be located on the inside of the vegetation required in section 6.2.5.A.3., with the finished side facing the adjacent property.
 - b. Walls or fences required to screen loading and service areas, outdoor storage, and accessory equipment required in section 6.2.5.B. may not be used to reduce the width of a transitional buffer required in section 6.2.5.A.

B. Additional Landscape and Screening

height of at least 35 feet tall at

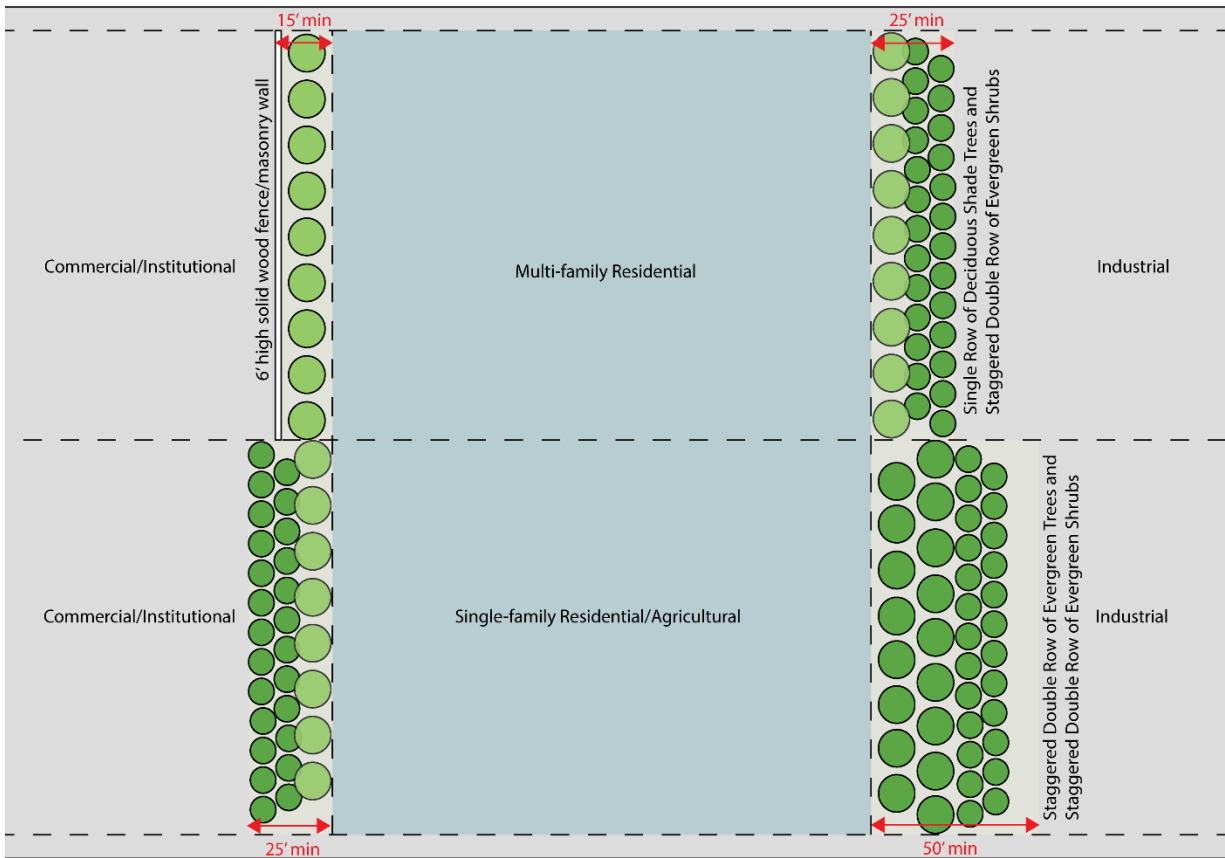


Figure 6-1. Transitional Buffer Design

Standards.

1. Shrubs must be planted within ten feet of the foundation of the primary structure along each building facade at the rate of at least 20 shrubs per 100 lineal feet of building facade except for sides or rear of building used for loading or service areas. Foundation plantings may be clustered to provide visual interest.
2. Along each street frontage there must be a landscape strip at least 10 feet in width except for perpendicular crossings for driveways and utilities.
 - a. The landscape strip must be planted with shade trees at least six feet tall and two inches caliper, DBH at time of planting, with a maturity.
 - b. Trees must be planted no less than 40 feet on center.
 - c. Shrubbery forming an intermittent hedge at least three feet in height and designed to provide an adequate screen must also be provided within the landscape strip.
3. The Director has authority to approve alternative methods for landscaping and screening parking lots that include at least the same amount of landscape material or screening effect when viewed from the street.
4. In addition to general perimeter landscaping and required buffers, if a

loading or service area is located within 50 feet of a side or rear lot line abutting a residential district or use or a public or institutional use, then the loading or service areas must be surrounded by either a masonry wall or opaque fence at least 6 feet in height and placed on the inside of the landscaped buffer required in Sec. 6.2.6.A

5. Screening of storage and accessory equipment.

- a. Waste receptacles, including dumpsters, garbage cans, or grease containers must be located in the rear or side yard and placed at least 20 feet from any street, public sidewalk, or property line that abuts a residential district or residential use. Such waste receptacles must be screened from view from all property lines and public areas of the site by a wall at least 6 feet in height constructed of masonry or solid wood with an opaque gate.
- b. Rooftop mechanical equipment, including HVAC and utility equipment, must be screened from adjacent streets, sidewalks, residential districts or uses, or public and institutional uses. Screening must consist of parapet walls or an opaque enclosure around the equipment. Enclosures must be constructed of a material compatible with those used on the primary facade of the principal structure.
- c. Ground-mounted or wall-mounted equipment such as HVAC equipment, transformers, and gangs of multiple utility meters must be screened from adjacent streets, sidewalks,

residential districts or uses, or public and institutional uses. Screening may consist of a solid masonry wall or wooden fence or other opaque enclosure around the equipment that is constructed of a material compatible with those used on the primary facade of the building. The height of the fence or wall must be sufficient to effectively screen the equipment from view.

- d. Outdoor storage or sales displays are prohibited from front yards unless granted special use approval by the Board of Commissioners pursuant to the procedures of this UDC. Outdoor storage or sales displays must be screened from view from public streets and adjacent property by a solid fence or wall at least 8 feet in height, except as follows:
 - i. Upon approval by the Director, the temporary sale of seasonal goods may be permitted on properties other than residentially zoned property for a period not to exceed 90 days, with up to a 30-day extension, to be approved no more than two times in a given calendar year. Such temporary sales are limited to sites that:
 - i. Provide adequate off-street parking on approved surfaces;
 - ii. Provide safe and adequate vehicular access; and
 - iii. Are not adjacent to residentially zoned property.

- ii. Outdoor display and sale of goods may be permitted in designated parking areas provided that the parking is not reduced below the minimum required in Sec. 8.1.
6. Cuts and fills of slopes must be terraced to blend into the natural terrain. Cut or fill slopes more than 10 feet in height must be landscaped with evergreen shrubbery planted at the rate of 10 shrubs per every 100 lineal feet.

C. Parking Lot Design.

1. Off-street parking is required as indicated in Sec. 8.1. of this UDC, except as provided in this subsection:
 - a. The Director may approve a reduction in the number of parking spaces required for a specific use where inter-parcel access is provided and a shared parking analysis demonstrates that adequate parking will be provided with the approved reduction.
 - b. The maximum number of parking spaces that may be constructed on impervious surfaces may be no more than 125 percent of the minimum number of parking spaces required in Sec. 8.1.
2. In addition to the construction and design standards of Sec. 8.1.3., the following standards apply to all parking lots within the GCOD.
 - a. Each parking area with at least 20 spaces must include landscaped islands within the parking area equivalent to not less than 10 percent of the total paved area of the parking lot, not including pervious paving surfaces.

- b. Landscaping in parking lots must contain at least one shade tree at least six feet in height and two inches caliper DBH at time of planting with a mature height of at least 35 feet for each 200 square feet of landscaping. Shade trees must be planted in a bed of ground cover, sod or low shrubbery.
 - c. Parking areas must be designed to facilitate safe and convenient use by pedestrians. Commercial and multi-family developments must provide designated pedestrian pathways or sidewalks at least 5 feet in width connecting parking aisles to the front entrance of the principal building.
 - d. All parking areas must be paved with asphalt, concrete or pervious materials as approved by the Director.
 - e. Off-street parking must be located to the side or rear of the principal building and may not be located between the principal building and the street.
3. Perimeter landscaping.
- a. Where parking lots abut adjacent residentially zoned property, a transitional buffer is required as provided in section 6.2.5.A.
 - b. Where parking lots abut public streets, a frontage landscape strip is required as provided in Sec. 8.1.3.
 - c. The following are considered appropriate tree species for perimeter and parking lot landscaping:
 - i. Nuttall oak.
 - ii. Shumard oak.
 - iii. Willow oak.

- iv. Ginkgo (Variety: President, Autumn Gold, male gender).
- v. Princeton elm.
- vi. Chinese Elm (varieties Allee, Athena, Drake, Bosque).
- vii. Bald Cypress (variety: Shawnee Brave).
- viii. Zelkova (variety Green Vase or Village Green).
- ix. Northern red oak.
- x. Autumn maple.
- xi. Other native species as approved by the Director.

D. Outdoor lighting.

- 1. Streetlights.
 - a. Streetlights must be provided on all public streets.
 - b. The spacing of streetlights must be staggered, 300 feet on-center, along both sides of the roadway.
 - c. All street lighting is subject to review and approval of the Hall County Public Works Department.
 - d. All outdoor lighting must be the semi-cutoff type.
- 2. Semi-cutoff luminaries must be used for all security lighting.

E. Inter-parcel access.

- 1. Inter-parcel access, joint driveways, cross access drives and access easements for non-residential development that abuts other non-residential development should be provided.
- 2. When provided, inter-parcel access must incorporate the following:
 - a. A continuous cross-access drive located in a cross-access

easement to connect adjacent parcels along the thoroughfare.

- b. A design speed of 15 mph and a two-way travel aisle with a minimum paved width of 22 feet (back of curb to back of curb). Paving, base and curb specifications must meet Hall County's standards for public streets.
- c. Driveway aprons, stub-outs and other design features indicating that abutting properties may be connected to provide cross access via a service drive.
- d. A sidewalk at least 5 feet in width on one side of the cross-access drive.
- e. New commercial developments that abut residential property must provide a sidewalk at least five feet in width to connect the two uses.

6.2.6. Architectural Standards

The following design guidelines and standards apply to all newly constructed buildings used for multi-family residential, office, commercial, industrial, institutional, and public purposes.

A. General Architectural Requirements.

- 1. Principal building entrances must face public streets except for internal buildings not directly fronting a street.
- 2. Any nonresidential building located within 150 feet of a residential or agricultural use is limited to no more than 40 feet in height as defined in Sec. 2.1.
- 3. All buildings along U.S. 129 are limited to no more than 30 feet in height as defined in Sec. 2.1.

4. All buildings along State Route 365 are limited to no more than 50 feet in height as defined in Sec. 2.1.

B. Building Materials.

1. The use of a common palette of building materials must be maintained for all four sides of principal buildings to create a consistent architectural identity. For nonresidential or multi-family building facades greater than 100 feet in length, variation in building materials, texture, and depth may be employed to provide design variation.
2. Buildings that are located on outparcels and all accessory buildings must be constructed of materials compatible with the principal building with which they are associated.
3. Building materials used for all four sides of new or reconstructed buildings are restricted to the following:
 - a. Brick.
 - b. Natural stone such as granite, limestone, marble or similar materials. Terra cotta or cast stone simulating natural stone is also acceptable. Painted stone is prohibited.
 - c. Split-face block/concrete masonry unit (CMU) is restricted to no more than 50 percent of the surface area of each side of a principal nonresidential building.
 - d. Split-face block/concrete masonry unit (CMU) is considered prohibited materials for any multi-family residential building.
 - e. Stucco is restricted to no more than 50 percent of the surface area of each side of a building.
 - f. Glass and glass block.

- g. Architectural metal panels are restricted to no more than 50 percent of the surface area of each side of a building.

- h. Precast or prestressed concrete may be used for industrial buildings.

- i. Exposed concrete block or painted concrete block are considered prohibited materials for any exterior wall.

4. Restrictions on the use of metal building materials does not apply to entry doors or roll-up doors.

5. The amount of permitted material must be calculated using the gross square footage of wall area for each elevation of the building, including windows, doors or other openings.

C. Roof Materials.

1. Materials for pitched roofs are limited to architectural grade composition shingles, natural slate, natural terra cotta, natural wood shake, or factory finished metal with standing seams. Alternative materials not listed may be used upon approval from the Director.
2. Thermoplastic Polyolefin (TPO) may be used on flat roofs.

6.2.7. Signs

See Sec. 8.6.18 (Signs) for applicable sign standards within the Gateway Corridor Overlay.

6.2.8. Property Maintenance Standards

A. Definitions

The following words have the meanings indicated below as used in this section 6.2.8.

Boarding up. Erecting, installing, placing, or maintaining boards over the doors,

windows, or other openings of any building or structure, or otherwise securing such openings by a means other than the conventional method used in the original construction and design of the building or structure.

Code Official. The Community Development and Infrastructure Director of Hall County or any other official charged with the administration and enforcement of this Sec. 6.2.8.

Condemn. To judge a structure as unfit for occupancy or use due to conditions which may pose a serious threat to the health and safety of the public or another structure or property.

Deterioration. To weaken, disintegrate, corrode, rust, or decay and lose effectiveness.

Exterior property. The open space on the premises and on adjoining property under the control of the owners or operators of such premise. Exterior property generally consists of the area outside a building or accessory structure and can include driveways, parking areas, portions of the public right-of-way, vacant lots, or adjoining property under the control of the same owner.

Garbage. Animal or vegetable waste resulting from the handling, preparation, cooking or consumption of food.

Imminent danger. A condition that could result in serious or life-threatening injury or death. As used in this section, imminent danger refers to conditions that pose a threat or danger to the building occupants or persons in the proximity of a building or premise.

Infestation. The presence, within or contiguous to, a structure or premises of insects, rodents, vermin or other pests.

Inoperable motor vehicle. A vehicle than cannot be driven upon a public street for reasons including, but not limited to, being unlicensed, wrecked, abandoned, in a state of disrepair, or incapable of being moved under its own power.

Litter. Any organic or inorganic waste material, rubbish, refuse, garbage, trash, hulls, peelings, debris, grass, weeds, ashes, sand, gravel, slag, brickbats, metal, plastic and glass containers, broken glass, dead animals or intentionally or unintentionally discarded materials of every kind and description.

Maintenance. The act of keeping property, premises, buildings, structures, equipment, or vegetation in a proper condition so as to prevent their decline, failure, or uncontrolled growth.

Marshal. Any officer of the Hall County Marshal's Office charged with the enforcement of County ordinances.

Neglect. The lack of proper maintenance for a building or structure.

Occupant. Any individual living or sleeping in a building, or having possession of a space within a building.

Operator. Any person who has charge, care or control of a structure or premise which is let or offered for occupancy. A real estate broker or salesperson licensed pursuant to Chapter 40 of Title 43 of the O.C.G.A. is not an operator for the purpose of this section unless such broker or salesperson is under contract to provide property management services to the owner of such structure or premise.

Owner. Any person, agent, operator, firm, or corporation having a legal or equitable interest in the property; or recorded in the official records of the state, county or municipality as holding title to the property; or otherwise having control of

the property, including but not limited to the guardian, executor, or administrator of the estate of any such person.

Person. An individual, corporation, partnership or any other legally recognized entity.

Premises. A lot, parcel of land, easement or public way, including any structures or other improvements.

Property. Any improved or unimproved residential or nonresidential real property, or portion thereof, situated in unincorporated Hall County and within the GCOD. Includes the buildings, structures, and improvements located on the real property regardless of condition.

Rubbish. Combustible and noncombustible waste materials, except garbage as defined in this Sec. 6.2.8. The term includes the residue from the burning of wood, coal and other combustible materials, paper, rags, cartons, boxes, wood, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, and dust and other similar materials.

Strict Liability of Offense. An offense in which the prosecution in a legal proceeding is not required to prove criminal intent as a part of its case.

Wooded areas. Portions of a lot consisting of dense tree growth in which the trees typically exceed 3 inches DBH.

B. Applicability

The standards within this Sec. 6.2.8. apply to all property or portions of property within 50 feet of the right of way of the following corridors within the GCOD:

1. Friendship Road from Lanier Islands Parkway to GA-211.

2. S.R. 129/Athens Highway from the Gainesville city limits to Gillsville Highway.
3. S.R. 53/Mundy Mill Road/Winder Highway from McEver Road to GA-211.
4. S.R. 13 from the Flowery Branch city limits to Highway 53/Winder Highway.
5. McEver Road from the Buford city limits to S.R. 53/Dawsonville Highway.
6. Browns Bridge Road from the Gainesville city limits to McEver Road.
7. Candler Road from Calvary Church Road to Poplar Springs Road.
8. Cleveland Highway from the Gainesville city limits to Napone Road.
9. Spout Springs Road from the Flowery Branch city limits to Friendship Road.
10. Thompson Bridge Road from the Gainesville city limits to Price Road.
11. S.R. 53/Dawsonville Highway from the Gainesville city limits to Marina Drive.
12. S.R. 211/Old Winder Highway from Friendship Road to Winder Highway.
13. 985/365 from the county line to S.R. 52/Lula Road.

C. Maintenance Standards

1. It is the responsibility of the owner of any dwelling, building, structure, property, or premise within the GCOD property maintenance boundaries, as detailed in Sec. 6.2.8.B., to construct and maintain any such dwelling, building, structure, property, or premise with the standards of this section and all other applicable codes within Hall County.
2. No property, building, or structure located within the GCOD property maintenance boundaries, as detailed in Sec. 6.2.8.B., may be expanded in any

manner that does not meet the standards of this section.

3. All premises must be free of litter, garbage, rubbish, inoperable vehicles, structural deterioration or neglect, and infestation.
4. Yards and premises within the GCOD property maintenance boundaries must be maintained as follows:
 - a. Required landscaping materials and any required landscape buffers must be maintained in a healthy, growing condition and must be removed and replaced when missing, dead or damaged.
 - b. Grass, weeds, or undergrowth greater than 8 inches on any lot used for residential, institutional, commercial, or industrial purposes must be trimmed or removed.
 - c. Grass, weeds, or undergrowth greater than 12 inches on any vacant or undeveloped lot must be trimmed or removed.
 - d. Wooded areas, as defined in this Sec. 6.2.8., may be exempt from the requirements of this subsection.
5. Outdoor storage must comply with the standards of Sec. 6.2.5.B.5.
6. All buildings or structures located on a property must have:
 - a. A roof impervious to the weather.
 - b. Doors and windows which are functional and free of defects.
 - c. Exterior walls which are impervious to the weather and free of defects.
 - d. Facades which are not peeling, rusted, oxidized, or exposed and unprotected.
7. When a building or structure within the GCOD property maintenance

boundaries has been damaged by fire to such an extent that it cannot be repaired, the owner must remove the remaining portion of the building or structure and all refuse, debris, or damaged materials from the premises, so as to return the property to its vacant state, within 6 months of the completion of the scene investigation by the fire department or insurer of the property.

- a. When a building or structure has been damaged by fire but is determined capable of repair, the owner must obtain a permit for repair work, and repair work must commence, within 6 months of completion of the scene investigation by the fire department or insurer of the property.
8. Vacant buildings or structures must be maintained in good repair and comply with all applicable laws, codes, and ordinances of Hall County. At a minimum, vacant structures must:
 - a. Have all doors, windows, and other openings weather-tight and secured against entry by the public as well as any animals or pests. Such structures must be secured using the conventional methods used in the original construction.
 - b. Have all roof and roof flashings maintained to an extent that no rain can penetrate the structure, ensuring appropriate drainage to prevent deterioration of interior walls or other interior portions of the structure.
 - c. Be maintained in a structurally sound state, free from rubbish, garbage, and other debris.
 - d. Be capable of bearing all loads making up the contents of the

- structure, including foundation walls.
- e. Keep the exterior of the structure free of loose or rotten materials, including any holes. Exposed metal, wood, or other surfaces must be protected from the elements by appropriate weather coating materials such as paint or similar treatments.
 - f. Maintain all balconies, canopies, signs, awnings, stairways, fire escapes or other overhanging extensions in good condition and appropriately anchored. Exposed wood or metal elements of such extensions must be protected from the elements by appropriate weather coating materials such as paint or similar treatments.
 - g. Ensure that all accessory structures or buildings such as garages, sheds or other storage facilities meet the standards of this section.
 - h. Maintain all retaining walls, drainage systems, or other structures in good condition and ensure that such structures are structurally sound, as appropriate.
9. Any structure ordered to be boarded up by the Code Official must be posted with the name, permit information, and 24-hour contact information of the property owner. The boarding of doors, windows, or other openings of any building or structure other than by the conventional method used in the

original construction and design of the building or structure must be in accordance with the specifications or methods approved by the Building Official.

D. Enforcement

1. If a premises is found to be in violation of these standards, the Marshal must contact the owner or occupant and provide a written notice of items necessary to bring the premises into compliance. The notice must provide a reasonable time to begin remediation and for the property to be fully compliant. The time allowed for compliance prior to enforcement may depend on the condition of the premises when the violation is observed and documented.
2. Any premise which is determined by the Marshal as not in compliance with the standards of this Sec. 6.2.8. will be ineligible for any of the following:
 - a. A new business license or alcoholic beverage license.
 - b. Renewal of a business license or alcoholic beverage license.
 - c. A building permit unless such permit is necessary to bring the property into compliance.

6.2.9. Other Standards

See Article 2 (Rules Common to All Districts) and Article 7 (Use Provisions) and Article 8 (Site Development) for additional standards which may be applicable.

Sec. 6.3. Black and Cooley Drive Overlay (BCOD)

6.3.1. Intent

It is in the public interest to maximize efficiency of the utilization of public services, infrastructure, and facilities to achieve balanced growth and to provide opportunities for development and redevelopment of existing residential areas.

Within the residential areas of Hall County, there exists an opportunity to achieve maximum utilization of land resources that have been by-passed or under-utilized in the development of the urban area. An increase in the density normally allowed by the underlying zoning district is deemed an appropriate incentive to promote infill development and redevelopment within this urban core for single-family residential detached districts.

The specific objectives of this section are related to infill development and redevelopment within the identified boundaries of Black Drive, Cooley Drive and Jordan Drive. This area has been previously designated an Urban Redevelopment Area. The intent of the proposed Overlay District is to:

1. Accommodate growth by encouraging and facilitating new development on vacant and underutilized land in areas that already have infrastructure and utilities.
2. Encourage efficient use of land and public services in the context of existing communities.
3. Provide flexibility in development standards to facilitate infill development and redevelopment.
4. Encourage construction of housing in proximity to employment and services.

5. Promote neighborhood preservation and enhancement through redevelopment of blighted, distressed or underutilized properties.

6.3.2. Boundaries

This district implements the Black and Cooley Drive Overlay District also referred to as the "BCOD". The provisions of this district apply to all parcels designated within the BCOD on the Hall County Official Zoning Map.

The provisions of this Sec. 6.3. apply to all residential development and associated uses where:

1. The primary structure is constructed after June 26, 2008; or
2. At least 75 percent of the existing primary residential structure is redeveloped.

All land uses and development, including but not limited to buildings, driveways, streets, buffers, or landscaping, must be located or provided for in accordance with the provisions of the zoning regulations and land development regulations, except as modified by this section.

6.3.3. Applicability of Overlay Provisions

The standards set forth in this Sec. 6.3. take precedence over those of the underlying zoning regulations and other sections pertaining to zoning regulations. In any case where the standards and requirements of the BCOD conflict with those of the underlying zoning district or subdivision regulations, the standards and requirements of the BCOD govern.

6.3.4. Uses

- A. Uses are permitted in accordance with the underlying zoning except as listed below. See Sec. 7.2. (Allowed Use Table).
- B. The following dwelling types are not permitted in the district:
 1. Class B manufactured homes. Existing mobile homes may be upgraded with a Class A manufactured home provided all standards of Sec. 6.3.5 and Sec. 6.3.6 are met.
 2. The conversion of existing residential structures to two-family dwellings as defined in Sec. 7.3.1.

6.3.5. Site Development Standards

- A. The following standards are required for all new residential construction or existing dwellings when at least 75 percent of the primary structure is redeveloped.
 1. All new dwellings must have outside lighting on the front facade.
 2. Minimal plantings are required along the front facade of the dwelling.
 3. Sodded front lawns are required.
 4. Any new attached carport or garage must be consistent with the architectural character of the principal dwelling.

6.3.6. Architectural Standards

- A. All new development created under the BCOD must include the following minor design elements to ensure quality, compatibility, and sustainability with the existing character of the area. The standards are as follows:
 1. Front porches are required.
 2. The following design features are recommended:
 - a. Optimize privacy of residents and minimize infringement on the privacy of adjoining land uses through the strategic placement of windows, door entrances, porches, and similar structures, especially as it relates to accessory structures.
 - b. Building orientation should maintain the integrity of the streetscape and provide direct, safe access to the street.

3. Residential structures should incorporate the following design elements:
 - a. Gable roofs with a pitch not less than 4:12 along facades facing public streets.
 - b. Recessed entries along facades facing public streets.
 - c. Window shutters along facades facing public streets.
 - d. Bay or bow window with a minimum 12-inch projection along facades facing public streets.
 - e. Eaves with a minimum six-inch projection along facades facing public streets.

6.3.7. Accessory Structures

- A. The following apply to all accessory structures within the BCOD:
 1. Accessory structures for properties within the BCOD are the same as those allowed under the R-1 zoning designation.
 2. In no case may the accessory structure be closer to any right-of-way than the principal building.
 3. No more than two accessory structures may be allowed on one lot.

4. All accessory structures must be consistent with the architectural design and character of the primary structure.
5. Exterior stairs, doors, porches, and similar elements on accessory buildings may not face an adjacent property.

6.3.8. Building Placement

- A. The following standards apply to all structures within the BCOD:
 1. The front setback must be at least 20 feet from the property line.
 2. Primary and accessory structures must be at least 5 feet from side property lines.
 3. Primary structures must be at least 10 feet from the rear property line.
 4. Accessory structures must be at least 5 feet from the rear property line.

6.3.9. Lot of Record Standards

- A. Any residentially zoned property within the BCOD that was recorded by subdivision plat or deed prior to August 28, 1978, using the proper county process at that time, as well as any lot recorded by plat subsequent to August 28, 1978, may be considered a lot of record, even though the lot may have less than the minimum required area for residential districts.
- B. Lots which have been combined as a result of development crossing a property line may be resubdivided to the original platted lots.

6.3.10. Other Standards

See Article 2 (Rules Common to All Districts) and Article 7 (Use Provisions) and Article 8 (Site Development) for additional standards which may be applicable.

Sec. 6.4. Airport Overlay (AO)

6.4.1. Intent

Obstructions to air navigation have the potential for endangering the lives and property of users of Lee Gilmer Memorial Airport and the property or occupants of land in its vicinity. An obstruction to air navigation may affect existing and future instrument approach patterns of aircraft to Lee Gilmer Memorial Airport and may reduce the size of areas available for the landing, takeoff, and maneuvering of aircraft, thus tending to destroy or impair the utility of Lee Gilmer Memorial Airport and the public investment therein. The purpose of this zoning district is to impose height restrictions necessary to ensure that structures and natural objects will not impair flight safety or decrease the operational capability of Lee Gilmer Memorial Airport.

6.4.2. Definitions

The following words have the meanings indicated below as used in this Section 6.4.

Airport. As defined in Sec. 12.2. As used in this section 6.4., the term applies specifically to the Lee Gilmer Memorial Airport or Gilmer Memorial Airport.

Airport elevation. 1,277 feet above mean sea level.

Airport reference point. A horizontal reference point calculated in accordance with Federal Aviation Administration Advisory Circular 150/5300-4B. (For the airport configuration on July 1, 1990, the position is 34°16'22" N, 83°49'47" E.)

Approach surface. A surface longitudinally centered on the extended runway center line, extending outward and upward from the end of the primary surface and at the same slope as the approach zone height limitation slope set forth in Sec. 6.4.4 In plan the perimeter of the

approach surface coincides with the perimeter of the approach zone.

Approach, transitional, horizontal, conical and navigable airspace zones. Those zones as set forth in Sec. 6.4.3.

Conical space. A surface extending outward and upward from the periphery of the horizontal surface at a slope of 20 to 1 for a horizontal distance of 4,000 feet.

Hazard to air navigation. An obstruction determined to have substantial adverse effect on the safe and efficient utilization of the navigable airspace.

Height. For the purpose of determining the height limits in all zones set forth in this section, the datum shall be mean sea level elevation unless otherwise specified.

Horizontal surface. A horizontal plane 150 feet above the established airport elevation, the perimeter of which in plan coincides with the perimeter of the horizontal zone.

Larger than utility runway. A runway that is constructed for and intended to be used by propeller driven aircraft of greater than 12,500 pounds maximum gross weight and jet powered aircraft.

Navigable airspace. That area of airspace greater than 200 feet above ground level or above the established airport elevation (Lee Gilmer Memorial Airport elevation of 1,277 feet plus 200 feet equals 1,477 feet), whichever is higher, within three nautical miles of the established airport reference point, which height increases in the proportion of 100 feet for each additional nautical mile of distance from the airport to a maximum of 500 feet.

Nonconforming structure, object or use. Any structure, object of natural growth, or use of land which lawfully exists at the time of adoption of this section and which does not conform with the provisions of this section or an amendment thereto.

Nonprecision instrument runway. A runway having an existing instrument approach procedure utilizing air navigation facilities with only horizontal guidance, or area type navigation equipment, for which a straight-in nonprecision instrument approach procedure has been approved or planned.

Obstruction (or obstruction to air navigation). Any structure, growth, or other object, including a mobile object, which exceeds a limiting height set forth in section Sec. 6.4.4.

Person. An individual, firm, partnership, corporation, company, association, joint stock association or government entity; includes a trustee, a receiver, an assignee, or a similar representative of any of them.

Precision [instrument runway]. A runway having an existing instrument approach procedure utilizing an instrument landing system (ILS) or a precision approach radar (PAR). It also means a runway for which a precision approach system is planned and is so indicated on an approved airport layout plan or any other planning document.

Primary surface. A surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, the primary surface extends 200 feet beyond each end of that runway; for military runways or when the runway has no specially prepared hard surface, or planned hard surface, the primary surface ends at each end of that runway. The width of the primary surface is set forth in Sec. 6.4.3. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway center line.

Runway. A defined area on an airport prepared for landing and take-off of aircraft along its length.

Structure. Anything constructed or erected, the use of which requires permanent or semipermanent location on the ground or which is attached to something having permanent location on the ground. As used in this section 6.4., the term also applies to mobile objects constructed or installed by

man, including but not limited to buildings, towers, cranes, smokestacks, earth formations, and overhead transmission lines.

Transitional surfaces. These surfaces extend outward at 90-degree angles to the runway center line and the runway center line extended at a slope of seven feet horizontally for each foot vertically from the sides of the primary and approach surfaces to where they intersect the horizontal and conical surfaces. Transitional surfaces for those portions of the precision approach surfaces, which project through and beyond the limits of the conical surface, extend a distance of 5,000 feet measured horizontally from the edge of the approach surface and at 90-degree angles to the extended runway center line.

Tree. Any object of natural growth.

Utility runway. A runway that is constructed for and intended to be used by propeller driven aircraft of 12,500 pounds maximum gross weight and less.

Visual runway. A runway intended solely for the operation of aircraft using visual approach procedures.

6.4.3. Airport Zones

In order to carry out the provisions of this section, there are hereby created and established certain zones which include all of the land lying beneath the approach surfaces, transitional surfaces, horizontal surfaces, and conical surfaces as they apply to Lee Gilmer Memorial Airport. An area located in more than one of the following zones must adhere to the zone with the more restrictive height limitation. The various zones are hereby established and defined as follows:

A. Utility runway visual approach zone.

The inner edge of this approach zone coincides with the width of the primary surface and is 250 feet wide. The approach zone expands outward uniformly to a width of 1,250 feet at a horizontal distance of 5,000 feet from the primary surface. Its

center line is the continuation of the center line of the runway.

B. Utility runway nonprecision instrument approach zone.

The inner edge of this approach zone coincides with the width of the primary surface and is 500 feet wide. The approach zone expands outward uniformly to a width of 2,000 feet at a horizontal distance 5,000 feet from the primary surface. Its center line is the continuation of the center line of the runway.

C. Runway larger than utility visual approach zone.

The inner edge of this approach zone coincides with the width of the primary surface and is 500 feet wide. The approach zone expands outward uniformly to a width of 1,500 feet at a horizontal distance of 5,000 feet from the primary surface. Its center line is the continuation of the center line of the runway.

D. Runway larger than utility with a visibility minimum greater than three-fourths mile nonprecision instrument approach zone.

The inner edge of this approach zone coincides with the width of the primary surface and is 500 feet wide. The approach zone expands outward uniformly to a width of 3,500 feet at a horizontal distance of 10,000 feet from the primary surface. Its center line is the continuation of the center line of the runway.

E. Runway larger than utility with a visibility minimum as low as three-fourths mile nonprecision instrument approach zone.

The inner edge of this approach zone coincides with the width of the primary surface and is 1,000 feet wide. The approach zone expands outward uniformly to a width of 4,000 feet at a horizontal distance of 10,000 feet from the primary surface. Its center line is the continuation of the center line of the runway.

F. Precision instrument runway approach zone.

The inner edge of this approach zone coincides with the width of the primary surface and is 1,000 feet wide. The approach zone expands outward uniformly to a width of 16,000 feet at a horizontal distance of 50,000 feet from the primary surface. Its center line is the continuation of the center line of the runway.

G. Transitional zones.

The areas beneath the transitional surfaces.

H. Horizontal zone.

The horizontal zone is established by swinging arcs of 5,000 feet radii for all runways designated utility or visual and 10,000 feet for all others from the center of each end of the primary surface of each runway and connecting the adjacent arcs by drawing lines tangent to those arcs. The horizontal zone does not include the approach and transitional zones.

I. Conical zone.

The area that commences at the periphery of the horizontal zone and extends outward therefrom for a horizontal distance of 4,000 feet.

J. Navigable airspace zones.

These four zones are at the ends of each runway beginning at their intersection with the conical zones 200 feet above the established airport elevation as defined in Sec. 6.4.2. and expanding outwardly as shown in Table 6.4.1. below.

Table 6.4.1 Navigable Airspace Zones

			At 3 Nautical Miles		At 6 Nautical Miles	
Runway	Inner Edge Width at Elevation 1477 (feet)	Rate of Expansion	Width (feet)	Elevation (feet)	Width (feet)	Elevation (feet)
5	3,800	1,500 feet per 5,000 feet	5,040	1,477	10,150	1,777
23	3,800	1,500 feet per 5,000 feet	5,260	1,477	10,730	1,777
11	2,400	1,000 feet per 5,000 feet	3,560	1,477	7,200	1,777
29	2,400	1,000 feet per 5,000 feet	3,420	1,477	7,060	1,777

6.4.4. Height Limitations

Except as otherwise provided in this Sec. 6.4., no structure may be erected or altered, and no tree may be allowed to grow, in any zone created by this section to a height more than the applicable height established for such zone. Height limitations are established for each of the zones in question as follows:

A. Utility runway visual approach zone.

Slopes 20 feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 5,000 feet along the extended runway center line.

B. Utility runway nonprecision instrument approach zone.

Slopes 20 feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 5,000 feet along the extended runway center line.

C. Runway larger than utility visual approach zone.

Slopes 20 feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 5,000 feet along the extended runway center line.

D. Runway larger than utility with a visibility minimum greater than three-fourths mile nonprecision instrument approach zone.

Slopes 34 feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway center line.

E. Runway larger than utility with a visibility minimum as low as three-fourths mile nonprecision instrument approach zone.

Slopes 34 feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway center line.

F. Precision instrument runway approach zone.

Slopes 50 feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway center line; thence slopes upward 40 feet horizontally for each foot vertically to an additional horizontal distance of 40,000 feet along the extended runway center line.

G. Transitional zones.

Slope seven feet outward for each foot upward beginning at the sides of and at the same elevation as the primary surface and the approach surface and extending to a height of 150 feet above the airport elevation. In addition, there are established height limits sloping seven feet outward for each foot upward beginning at the sides of and the same elevation as the approach surface and extending to where they intersect the conical surface. Where the precision instrument runway approach zone projects beyond the conical zone, there are established height limits sloping seven feet outward for each one foot upward beginning at the sides of and the same elevation as the approach surface and extending a horizontal distance of 5,000 feet measured at 90-degree angles to the extended runway center line.

H. Horizontal zone.

Established at 150 feet above the airport elevation.

I. Conical zone.

Slopes 20 feet outward for each foot upward beginning at the periphery of the horizontal zone and at 150 feet above the airport elevation and extending to a height of 350 feet above the airport elevation.

J. Navigable airspace zone.

Established at 200 feet above the airport elevation as defined in Sec. 6.4.2. and extending outward at this elevation a distance of three nautical miles from the airport reference point. At three nautical miles this zone then slopes upward at a rate of 100 feet per nautical mile and ends at six nautical miles from the airport reference point at an elevation 500 feet above the established airport elevation.

K. Excepted height limitations.

Nothing in this section may be construed as prohibiting the construction or maintenance of any structure or growth of any tree to a height up to 50 feet above the surface of the land.

6.4.5. Uses

- A. Uses are permitted in accordance with the underlying zoning except as listed below. See Sec. 7.2 (Allowed Use Table).
- B. Despite any other provisions of this section, no use may be made of land or water within any zone established by this section in such a manner as to create electrical interference with navigational signals or radio communication between the airport and aircraft, make it difficult for pilots to distinguish between airport lights and others, result in glare in the eyes of pilots using the airport, impair visibility in the vicinity of the airport, create bird strike hazards, or otherwise in any way endanger or interfere with the landing, takeoff, or maneuvering of aircraft intending to use the airport.

6.4.6. Nonconforming Structures, Objects or Uses

- A. The regulations prescribed in this section may not be construed to require the removal, lowering, or other change or alteration of any structure not conforming to the regulations as of January 14, 1991, or otherwise interfere with the continuance of a nonconforming use. Nothing contained herein will require any change in the construction, alteration, or intended use of any structure, the construction or alteration of which was begun prior to January 14, 1991, and is diligently prosecuted.
- B. Despite the preceding provision of this section, the owner of any existing nonconforming structure must permit the installation, operation, and maintenance of any markers and lights as deemed necessary by the county administrator or their designee to indicate to the operators of aircraft in the vicinity of the airport the presence of such airport construction. Such markers and lights must be installed, operated, and maintained at the expense of the City of Gainesville as the owner of the airport.

6.4.7. Permits

- A. No new structure may be erected or otherwise established unless a permit has been applied for and granted as provided in Sec. 11.2. Each application for a permit must indicate the purpose for which the permit is desired, with sufficient information to determine whether the resulting use, structure, or tree would conform to the regulations herein. No permit for a use inconsistent with the provisions of this section may be granted unless a variance has been approved in accordance with paragraph D below and any applicable provisions of Sec. 11.2.

- B. No permit may be granted that would allow the establishment or creation of an obstruction or permit a nonconforming structure to become a greater hazard to air navigation than it was on the effective date of this section or any amendments thereto or than it is when the application for a permit is made.
- C. Whenever the county administrator, or their designee, determines that a nonconforming structure has been abandoned or more than 50 percent removed, physically deteriorated, or decayed, no permit may be granted that would allow such structure to exceed the applicable height limit or otherwise deviate from the zoning regulations.
- D. Any person desiring to erect or increase the height of any structure not in accordance with the regulations prescribed in this Sec. 6.4. may apply to the Planning Commission for a variance from such regulations. The application for variance must be accompanied by a determination from the Federal Aviation Administration as to the effect of the proposal on the operation of air navigation facilities and the safe, efficient use of navigable airspace. No application for variance to the requirements of this section may be considered by the Planning Commission unless a copy of the application has been furnished to the airport manager for advice as to the

aeronautical effects of the variance. If the airport manager does not respond to the application within 15 days after receipt, the Planning Commission may act without their review to grant or deny said application. In addition to the criteria established by Sec. 11.1.1.D. as grounds for granting a variance, the Planning Commission must also make a finding, before a variance may be granted, that the relief granted will not create a hazard to air navigation as defined by the Federal Aviation Administration.

- E. Any permit or variance granted may, if such action is deemed advisable to effectuate the purpose of this section and be reasonable in the circumstances, be so conditioned as to require the owner of the structure in question to install, operate, and maintain, at the owner's expense, such markings and lights as may be necessary. If deemed proper by the Planning Commission, this condition may be modified to require the owner to request the City of Gainesville, as the owner of the airport, to install, operate, and maintain the necessary markings and lights at its own expense.

6.4.8. Other Standards

See Article 2 (Rules Common to All Districts) and Article 7 (Use Provisions) and Article 8 (Site Development) for additional standards which may be applicable.

Sec. 6.5. Protected Water Supply Watershed Overlay

6.5.1. Intent

The purpose and intent of these overlay zones is to conserve natural resources or realize development objectives without unduly disturbing the expectations created by the Unified Development Code. The existing zoning provisions may properly regulate the relevant district, in general, but more specific and targeted provisions contained in an overlay district are needed to accomplish pressing land use objectives related to the conservation of fragile natural resources. These resources include, but are not limited to, ground water recharge areas, water supply watershed and wetlands.

6.5.2. Definitions

The following words have the meanings indicated below as used in this section 6.5.

Aquifer. Any stratum or zone of rock beneath the surface of the earth capable of containing or producing water from a well.

Buffer. A natural or landscaped open space or screen for buffering incompatible land uses or to visibly separate uses through distance to shield or block noise, light, glare, or visual or other nuisances; that portion of a given lot, not covered by buildings, pavement, parking, access and service areas, established for the purpose of screening and separating properties with incompatible land uses, width of which is measured from the common property line and extending the developed portion of the common property line. A buffer consists of trees, shrubs and other natural vegetation undisturbed by grading or site development and replanted where sparsely vegetated or where disturbed for approved access and utility crossings.

Buffer, undisturbed. An undisturbed buffer is one left in a natural state or augmented with plantings to achieve the goal of buffering.

Drastic. The standardized system for evaluating groundwater pollution potential using the hydrogeologic settings described in U.S. Environmental Protection Agency document EPA-600/2-87-035. The "drastic" methodology is the most widely used technique for evaluating pollution susceptibility.

Generalized wetlands maps. All wetlands within the jurisdiction of Hall County, Georgia, as indicated on the National Wetlands Inventory Maps. Disclaimer Language: The generalized wetlands map does not necessarily represent the boundaries of jurisdictional wetlands within Hall County and cannot serve as a substitute for a delineation of wetland boundaries by the U.S. Army Corps of Engineers, as required by Section 404 of the Clean Water Act, as amended.

Hazardous waste. Any solid waste which has been defined as a hazardous waste in regulations, promulgated by the administrator of the U.S. Environmental Protection Agency pursuant to the federal act, which are in force and effect on February 1, 1988, codified as 40 C.F.R. Section 261.3.

Impervious surface. Man-made structures or surfaces which prevent the infiltration of stormwater into the ground below the structure or surface. Examples include, but are not limited to, buildings, roads, driveways, parking lots, decks, swimming pools or patios.

Intake. The intake for the purpose of determining the watershed above the intake is the structure by which water will be removed from the North Oconee River and pumped to the reservoir, and will be located in the approximate area of the intersection of the Buffington Mill Creek and the North Oconee River.

Jurisdictional wetlands. An area that meets the definitional requirements for wetlands as determined by the U.S. Army Corps of Engineers.

Jurisdictional wetlands determination. A delineation of jurisdictional wetland boundaries by the U.S. Army Corps of Engineers, as required by Section 404 of the Clean Water Act, 33 U.S.C. § 1344, as amended.

Land-disturbing activity. Any grading, scraping, excavating, or filling of land; clearing of vegetation; and any construction, rebuilding, or alteration of a structure. Land-disturbing activity does not include ordinary maintenance and landscaping operations, individual home gardens, yard and grounds upkeep, repairs, additions or minor modifications to a single-family dwelling, or the cutting of firewood for personal use.

Overlay district. A zoning district that encompasses one or more underlying districts and imposes additional requirements above those required by the underlying district.

Perennial stream. A stream which flows throughout the entire year as indicated by a solid blue line on the most current USGS 7½ minute topographic series map.

Pollution susceptibility. The relative vulnerability of an aquifer to being polluted from spills, discharge, leaks, impoundments, application of chemicals, injections and other human activities in the recharge area.

Pollution susceptibility maps. Maps prepared by the Department of Natural Resources showing relative vulnerability of aquifers to pollution. Pollution susceptibility maps categorize the land areas of the state into areas having high, medium and low groundwater pollution potential.

Recharge areas. Any portion of the earth's surface where water infiltrates into the ground to replenish an aquifer.

Regulated activity. Any activity which will, or which may reasonably be expected to, result in the discharge of dredged or fill material into waters of the U.S., excepting those activities exempted in Section 404 of the Federal Clean Water Act.

Reservoir boundary. The edge of a water supply reservoir defined by its normal pool level.

Significant recharge areas. Those areas mapped by the Department of Natural Resources in Hydrologic Atlas 18 (1989 edition). Mapping of recharge areas is based on outcrop area, lithology, soil type and thickness, slope, density of lithologic contacts, geologic structure, the presence or karst, and potentiometric surfaces. Significant recharge areas for Hall County are typified by those in the Piedmont and Blue Ridge, where rocks have primary porosity, with most groundwater being stored in the overlying soils.

Utility. Public or private water or sewer piping systems, water or sewer pumping stations, electric power lines, fuel pipelines, telephone lines, roads, driveways, bridges, river/lake access facilities, stormwater systems, railroads or other utilities identified by a local government.

Water supply reservoir. A governmentally owned impoundment of water for the primary purpose of providing water to one or more governmentally owned public drinking water systems. This excludes multi-purpose reservoirs owned by the U.S. Army Corps of Engineers.

Water supply watershed. The area of land upstream of a governmentally owned public drinking water intake.

Water supply watershed protection plan. A land use plan prepared and adopted by a local government for the protection of the quality of drinking water obtained from the watershed.

Wetland protection district. All wetlands within Hall County which are indicated on the wetlands protection district overlay map as "wetlands providing significant wildlife habitat and/or which may be subject to extensive mitigation."

Wetlands. Those areas that are inundated or saturated by surface or groundwater at a frequency and duration to support, and that

under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, and that meets the definition of natural conditions. Wetlands may include any area delineated as a wetland by the United States Army Corps of Engineers under their jurisdiction pursuant to Section 404 of the Federal Clean Water Act as amended; or any area shown on a 1:24,000 scale, United States Fish and Wildlife Service National Wetland Inventory Map as being a wetland; or any area shown on a 1:24,000 scale, Georgia Department of Natural Resources land cover database map as being a wetland.

Wetlands, freshwater. A wetland, as defined in this Sec. 6.5.2., that does not include any areas defined as "coastal marshlands" by the State Coastal Marshlands Protection Act.

6.5.3. District Classifications

A. The following are classified as Protected Water Supply Overlay Districts for the purposes of this section:

1. North Oconee Water Supply Watershed District
2. Protected Groundwater Recharge Area District
3. Wetland Protection District

6.5.4. North Oconee Water Supply Watershed District Standards

The North Oconee River Small Water Supply Watershed Overlay District is hereby designated and consist of the land areas that drain to the North Oconee River public water supply intake and water supply reservoir. The boundaries of this overlay are defined by the ridgelines of the respective watershed and the boundary of a radius of seven miles upstream of the respective water supply intake. This district may be further delineated and defined on the Water Supply Watershed Protection Overlay Map of the Hall County Official Zoning

Map, which is hereby incorporated and made a part of this UDC by reference.

A. Use Standards

1. Permitted uses for perennial stream corridors within a seven mile radius upstream of the North Oconee River public drinking water supply intake include all uses allowed in the underlying zoning districts, except for those listed in Sec. 6.5.4.A.3, subject to the following standards:
 - a. A buffer must be maintained for a distance of at least 100 feet on both sides of the stream as measured from the stream banks.
 - b. No impervious surface may be constructed within a 150-foot setback area on both sides of the stream as measured from the stream banks. Septic tanks and septic tank drainfields are not permitted in this setback.
2. Permitted uses for perennial stream corridors outside a seven mile radius upstream of the North Oconee public drinking water supply intake include all uses allowed in the underlying zoning districts, except for those listed in Sec. 6.5.4.A.3., subject to the following standards:
 - a. A buffer must be maintained for a distance of at least 50 feet on both sides of the stream as measured from the stream banks.
 - b. No impervious surface may be constructed within a 75-foot setback area on both sides of the stream as measured from the stream banks. Septic tanks and septic tank drainfields are not permitted in this setback.
3. The following criteria apply to all locations in the North Oconee water supply watershed:

- a. The impervious surface area, including all public and private structures, utilities, or facilities, of the entire water supply watershed is limited to 25 percent of the lot area or existing use, whichever is greater.
 - b. New hazardous waste treatment or disposal facilities are not permitted.
 - c. New sanitary landfills are allowed only if they have synthetic liners and leachate collection systems.
 - d. New facilities located within seven miles of a water supply intake or water supply reservoir which handle hazardous material of the types listed in Section 312 of the Resource Conservation and Recovery Act of 1976 (excluding underground storage tanks) and amounts of 10,000 pounds or more on any one day, must perform their operations on impervious surfaces and in conformance with any applicable federal spill prevention requirements or the requirements of the Standard Fire Prevention Code.
- a. Agricultural activities involving the planting and harvesting of crops or the raising of poultry and livestock are exempted if they conform to the best management practices established by the Georgia Department of Agriculture, and the activity does not impair the quality of the drinking water system.
 - b. Silviculture activities must conform to the best management practices established by the Georgia Forestry Commission and not impair the quality of the drinking water system.
3. Utilities.
 - a. Utilities must be located as far as reasonably possible from the perennial stream bank and must not impair the quality of the drinking water stream.
 - b. Utilities must be installed and maintained without changing the integrity of the buffer and setback areas as much as possible.

6.5.5. Protected Groundwater Recharge Area District Standards

The protected groundwater recharge area overlays are hereby designated and consist of all lands within the jurisdiction of Hall County, Georgia that are mapped as significant recharge areas by the Georgia Department of Natural Resources in Hydrologic Atlas 18, 1989 edition and any amendments to the Atlas after the listed date. These districts may be further delineated and defined on the Ground Water Recharge Area Protection Overlay Map of the Hall County Official Zoning Map, which is hereby incorporated and made a part of this UDC by reference.

A. Use Standards.

B. Exemptions

The following uses are exempt from the stream corridor buffer and setback requirements:

1. Land uses existing prior to March 22, 2001, are exempt from the provisions of water supply watershed protection plans. Any existing structure which is nonconforming with respect to the setback, buffer or impervious surface requirements of this section may be reestablished if damaged or destroyed, provided the degree of nonconformity is not increased with the construction of the replacement structure.
2. Forestry and agricultural activities.

All uses allowed in the underlying zoning districts, except for those listed as prohibited uses below, are permitted in a significant protected groundwater recharge area overlay, subject to the following conditions and standards:

1. The Department of Natural Resources may not issue any permits for new sanitary landfills not having synthetic liners and leachate collection systems.
2. The Department of Natural Resources may not issue any new permits for the land disposal of hazardous waste.
3. The Department of Natural Resources may require all new facilities permitted or to be permitted to treat, store, or dispose of hazardous waste to perform such operations on an impermeable pad having a spill and leak collection system.
4. New above-ground chemical or petroleum storage tanks, having a minimum volume of 660 gallons, must have secondary containment for 110 percent of the volume of such tanks or 110 percent of the volume of the largest tank in a cluster of tanks. (Note: These figures are consistent with US EPA rules for oil pollution prevention, 40 CFR 112.1.) Such tanks used for agricultural purposes are exempt, provided they comply with all federal requirements.
5. New agricultural waste impoundment sites must be lined if they are within:
 - a. A high pollution susceptibility area.
 - b. A medium pollution susceptibility area and exceed 15 acre-feet.
 - c. A low pollution susceptibility area and exceed 50 acre-feet.

As a minimum, the liner must be constructed of compacted clay having a thickness of one-foot and a vertical hydraulic conductivity of less than 5 x

10⁻⁷ cm/sec or other criteria established by the Natural Resources Conservation Service. (The average size of existing agricultural waste impoundments in Georgia is about 15 acre-feet; sheeps-foot rollers or pans with heavy rubber tires, which are normal equipment for most Georgia earth moving contractors, should be able to compact clay to the recommended vertical hydraulic conductivity.)

6. New homes served by a septic tank or drain field system must be on lots having minimum size limitations as follows, based on application of Table MT-1 of the Department of Public Health Manual (DPH Table MT-1). The minimums set forth in DPH Table MT-1 may be increased further based on consideration of other factors (set forth in Sections A-F) of the DPH Manual.
 - a. 150 percent of the district minimum lot size calculated based on application of DPH Table MT-1 if they are within a high pollution susceptibility area.
 - b. 125 percent of the district minimum lot size calculated based on application of DPH Table MT-1 if they are within a medium pollution susceptibility area.
 - c. 110 percent of the district minimum lot size calculated based on application of DPH Table MT-1 if they are within a low pollution susceptibility area.
7. New manufactured home parks served by septic tank or drain field systems must have lots or spaces having the following size limitations as follows, based on application of Table MT-2 of the Department of Public Health Manual (DPH Table MT-2). The minimums set forth in DPH Table MT-2 may be increased further based on

consideration of other factors (set forth in sections A—F) of the DPH manual.

- a. 150 percent of the subdivision minimum lot or space size calculated based on application of DPH Table MT-2 if they are within a high pollution susceptibility area.
- b. 125 percent of the subdivision minimum lot or space size calculated based on application of DPH Table MT-2 if they are within a medium pollution susceptibility area.
- c. 110 percent of the subdivision minimum lot or space size calculated based on application of DPH Table MT-2 if they are within a low pollution susceptibility area.

Each recharge area may be determined to have a pollution susceptibility of high, medium, or low based on the Georgia Pollution Susceptibility Map, Hydrologic Atlas 20, 1992 edition. Said map is hereby adopted and made a part of this section.

8. If Hall County requires a larger lot size than required by this Sec. 6.5.5. for homes or manufactured homes, the larger lot size must be used.
9. No construction may proceed on a building or manufactured home to be served by a septic tank unless the Hall County Health Department first approves the proposed septic tank installation as meeting the requirements of the DPH Manual and this Sec. 6.5.5.
10. New facilities which handle hazardous material of the types listed in Section 312 of the Resource Conservation and Recovery Act of 1976 (excluding underground storage tanks) and amounts of ten thousand (10,000) pounds or more on any one day, must

perform their operations on impervious surfaces in conformance with any applicable federal spill prevention requirements or the requirements of the Standard Fire Prevention Code.

11. The Department of Natural Resources may require conservative design in any new permits for the spray irrigation of wastewater or the land spreading of wastewater sludge in areas having high pollution susceptibility. This may be accomplished by comparing the Department's Criteria for Slow Rate Land Treatment (February, 1986 or latest edition) with amendments and other technical publications to site specific information submitted by a registered professional engineer for each project.
 12. Permanent stormwater infiltration basins may not be constructed in areas having high pollution susceptibility.
 13. Exclusive of mining settling basins, new wastewater treatment basins must have an impermeable liner in areas having high pollution susceptibility.
- B. Any lot of record approved prior to the date of the adoption of this resolution may be exempt from the lot size standards in 6. and 7. above.

6.5.6. Wetland Protection District Standards

Wetland protection district overlays are hereby designated and consist of all wetlands as indicated on the generalized wetlands map, as defined herein and located within the jurisdiction of Hall County. These districts may be further delineated and defined on the Wetland Protection District Overlay Map of the Hall County Official Zoning Map, which is hereby incorporated and made a part of this UDC by reference.

The generalized wetland map is a general reference document and wetland boundaries indicated on the map are approximations. The purpose of the generalized wetland map is to alert developers or landowners if they are within proximity to a wetland, which means that there is a high likelihood of the presence of a jurisdictional wetland and a need for the developer or landowner to seek U.S. Army Corps of Engineers guidance as to whether a Section 404 Permit will be required prior to any activity. The generalized wetland map does not necessarily represent the exact boundaries of jurisdictional wetlands within Hall County and cannot serve as a substitute for a delineation of wetland boundaries by the U.S. Army Corps of Engineers, as required by Section 404 of the Clean Water Act, as amended. Any local government action under this section does not relieve the landowner from federal and state permitting requirements.

A. Local development permits.

1. No regulated activity may be permitted within the wetland protection district without prior approval by Hall County in the form of a local development permit. Issuance of a local development permit is contingent on full compliance with the terms of this Sec. 6.5. and all other applicable regulations. All activities which are not exempted below are prohibited without prior issuance of a local development permit.
2. Prior to the issuance of a local development permit, the Director of Planning and Zoning must assess whether the proposed activity is of a type that could result in a disturbance of wetlands and, if so, must also assess whether the proposed activity is located with the wetland protection district or within 50 feet of the district.
3. If the Director of Planning and Zoning determines that the proposed activity

is of a type that could not result in a disturbance of wetlands, or if the proposed activity is not located within the wetland protection district or within 50 feet of the wetland protection district, the normal procedures for issuing a development permit must be followed.

4. If the Director of Planning and Zoning determines that the proposed activity is of a type that could result in a disturbance of wetlands and that the proposed activity is located within the wetland protection district, or within 50 feet of the wetland protection district, a U.S. Army Corps of Engineers jurisdictional wetland determination must be required prior to issuance of a local development permit.
 - a. If the U.S. Army Corps of Engineers determines that a Department of the Army permit is required, a local development permit may be issued only following issuance of the Department of Army permit.
 - b. If the U.S. Army Corps of Engineers determines that the proposed activity would not require a Department of Army permit, the Department of Planning and Zoning may proceed with normal procedures for issuing a local development permit.

B. Uses

1. All uses allowed in the underlying zoning districts, except for those listed as prohibited uses in Sec. 6.5.6.C, are permitted in the wetland protection district overlay subject to the following standards:
 - a. No development permit may be issued on a project that appears to contain wetlands until a determination has been made by the Army Corps of Engineers on whether jurisdictional wetlands

- exist on the site. If there are jurisdictional wetlands on the site that will be disturbed by the proposed development, the applicant must obtain a wetlands alteration Section 404 permit from the corps of engineers.
- b. If a project appears to contain wetlands, the following note must be printed in bold-face type on all development plans: “This site contains wetlands. The applicant will first obtain a wetland alteration Section 404 permit from the Corps of Engineers prior to disturbing any jurisdictional wetlands.”
 - c. Use of wetland areas without long term impairment is permitted. Acceptable uses may include:
 - i. Timber production and harvesting.
 - ii. Wildlife and fisheries management.
 - iii. Wastewater treatment.
 - iv. Recreational uses.
 - v. Natural water quality treatment or purification.
 - vi. Other uses permitted under Section 404 of the Clean Water Act.
- C. In the Wetland Protection District Overlay, the following are considered prohibited uses:
1. Receiving areas for toxic or hazardous waste or other contaminants.
 2. Hazardous or sanitary waste landfills.

6.5.7. Other Standards

See Article 2 (Rules Common to All Districts) and Article 7 (Use Provisions) and Article 8 (Site Development) for additional standards which may be applicable.

Article 7. Use Provisions

Table of Contents

Sec. 7.1. Use Classification.....	7-3	7.6.5. Research and Development.....	7-60
7.1.1. Principal Uses.....	7-3	7.6.6. Storage Lot.....	7-60
7.1.2. Accessory Uses.....	7-3	7.6.7. Self-Service Storage.....	7-61
7.1.3. Temporary Uses.....	7-3	7.6.8. Warehouse and Distribution.....	7-61
7.1.4. Principal Uses Not Listed.....	7-3	7.6.9. Waste Related Services.....	7-62
7.1.5. Accessory Uses Not Listed.....	7-4	7.6.10. Wholesale.....	7-64
7.1.6. Legacy Uses.....	7-4	Sec. 7.7. Agricultural Uses.....	7-65
7.1.7. Use Table Key.....	7-5	7.7.1. Agriculture, General.....	7-65
Sec. 7.2. Allowed Use Table.....	7-6	7.7.2. Equestrian Center.....	7-65
7.2.1. Allowed Use Table.....	7-6	7.7.3. Agri-entertainment Events.....	7-65
Sec. 7.3. Residential Uses.....	7-14	7.7.4. Farm Winery.....	7-66
7.3.1. Household Living.....	7-14	7.7.5. Sawmill.....	7-67
7.3.2. Group Living.....	7-16	Sec. 7.8. Accessory Uses.....	7-68
Sec. 7.4. Public/Institutional Uses.....	7-20	7.8.1. General.....	7-68
7.4.1. Civic.....	7-20	7.8.2. Accessory Structure.....	7-68
7.4.2. Parks and Open Space.....	7-21	7.8.3. Accessory Dwelling Unit (ADU)....	7-68
7.4.3. Major Utilities.....	7-22	7.8.4. Caretaker’s Residence.....	7-68
7.4.4. Small Wireless Facil. and Antennas ..	7-23	7.8.5. Drive-Thru Facility.....	7-69
7.4.5. Telecomm. Antennas and Towers	7-33	7.8.6. Garage, Private.....	7-69
Sec. 7.5. Commercial Uses.....	7-47	7.8.7. Garden.....	7-69
7.5.1. Adult Establishment.....	7-47	7.8.8. Guest House.....	7-69
7.5.2. Day Care.....	7-47	7.8.9. Home-Based Business.....	7-69
7.5.3. Event Facility.....	7-48	7.8.10. Institutional Accessory Uses.....	7-73
7.5.4. Indoor Recreation.....	7-48	7.8.11. Keeping of Livestock and Poultry... 7-	73
7.5.5. Lodging.....	7-49	7.8.12. Modular Offices/Classrooms.....	7-74
7.5.6. Medical.....	7-49	7.8.13. On-Site Parking.....	7-74
7.5.7. Office.....	7-49	7.8.14. Outdoor Storage, Minor.....	7-74
7.5.8. Personal Service.....	7-50	7.8.15. Outdoor Storage, Major.....	7-75
7.5.9. Outdoor Recreation.....	7-53	7.8.16. Religious Accessory Uses.....	7-75
7.5.10. Eating and Drinking Est.....	7-53	7.8.17. Short Term Rental.....	7-75
7.5.11. Retail Sales.....	7-54	7.8.18. Swimming Pool, Hot tub, and Spa... 7-	75
7.5.12. Vehicular.....	7-55	Sec. 7.9. Temporary Uses.....	7-77
Sec. 7.6. Industrial Uses.....	7-58	7.9.1. Farmers' Market.....	7-77
7.6.1. Craft Manufacturing.....	7-58	7.9.2. Mobile Food Establishment.....	7-77
7.6.2. Data Center.....	7-58	7.9.3. Garden Market.....	7-77
7.6.3. Heavy Industrial.....	7-58	7.9.4. Temporary Buildings.....	7-77
7.6.4. Light Industrial.....	7-59	7.9.5. Temporary Events.....	7-79
		7.9.6. Yard/Garage Sales.....	7-79

Sec. 7.1. Use Classification

7.1.1. Principal Uses

- A. In order to regulate a variety of similar uses, use categories have been established for principal uses. Use categories provide a systematic basis for assigning uses to appropriate categories with other, similar uses. Use categories classify principal uses and activities based on common functional, product or physical characteristics.
- B. Where a use category contains a list of included uses, the list is to be considered example uses, and not all-inclusive. The Director has the responsibility for categorizing all uses.
- C. The allowed use table in Sec. 7.2. establishes permitted uses by zoning district. No building or lot may be used except for a purpose permitted in the district in which it is located. Principal uses not specifically listed must be approved by the Director in accordance with Sec. 7.1.4.
- D. Permitted uses may be further restricted as specified in Article 6 (Special and Overlay Districts).
- E. Use definitions and use standards for principal uses are specified in Sec. 7.3. (Residential Uses) through Sec. 7.7. (Agricultural Uses).

7.1.2. Accessory Uses

- A. An accessory use is any use that is subordinate in both purpose and size, incidental to and customarily associated with a permitted principal use located on the same lot.
- B. The allowed use table in Sec. 7.2. establishes permitted accessory uses by district, except as may be further

restricted in Article 6 (Special and Overlay Districts).

- C. Use definitions and use standards for accessory uses are specified in Sec. 7.8.

7.1.3. Temporary Uses

- A. A temporary use is a use that is in place for a limited period only.
- B. The allowed use table in Sec. 7.2. establishes permitted accessory uses by district, except as may be further restricted in Article 6 (Special and Overlay Districts).
- C. Use definitions and use standards for temporary uses are specified in Sec. 7.9.

7.1.4. Principal Uses Not Listed

- A. A principal use not specifically listed is prohibited unless the Director determines the use to be part of a use category as described below.
- B. The Director is responsible for categorizing all principal uses. If a proposed use is not listed but is similar to a listed use, the Director may consider the proposed use part of that use category. When determining whether a proposed use is similar to a listed use, the Director must consider the following criteria:
 1. The actual or projected characteristics of the proposed use;
 2. The relative amount of site area or floor area and equipment devoted to the proposed use;
 3. Relative amounts of sales;
 4. The customer type;
 5. The relative number of employees;
 6. Hours of operation;
 7. Building and site arrangement;

8. Types of vehicles used and their parking requirements;
 9. The number of vehicle trips generated;
 10. How the proposed use is advertised;
 11. The likely impact on surrounding properties; and
 12. Whether the activity is likely to be found independent of the other activities on the site.
- C. Where a use not listed is found by the Director not to be similar to any other permitted use, the Director may petition the Planning Commission for review and consideration of such determination. (See Sec. 11.2.).
- D. Where a use not listed is found by the Planning Commission not to be similar to any other permitted use, the use is only permitted following a text amendment to this UDC.

7.1.5. Accessory Uses Not Listed

- A. An accessory use not specifically listed is prohibited unless the Director determines the accessory use:
1. Is clearly incidental to and customarily found in connection with an allowed principal use;
 2. Is subordinate to and serving an allowed principal use;
 3. Is subordinate in area, extent, and purpose to the principal use served;
 4. Contributes to the comfort, convenience or needs of occupants, business or industry in the principal use served; and
 5. Is located on the same lot as the principal use served.

7.1.6. Legacy Uses

An applicant may establish or expand a business in any zoning district where the

below criteria are met, irrespective of the limitations of the Allowed Use Table in Sec. 7.2. These criteria are intended to allow existing commercial buildings to be utilized to incubate small businesses and artisans reflective of their traditional roles as community focal points, as a tool for economic development, and as an important component of the local identity.

- A. Legacy Uses are considered conditional uses permits and as such are subject to approval from the Planning Commission in accordance with Sec. 11.2.
- B. The use is limited to any of the following:
1. Restaurant.
 2. General retail.
 3. Craft manufacturing.
 4. Office.
- C. The use will occupy a principal building constructed prior to January 1, 1978; which was built or modified to include commercial space that faces and is directly accessible from the adjacent public right-of-way; and where it can be shown that a lawful commercial use occupies, or previously occupied, the commercial space.
- D. The use must meet all parking requirements of this UDC.
- E. The use may re-use an existing nonconforming sign, but new signs must comply with the sign provisions of this UDC. Request for re-use of such nonconforming signs must be included in the application for Legacy Use submitted to the Department of Planning and Zoning.
- F. Any nonconforming outdoor lighting, fence, or parking lot must be brought into conformance with this UDC prior to the issuance of a certificate of occupancy.

7.1.7. Use Table Key

A. Permitted Use (P)

Indicates a use is permitted in the respective district. The use is also subject to all other applicable requirements of this UDC.

B. Special Use (SU)

Indicates a use may be permitted in the respective district only where approved by the County Board of Commissioners in accordance with Sec. 11.2. Special uses are subject to all other applicable requirements of this UDC, including any applicable use standards, except where the use standards are expressly modified by the County Commission as part of the approval.

C. Conditional Use Permit (CUP)

Indicates a use is permitted in the respective district only when approved by the Planning Commission and subject to all other applicable requirements of this UDC, including the standards for such uses, except where the use standards are expressly modified by the Planning Commission as a part of the conditional use permit approval.

D. Use Not Permitted

A "--" in a cell indicates that a use is not permitted in the respective district.

Sec. 7.2. Allowed Use Table

Key: P = Permitted Use SU = Special Use CUP = Conditional Use Permit “-” = Not permitted																
	Rural		Residential							Mixed-Use & Business						Definition/ Standards
Use Category Specific Use	AG-1	AR-1	V-C	R-1-L	R-1	R-TF	R-X	R-MF	MHP	O-I	S-S	H-B	M-U	I-1	I-2	
Residential Uses																
All household living, as listed below:																Sec. 7.3.1.A
Single-family detached dwelling	P	P	P	P	P	P	P	P	P	CUP	--	--	P	--	--	Sec. 7.3.1.B
Mobile home	P	P	--	P	--	--	--	--	P	--	--	--	--	--	--	Sec. 7.3.1.C
Manufactured home	P	P	--	P	--	--	--	--	P	--	--	--	--	--	--	Sec. 7.3.1.D
Two-family dwelling	--	--	--	--	--	P	P	P	--	CUP	--	--	P	--	--	Sec. 7.3.1.E
Townhouse	--	--	--	--	--	--	P	P	--	CUP	--	--	P	--	--	Sec. 7.3.1.F
Multi-family dwellings	--	--	--	--	--	--	P	P	--	CUP	--	--	P	--	--	Sec. 7.3.1.G
Live-Work	SU	SU	SU	SU	SU	SU	SU	SU	SU	CUP	--	--	CUP	--	--	Sec. 7.3.1.H
Cottage Court	--	--	--	--	--	--	CUP	--	--	--	--	--	CUP	--	--	Sec. 7.3.1.I
All group living, as listed below:																Sec. 7.3.2
Boardinghouse	SU	SU	SU	SU	SU	--	SU	SU	--	--	--	--	--	--	--	Sec. 7.3.2.B
Community Residence	P	P	P	P	P	P	P	P	P	--	--	--	--	--	--	Sec. 7.3.2.C
Group home	SU	SU	SU	SU	SU	--	SU	SU	--	--	--	--	--	--	--	Sec. 7.3.2.D
Institutional residential	SU	SU	SU	SU	SU	SU	SU	SU	--	P	--	--	--	--	--	Sec. 7.3.2.E
Emergency Shelter	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU	--	--	Sec. 7.3.2.F
Public/Institutional Uses																
All civic, as listed below:																Sec. 7.4.1.A
Fraternal organization and club, non-profit	--	CUP	CUP	--	--	CUP	--	CUP	--	P	P	P	P	P	P	Sec. 7.4.1.B
Place of worship	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 7.4.1.C
Community center	SU	SU	SU	SU	SU	SU	SU	SU	SU	P	P	P	P	P	P	Sec. 7.4.1.D

Key: P = Permitted Use SU = Special Use CUP = Conditional Use Permit “-” = Not permitted																
	Rural		Residential							Mixed-Use & Business						
Use Category Specific Use	AG-1	AR-1	V-C	R-1-L	R-1	R-TF	R-X	R-MF	MHP	O-I	S-S	H-B	M-U	I-1	I-2	Definition/ Standards
Colleges, public or private	P	--	--	--	--	--	--	--	--	P	P	P	P	P	--	Sec. 7.4.1.E
Non-profit private clubhouse	P	P	P	P	P	P	P	P	P	--	--	--	P	--	--	Sec. 7.4.1.F
Public buildings and uses	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 7.4.1.G
Museum, library, private	SU	SU	SU	SU	SU	SU	SU	SU	SU	P	P	P	P	P	--	Sec. 7.4.1.H
School, private	SU	SU	SU	SU	SU	SU	SU	SU	SU	P	P	P	P	P	--	Sec. 7.4.1.I
All parks and open space, as listed below:																Sec. 7.4.2.A
Cemetery, private	SU	SU	SU	SU	SU	SU	SU	SU	--	--	P	P	--	P	P	Sec. 7.4.2.B
Marina	SU	SU	SU	SU	SU	SU	SU	SU	--	--	P	P	P	P	P	Sec. 7.4.2.C
Parks, plaza, square	P	P	P	P	P	P	P	P	P	P	P	P	P	--	--	Sec. 7.4.2.D
Playground	--	--	--	--	--	--	--	--	--	SU	SU	SU	SU	--	--	Sec. 7.4.2.E
Open space, private	P	P	P	P	P	P	P	P	P	P	P	P	P	--	--	Sec. 7.4.2.F
Major utilities, private	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU	Sec. 7.4.3
Major utilities, public	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 7.4.3
Small wireless facilities and antennas	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 7.4.4
Telecommunications antennas and towers	SU	SU	--	--	--	--	--	--	--	--	SU	SU	--	SU	SU	Sec. 7.4.5
Commercial Uses																
Adult establishment	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	Sec. 7.5.1
All day care, as listed below:																Sec. 7.5.2
Adult care centers	SU	SU	SU	SU	SU	SU	SU	SU	--	P	--	--	P	P	P	Sec. 7.5.2.B
Day care centers	SU	SU	SU	SU	SU	SU	SU	SU	SU	P	P	P	P	P	--	Sec. 7.5.2.C
Family day care facility	P	P	P	P	P	P	P	P	P	SU	--	--	P	--	--	Sec. 7.5.2.D

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Group day care facility	SU	SU	SU	SU	SU	SU	SU	SU	--	P	P	P	P	P	--	Sec. 7.5.2.E
Nursery, kindergarten	SU	SU	SU	SU	SU	SU	SU	SU	SU	P	P	P	P	P	--	Sec. 7.5.2.F
All event facilities	SU	SU	SU	--	--	--	--	--	--	SU	SU	SU	SU	SU	--	Sec. 7.5.3
Indoor Recreation, except as listed below:	--	--	--	--	--	--	--	--	--	CUP	P	P	P	P	P	Sec.7.5.4
Commercial amusement, indoor	--	--	--	--	--	--	--	--	--	P	P	P	P	P	P	Sec. 7.5.4.B
Concert hall, auditorium	--	--	--	--	--	--	--	--	--	CUP	P	P	CUP	P	P	Sec. 7.5.4.C
Indoor shooting range	--	--	--	--	--	--	--	--	--	SU	--	SU	--	P	P	Sec.7.5.4.E
Theater	--	--	--	--	--	--	--	--	--	P	P	P	P	P	P	Sec.7.5.4.G
Hotels, motels	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	Sec. 7.5.5.B
Bed and breakfast	CUP	CUP	CUP	CUP	CUP	CUP	CUP	--	--	--	--	CUP	CUP	--	--	Sec. 7.5.5.C
All medical, except as listed below:	--	--	--	--	--	--	--	--	--	P	P	P	P	P	P	Sec. 7.5.6
Hospital	--	--	--	--	--	--	--	--	--	SU	--	SU	--	SU	--	Sec. 7.5.6
All office, except as listed below	--	--	--	--	--	--	--	--	--	P	P	P	P	P	P	Sec. 7.5.7.A
Financial institutions	--	--	--	--	--	--	--	--	--	P	P	P	P	--	--	Sec. 7.5.7.B
Radio, film, recording, and television studios and stations	--	--	--	--	--	--	--	--	--	P	P	P	P	P	P	Sec. 7.5.7.C
Trade, vocational, business school	--	--	--	--	--	--	--	--	--	P	P	P	P	P	P	Sec. 7.5.7.D
All personal service, except as listed below:	--	--	--	--	--	--	--	--	--	P	P	P	P	P	P	Sec. 7.5.8.A
Animal care (indoor)	CUP	CUP	--	--	--	--	--	--	--	P	P	P	CUP	P	P	Sec. 7.5.8.B

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Animal care (outdoor)	CUP	CUP	--	--	--	--	--	--	--	CUP	CUP	P	--	P	P	Sec. 7.5.8.C
Catering service	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	Sec. 7.5.8.D
Funeral home	--	--	--	--	--	--	--	--	--	P	--	P	--	P	P	Sec. 7.5.8.F
Private morgue, mortuary, crematorium	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	Sec. 7.5.8.G
Laundry and Dry Cleaning	--	--	--	--	--	--	--	--	--	--	P	P	--	P	P	Sec. 7.5.8.H
Psychic, fortune teller	--	--	--	--	--	--	--	--	--	--	--	SU	--	P	P	Sec. 7.5.8.L
Tattoo parlor or body piercing	--	--	--	--	--	--	--	--	--	--	SU	SU	--	SU	SU	Sec. 7.5.8.N
Outdoor recreation, except as listed below:	--	--	--	--	--	--	--	--	--	SU	SU	SU	SU	SU	SU	Sec. 7.5.9
Outdoor shooting range	--	--	--	--	--	--	--	--	--	--	--	--	--	SU	SU	Sec. 7.5.9.B
Travel trailer park, campground, recreational vehicle park	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	--	--	--	--	--	--	--	Sec. 7.5.9.C
All eating and drinking, except as listed below:	--	--	--	--	--	--	--	--	--	SU	P	P	P	--	--	Sec. 7.5.10.A
Brewpub	--	--	--	--	--	--	--	--	--	--	SU	SU	SU	SU	--	Sec. 7.5.10.B
Drive-in restaurant	--	--	--	--	--	--	--	--	--	--	P	P	SU	--	--	Sec. 7.5.10.C
All retail, except as listed below:	--	--	--	--	--	--	--	--	--	--	P	P	P	P	--	Sec. 7.5.11.A
Bakery	CUP	CUP	--	--	--	--	--	--	--	--	P	P	P	--	--	Sec. 7.5.11.C
Pawn shop, pawn broker, title pawn, title loan, check cashing	--	--	--	--	--	--	--	--	--	--	SU	SU	SU	P	P	Sec. 7.5.11.D
Smoke or vape shop	--	--	--	--	--	--	--	--	--	--	SU	SU	SU	P	P	Sec. 7.5.11.E

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All vehicular, as listed below:																Sec. 7.5.12
Boat and recreational vehicle sales, rental, or service	--	--	--	--	--	--	--	--	--	--	P	P	SU	P	P	Sec. 7.5.12.B
Car wash	--	--	--	--	--	--	--	--	--	--	P	P	SU	P	P	Sec. 7.5.12.C
Fuel sales	--	--	--	--	--	--	--	--	--	--	SU	SU	SU	P	P	Sec. 7.5.12.D
Service Station	--	--	--	--	--	--	--	--	--	--	SU	SU	SU	P	P	Sec. 7.5.12.E
Truck stop	--	--	--	--	--	--	--	--	--	--	--	SU	--	P	P	Sec. 7.5.12.F
Vehicle sales, rental, or auction	--	--	--	--	--	--	--	--	--	--	--	P	--	P	P	Sec. 7.5.12.F
Vehicle repair, minor	--	--	--	--	--	--	--	--	--	--	SU	P	--	P	P	Sec. 7.5.12.H
Vehicle repair, major	--	--	--	--	--	--	--	--	--	--	--	SU	--	P	P	Sec. 7.5.12.I
Industrial Uses																
All craft manufacturing	CUP	CUP	--	--	--	--	--	--	--	--	CUP	CUP	--	P	P	Sec. 7.6.1
All data center	--	--	--	--	--	--	--	--	--	--	--	--	--	SU	SU	Sec. 7.6.2
All heavy industrial, except as listed below	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	Sec. 7.6.3
Asphalt emulsion	--	--	--	--	--	--	--	--	--	--	--	--	--	SU	SU	Sec. 7.6.3.B
Airport	--	--	--	--	--	--	--	--	--	--	--	--	--	--	SU	Sec. 7.6.3.A.1
Airfield, private	SU	SU	--	--	--	--	--	--	--	--	--	--	--	--	SU	Sec. 7.6.3.A.2
All light industrial uses, except as listed below	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	Sec. 7.6.4.A
Brewery, winery, distillery	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	Sec. 7.6.4.B
Micro-brewery	--	--	--	--	--	--	--	--	--	--	--	SU	SU	P	P	Sec. 7.6.4.D
Micro-distillery	--	--	--	--	--	--	--	--	--	--	--	SU	SU	P	P	Sec. 7.6.4.E

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	Rural		Residential							Mixed-Use & Business						
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All research and development	SU	--	--	--	--	--	--	--	--	SU	--	--	--	P	P	Sec. 7.6.5
All storage lots, except as listed below:	--	--	--	--	--	--	--	--	--	--	--	SU	--	P	P	Sec. 7.6.6
Storage of soil, mulch or lumber, including the splitting of logs	P	P	--	--	--	--	--	--	--	--	--	--	--	P	P	Sec. 7.6.6.A.6
Truck terminal	--	--	--	--	--	--	--	--	--	--	--	SU	--	P	P	Sec. 7.6.6.D
Truck yard	--	--	--	--	--	--	--	--	--	--	--	SU	--	P	P	Sec. 7.6.6.E
All self-service storage	--	--	--	--	--	--	--	--	--	--	SU	SU	--	P	P	Sec. 7.6.7
All warehouse and distribution	--	--	--	--	--	--	--	--	--	--	--	SU	--	P	P	Sec. 7.6.8
All waste related services, except as listed below:	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	Sec. 7.6.9.A
Composting of organic materials	P	P	--	--	--	--	--	--	--	--	--	--	--	P	P	Sec. 7.6.9.B
Junk or salvage yard	--	--	--	--	--	--	--	--	--	--	--	--	--	--	SU	Sec. 7.6.9.C
Slow rate land treatment system	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU	Sec. 7.6.9.D
Waste-related energy recovery or production	SU	--	--	--	--	--	--	--	--	--	--	--	--	SU	SU	Sec. 7.6.9.E
All wholesale	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	Sec. 7.6.10
Agricultural Uses																
Agriculture, general	P	P	P	P	P	P	P	P	P	--	--	--	--	--	--	Sec. 7.7.1
Equestrian center	SU	SU	--	--	--	--	--	--	--	--	--	--	--	--	--	Sec. 7.7.2
Agri-entertainment events	SU	SU	--	--	--	--	--	--	--	--	--	--	--	--	--	Sec. 7.7.3

Key: P = Permitted Use SU = Special Use CUP = Conditional Use Permit “-” = Not permitted																
	Rural		Residential							Mixed-Use & Business						
Use Category Specific Use	AG-1	AR-1	V-C	R-1-L	R-1	R-TF	R-X	R-MF	MHP	O-I	S-S	H-B	M-U	I-1	I-2	Definition/ Standards
Farm winery	SU	SU	--	--	--	--	--	--	--	--	--	--	--	--	--	Sec. 7.7.4
Sawmill	SU	SU	--	--	--	--	--	--	--	--	--	--	--	--	--	Sec. 7.7.5
Accessory Uses																
Accessory uses not listed below, as determined by the Director	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 7.1.5
Accessory structure	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 7.8.2
Accessory dwellings units (ADU).	P	P	P	P	P	--	P	--	--	--	--	--	P	--	--	Sec. 7.8.3
Caretaker’s residence	SU	SU	--	--	--	--	--	--	--	SU	--	SU	--	SU	SU	Sec. 7.8.4
Drive-thru facility	--	--	--	--	--	--	--	--	--	P	P	P	SU	P	P	Sec. 7.8.5
Garage, private	P	P	P	P	P	P	P	P	P	--	--	--	P	--	--	Sec. 7.8.6
Garden	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 7.8.7
Guest house	P	P	P	P	P	--	P	--	--	--	--	--	--	--	--	Sec. 7.8.8
Home-based business, as listed below																Sec. 7.8.9
Home office	P	P	P	P	P	P	P	P	P	--	--	--	P	--	--	Sec. 7.8.9.B
Home occupation	P	P	P	P	P	P	P	P	P	P	--	--	P	--	--	Sec. 7.8.9.C
Residential business	P	CUP	CUP	--	CUP	CUP	--	CUP	--	--	--	--	CUP	--	--	Sec. 7.8.9.D
Rural business	P	CUP	--	--	--	--	--	--	--	--	--	--	--	--	--	Sec. 7.8.9.E
Institutional accessory uses	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 7.8.10
Keeping of livestock and poultry	P	P	P	P	P	P	P	P	P	--	--	--	--	--	P	Sec. 7.8.11
Modular offices/classrooms	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU	Sec. 7.8.12
On-site parking	P	P	--	--	--	--	--	--	--	P	P	P	P	P	P	Sec. 7.8.13
Outdoor storage, minor	P	P	--	--	--	--	--	--	--	P	P	P	P	P	P	Sec. 7.8.14
Outdoor storage, major	--	--	--	--	--	--	--	--	--	SU	SU	SU	SU	P	P	Sec. 7.8.15

Key: P = Permitted Use SU = Special Use CUP = Conditional Use Permit “-” = Not permitted																
	Rural		Residential							Mixed-Use & Business						
Use Category Specific Use	AG-1	AR-1	V-C	R-1-L	R-1	R-TF	R-X	R-MF	MHP	O-I	S-S	H-B	M-U	I-1	I-2	Definition/ Standards
Religious accessory uses	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 7.8.16
Short-term rental	P	P	P	P	P	P	P	P	P	--	--	--	--	--	--	Sec. 7.8.17
Swimming pool, hot tub, spa	P	P	P	P	P	P	P	P	P	--	--	--	P	--	--	Sec. 7.8.18
Temporary Uses																
Farmer’s market	P	P	--	--	--	--	--	--	--	SU	SU	SU	SU	SU	SU	Sec. 7.9.1
Mobile food establishment	CUP	CUP	--	--	--	--	--	--	--	P	P	P	P	P	P	Sec. 7.9.2
Garden market	P	P	--	--	--	--	--	--	--	SU	SU	SU	SU	SU	SU	Sec. 7.9.3
Temporary buildings, as listed below																
Construction trailer, 12 months or less	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	P	P	P	P	P	P	Sec. 7.9.4.B
Construction trailer, more than 12 months	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	Sec. 7.9.4.B
Sales office, 12 months or less	--	--	P	P	P	P	P	P	P	--	--	--	P	--	--	Sec. 7.9.4.C
Temporary events, 90 days or less	P	P	--	--	--	--	--	--	--	P	P	P	P	--	--	Sec. 7.9.5
Temporary events, more than 90 days	CUP	CUP	--	--	--	--	--	--	--	CUP	CUP	CUP	CUP	--	--	Sec. 7.9.5
Yard/garage sales	P	P	P	P	P	P	P	P	P	--	--	--	--	--	--	Sec. 7.9.6
Other																
Conservation Subdivision	--	--	SU	--	SU	--	--	--	--	--	--	--	--	--	--	Sec. 4.8
Subdivision, residential	SU	SU	SUP	SUP	SUP	SUP	SUP	SUP	--	SU	--	--	SU	--	--	Article 9
Subdivision, non-residential	--	--	--	--	--	--	--	--	--	SU	SU	SU	SU	SU	SU	Article 9
Minor subdivision	P	P	SUP	SUP	SUP	SUP	SUP	SUP	--	--	--	--	--	--	--	Sec. 12.2

Sec. 7.3. Residential Uses

7.3.1. Household Living

A. Defined

Occupancy of a dwelling unit by a household. Household living includes the following:

1. Single-family dwelling.
2. Mobile home.
3. Manufactured home.
4. Two-family dwelling.
5. Townhouse.
6. Multi-family dwelling.
7. Live-work.
8. Cottage Court.

B. Single-Family Dwelling

1. Defined

A detached dwelling on its own lot, other than a mobile home, modular home, or travel trailer, designed and used for permanent occupancy by one family.

C. Mobile Home

1. Defined

A dwelling manufactured prior to June 15, 1976, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width or 40 body feet or more in length, or when erected on-site, is 320 or more square feet in floor area, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating, air-conditioning, and electrical systems contained therein.

D. Manufactured Home

1. Defined

A dwelling fabricated in an off-site facility for installation or assembly at the building site, bearing a label certifying that it is constructed in compliance with the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5401, et seq.), which first became effective on June 15, 1976. The term "manufactured home" includes a structure, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width or 40 body feet or more in length, or when erected on-site, is 320 or more square feet in floor area, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating, air-conditioning, and electrical systems contained therein, except that such term includes any structure which meets all the requirements of this definition except the size requirement and with respect to which the manufacturer voluntarily files a certification required by the Federal Secretary of Housing and Urban Development and complies with the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974.

E. Two-Family Dwelling

1. Defined

A detached dwelling designed and used for permanent occupancy by two

families living independently of each other.

F. Townhouse

1. Defined

A building containing three or more attached dwelling units in which each unit is designed and used for permanent occupancy by one family, each unit is located on an individual lot and has its own front and rear access to the outside, no unit is located over another unit, and each unit is separated from any other unit by one or more vertical common walls. This definition also includes the terms “single-family attached” or “zero-lot line”.

2. Use Standards

- a. No individual building may contain more than 6 attached units.
- b. When more than one principal building is constructed on a lot, buildings must be separated by at least 10 feet.
- c. Common parking areas must be located to the side or rear of the dwellings. Access to parking areas must be provided by a shared driveway or alley at least 20 feet in width.
- d. Driveway access for individual units is not permitted when located along a public street and must be located to the rear of the dwelling. Access must be provided by a shared driveway or alley at least 20 feet in width.
- e. Buildings containing more than three attached units must be designed so that facades and roofs are staggered or offset by at least 3 feet for every grouping of three units.

- f. When subdivided fee simple, each townhouse lot must be at least 2,000 square feet in area.

G. Multi-Family Dwelling

1. Defined

A building or lot designed and used for permanent occupancy by three or more families living independently of each other in attached or detached units, and not otherwise meeting the definition of townhouse.

2. Use Standards

- a. Multi-family dwellings must be developed with adequate provisions for access and for adequate protection of the surrounding properties.
- b. When more than one principal building is constructed on a lot, the buildings must collectively and individually adhere to the setback requirements of the district in which they are located.
- c. When more than one principal building is constructed on a lot, external areas must be lighted.
- d. When more than one principal building is constructed on a lot, buildings must be separated by at least 10 feet.
- e. When swimming facilities are provided, they must be enclosed by a fence at least 4 feet high. Fences must include a self-latching or self-closing gate.
- f. Areas not utilized for buildings, off-street parking, or off-street loading must be landscaped and maintained by the property owner.
- g. Off-street loading, unloading, and service areas are required in accordance with Sec. 8.1.5.

H. Live-Work

1. Defined

Nonresidential activity conducted wholly within a dwelling unit that allows employees, customers, clients or patrons to visit.

2. Use Standards

- a. Live-work is only permitted on the ground floor of a dwelling unit.
- b. A minimum of one person must occupy the dwelling containing the live-work use as their primary place of residence.
- c. The live-work use may employ no more than two persons not living on the premises at any one time.
- d. No business storage or warehousing of material, supplies or equipment is permitted outside of the dwelling containing the live-work use.
- e. The nonresidential use of the live-work use is limited to a permitted or special use allowed in the zoning district.
- f. No equipment or process may be used that creates, without limitation, noise, dust, vibration, glare, fumes, odors, or electrical interference detectable to the normal human senses, off the premises.
- g. No more than five customers are permitted on the premises at any one time.

I. Cottage Court

1. Defined

Clustered groups of smaller detached dwellings arranged around a central common area such as a park, commons, courtyard, or garden.

2. Use Standards

- a. At least 4 and no more than 12 detached dwelling units are permitted for each central common area.
 - i. When more than one cottage court is developed on a lot, each cluster must be accessible from a public right-of-way or shared private driveway with access to a public right-of-way.
- b. Each dwelling unit must have frontage on and direct access to the central common area.
- c. Front porches must be provided for each individual dwelling unit.
- d. Common areas must be provided at a ratio of 600 square feet for each dwelling unit. No common area may be less than 3,000 square feet.
- e. Common areas should consist of pervious materials except for walkways, trails, benches, decorative elements, and other impervious materials as approved by the Director.
- f. Common parking areas must be located to the side or rear of the dwellings. Access to parking areas must be provided by a shared driveway or alley at least 20 feet in width.
- g. Individual parking areas, where provided, must be located to the side or rear of the dwelling. Access must be provided by a shared driveway or alley at least 20 feet in width.

7.3.2. Group Living

A. Defined

Residential occupancy of a structure by a group of people that does not meet the

definition of household living. Generally, group living facilities have a common eating area for residents, and residents may receive care or training.

The Fair Housing Act (42 U.S.C. Section 3604(f)(3)) makes it unlawful to make a dwelling unavailable to a person because of race, color, national origin, sex, familial status, handicap or disability. No policy or practice of this UDC is intended to have a disparate impact on a protected class. Further, in order to avoid prohibited discrimination, if a person or persons identified as a protected class believes a reasonable accommodation can be made to any use restriction, that person or persons are required to make an application for a special use or zoning text or map change.

Group living includes the following:

1. Boardinghouse.
2. Community Residence.
3. Group home.
4. Institutional residential.
5. Shelter.

B. Boardinghouse

1. Defined

A dwelling in which meals and lodging are furnished for compensation to more than four but not more than nine guests. Such dwellings may not contain more than five guest rooms.

C. Community Residence

1. Defined

A single dwelling unit occupied on a relatively permanent basis in a family-like environment by a group of unrelated persons with disabilities or pregnant or parenting youth who are displaced or in DFACS custody plus paid support staff by a sponsoring

agency, either living with the residents on a 24-hour basis, or present whenever residents with disabilities are present at the dwelling.

2. Standards

A community residence must comply with applicable federal, state, and local licensing requirements.

D. Group Home

1. Defined

A residential care facility in which:

- a. The operator is not legally related to the individuals supervised and is licensed by the State of Georgia to provide community alternatives in a residential environment to institutional care for individuals in need of such care.
- b. More than five persons reside, including operators, supervisors, and individuals under care.
- c. Such individuals are provided with room, board, personal or physical care and supervision in a family environment. The term group home includes, without limitation by reason of enumeration, home as established under the "Community Services Act for the Mentally Retarded" (Ga. Laws 1972, page 700), and other homes of similar intention and purpose; but does not include facilities housing persons convicted of crimes but not housed in penal institutions.

E. Institutional Residential

1. Defined

An umbrella term that encompasses the following:

- a. Assisted Living Facility.
Residences for the frail or elderly that provide rooms, meals,

- personal care, and supervision of self-administered medication.
- b. Independent Living.

Adults at least 55 years of age or older living within multi-family rental properties with central dining facilities that provide residents, as part of their monthly fee, access to meals and other services such as housekeeping, linen service, transportation, and social and recreational activities. Independent living facilities do not provide, in a majority of the units, assistance with activities of daily living such as supervision of medication, bathing, dressing, and toileting. There are no licensed skilled nursing beds on the property.
 - c. Intermediate Care Home.

A facility that admits residents on medical referral only, and includes the provision of food, and special diets when required, shelter, laundry and personal care services, such as help with dressing, getting in and out of bed, bathing, feeding, medications and similar assistance, such services being under appropriate licensed supervision. Intermediate care does not normally include providing care for bed-ridden patients except on an emergency or temporary basis.
 - d. Nursing home.

A facility that admits patients on medical referral only and for whom arrangements have been made for continuous medical supervision, maintains the services and facilities for skilled nursing care, rehabilitative nursing care, and has a satisfactory agreement with a physician and dentist who will be available for any medical or dental emergency and who will be responsible for the general medical and dental supervision of the home.
 - e. Skilled Nursing Care Facility.

A facility that admits residents on medical referral; it maintains the services and facilities for skilled nursing care and has a satisfactory agreement with a physician and dentist who will provide continuing supervision including emergencies; it complies with rules and regulations of the Georgia Department of Human Resources. The term “skilled nursing care” means the application of recognized nursing methods, procedures, and actions directed toward implementation of the physician’s therapeutic and diagnostic plan, detection of changes in the human body’s regulatory system, preservation of such body defenses, prevention of complications and emotional well-being, including but not limited to the following:

 - i. The administration of oral or injectable medications which cannot be self-administered. Others include the administration of oxygen, the use of suction, the insertion or changing of catheters, the application of medicated dressings, the use of aseptic technique and preparation of the patient for special procedures.
 - ii. Observation in the care of the patient for symptoms and/or physical and mental signs that may

develop and which will require attention of the physician and a revision in the patient's treatment regimen.

2. Use Standards

- a. Facilities must conform with the requirements of the Georgia State Board of Health and any other applicable federal or state licensing requirements.
- b. Plans for facilities must receive the written approval of the Hall County Board of Health before issuance of any permits.
- c. Copies of the above approvals must be attached to the building permit to be retained in the files of the County Building Official.

F. Emergency Shelter

1. Defined

A facility providing temporary sleeping facilities for displaced persons.

Sec. 7.4. Public/Institutional Uses

7.4.1. Civic

A. Defined

Places of public assembly that provide ongoing governmental, life safety, educational and cultural services to the general public, as well as meeting areas for religious practice. Civic includes the following:

1. Fraternal organization and club, non-profit.
2. Place of worship.
3. Community centers.
4. College, public or private.
5. Non-profit private club.
6. Public buildings and uses.
7. Museum, library.
8. School, private.

B. Fraternal Organization and Club, Non-profit

1. Defined

A building or facility in which organized fraternal, social or educational meetings are conducted on a regular non-profit basis.

2. Use Standards

- a. The minimum lot size is 2 acres.
- b. Organizations must provide evidence of recognition or sanction from a parent group or organization.

C. Place of worship

1. Defined

A specially designed structure or consecrated space where individuals or a group of people such as a

congregation come to perform acts of devotion, veneration, or religious study. Temples, churches, synagogues, and mosques are examples of structures created for worship.

D. Community Center

1. Defined

A non-commercial building, structure, or use that provides indoor community meeting rooms and may also provide outdoor facilities such as swimming pools, tennis courts, and playgrounds.

E. College, Public or Private

1. Defined

A public or private institution of higher education having the authority to award bachelor's and higher degrees.

F. Non-Profit Private Club

1. Defined

A non-commercial building, structure, or use that may include indoor meeting rooms, indoor recreation areas or outdoor recreation facilities such as golf courses, tennis courts, swimming pools or playgrounds.

2. Use Standards

- a. When a non-profit private club includes outdoor recreation facilities, the minimum lot size is 2 acres.
- b. A private club must show that its membership is limited by either:
 - i. The use and operation of an outdoor recreation facility; or

- ii. Exclusive use by residents of a development or their nonpaying guests.

G. Public Buildings and Uses

1. Defined

Any building, structure, or use owned or operated by the federal government, State of Georgia, county, city or other municipality, or any authority, agency, board, or commission of the above governments, that is necessary to serve a public purpose, including but not limited to, government administrative buildings, post offices, police, fire and EMS stations, public health facilities, public libraries, public museums, public schools, public works facilities, community centers, and jails and correctional facilities.

H. Museum, Library, Private

1. Defined

A private facility having public significance by reason of its architecture or former use or occupancy, or a building serving as a repository for a collection of books, natural, scientific, literary curiosities or objects of interest, or works of art, and arranged, intended, and designed to be viewed by members of the public, with or without an admission fee, and which may include as an accessory use the sale of goods to the public as gifts or for their own use.

I. School, Private

1. Defined

An educational facility for students in grades pre-kindergarten through 12 that is operated by a private entity and has a curriculum at least equal to a public school with regard to the branches of learning

and study required to be taught in the public schools of the State of Georgia.

2. Use Standards

- a. The minimum lot size is 2 acres.
- b. Buildings and parking areas must be at least 50 feet from any property line.
- c. Accessory structures and uses such as recreational facilities, playgrounds, fields and similar structures or uses must be at least 100 feet from any property line.

7.4.2. Parks and Open Space

A. Defined

Uses focusing on natural areas consisting mostly of vegetation, passive or active outdoor recreation areas, and having few structures. Parks and open space include the following:

- 1. Cemetery.
- 2. Marina.
- 3. Parks, plaza, square.
- 4. Playgrounds.
- 5. Open space, private.

B. Cemetery, Private

1. Defined

The use of a property as a burial place, including mausoleums or columbariums, and other accessory structures customarily incidental to the principal use. Does not include family burial plots or burial grounds on private property as established in the Official Code of Georgia § 36-72-1.

C. Marina

1. Defined

A dock or basin providing secure moorings for docking or storage, and

other related goods or services, for private watercraft.

D. Parks, Plaza, Square

1. Defined

A parcel of land owned by a public or private organization that is used for noncommercial outdoor assembly, enjoyment, play, recreation, or natural resource protection, often containing seating, walking paths, trails, recreational equipment, ball fields, soccer fields, basketball courts, swimming pools, and tennis courts. Uses may include food or recreational sales as accessory uses.

E. Playground

1. Defined

An area used for children to play often containing recreational equipment such as slides, swings, or climbing frames, but not recreational fields.

2. Use Standards

- a. Playgrounds may be private or public.
- b. Playgrounds may be permitted as an accessory use in residential districts or uses.

F. Open Space, private

1. Defined

A privately owned or controlled natural or improved open space, including, but not limited to, playgrounds, parks, plazas, gardens, natural areas, and other areas for passive use or aesthetic appeal.

7.4.3. Major Utilities

A. Defined

Public or private infrastructure serving the general community, including but not limited to water, sewer, gas, electric,

telephone, Internet, cable and other similar services. Major utilities include the following.

1. Natural gas metering station.
2. Utility substation.
3. Water or sanitary sewer treatment plants, aeration facilities, or filter beds.
4. Water and fire towers.

B. Natural Gas Metering Station

1. Defined

A pipeline station designed for the continuous and simultaneous analysis of the quantity and quality of the natural gas being transported in the pipeline.

C. Utility Substation

1. Defined

A facility consisting of equipment used for reducing electric, gas, water, cable, internet, or other public utility transmission to one that is suitable for supply to consumers.

2. Use Standards

- a. Exterior lighting must be of a type which prevents direct view of the light source from adjacent residences.
- b. Major utilities must be screened in a manner to hide it from view from the adjacent property. The screening material must be a landscaped buffer as provided for in Sec. 8.2.4 and may be no less than 10 feet in width.
- c. The equipment contained on the site must be enclosed by a locked security fence at least 6 feet in height. A masonry wall at least 6 feet in height may also serve as the security fence.

7.4.4. Small Wireless Facilities and Antennas

A. Authority and Applicable Law

Federal law, specifically Title 47 U.S.C. § 253 (c) provides that counties, including Hall County, have the authority to manage their public rights-of-way. State law, specifically O.C.G.A. § 32-4-42 (6) provides that counties, including Hall County, have the authority to establish reasonable regulations for the installation, construction, maintenance, renewal, removal, and relocation of pipes, mains, conduits, cables, wires, poles, towers, traffic signals and other signals, and other equipment, facilities, or appliances in, on, along, over, or under the public roads of the county. Finally, the Georgia Streamlining Wireless Facilities and Antennas Act, found at O.C.G.A. Title 36, Chapter 66C (the “SWFAA”), addresses the placement of small wireless facilities in the public rights-of-way belonging to counties.

B. Findings

The county finds that it is in the best interest of the county and its residents and businesses to establish requirements, specifications, and reasonable conditions regarding placement of small wireless facilities and poles in the public rights-of-way. These requirements, specifications, and conditions are adopted to protect the public health, safety, and welfare of the residents and businesses of the county and to reasonably manage and protect the public rights-of-way and its uses in the county. The goals of this section are to:

1. Implement the SWFAA; and
2. Ensure that use of the public rights-of-way is consistent with the design, appearance, and other features of nearby land uses; protects the integrity of historic, cultural, and

scenic resources; and does not harm residents’ quality of life.

C. Definitions

1. The following words shall have the meanings as ascribed to them in this Sec. 7.4.4.
2. In the event that any federal or state law containing definitions used in this section is amended, the definition in the referenced section, as amended, shall control.

Antenna. Communications equipment that transmits, receives, or both transmits and receives electromagnetic radio frequency signals used in the provision of wireless services or other wireless communications; or other similar equipment used for the transmission, reception, or both transmission and reception of surface waves. Such term shall not include television broadcast antennas, antennas designed for amateur radio use, or satellite dishes for residential or household purposes.

Applicable laws. Applicable local, state, and federal law, including uniform building, fire, safety, electrical, plumbing, or mechanical codes adopted by a recognized national code organization to the extent such codes have been adopted by the state or county or are otherwise applicable in the county.

Applicant. Any person that submits an application.

Application. A written request submitted by an applicant to the county for a permit to collocate a small wireless facility in a right-of-way, or install, modify, or replace a pole or decorative pole in a right-of-way on which a small wireless facility is or will be collocated.

Articles. Refers to this Sec. 7.4.4. and Articles I, II, and III of Chapter 7.412 of the Official Code of Hall County, Georgia.

Authority pole. A pole owned, managed, or operated by or on behalf of the county. Such term shall not include poles, support structures, electric transmission structures, or equipment of any type owned by an electric supplier.

Collocate or collocation. To install, mount, modify, or replace a small wireless facility on or adjacent to a pole, decorative pole, or support structure.

Communications facility. The set of equipment and network components, including wires and cables and associated equipment and network components, used by a communications service provider to provide communications services.

Communications service provider. A provider of communications services.

Communications services. Cable service as defined in 47 U.S.C. § 522 (6); telecommunications service as defined in 47 U.S.C. § 153 (53); information service as defined in 47 U.S.C. § 153 (24), as each such term existed on January 1, 2019; or wireless services.

Consolidated application. An application for the collocation of multiple small wireless facilities on existing poles or support structures or for the installation, modification, or replacement of multiple poles and the collocation of associated small wireless facilities.

Decorative pole. An authority pole that is specially designed and placed for aesthetic purposes.

Electric supplier. Any electric light and power company subject to regulation by the Georgia Public Service Commission,

any electric membership corporation furnishing retail service in this state, and any municipality which furnishes such service within this state.

Eligible facilities request. An eligible facilities request as set forth in 47 U.S.C. § 1.40001(b)(3), as it existed on January 1, 2019.

FCC. The Federal Communications Commission of the United States.

Fee. A one-time, nonrecurring charge based on time and expense.

Historic site. Refers to the following:

1. Any site, building, structure, or object included in, or eligible for inclusion in, the National Register of Historic Places maintained by the secretary of the interior of the United States in accordance with Section VI.D.1.a.iv of the Nationwide Programmatic Agreement codified by 47 U.S.C. § Part 1; or
2. Any area designated as a historic district under Article 2 of Chapter 10 of Title 44, referred to as the Georgia Historic Preservation Act; or
3. Any area designated as a historic district or property by law prior to April 26, 2019.

Law. Includes any and all federal, state, or local laws, statutes, common laws, codes, rules, regulations, orders, or ordinances.

Micro wireless facility. A small wireless facility not larger in dimension than 24 inches in length, 15 inches in width, and 12 inches in height that has an exterior antenna, if any, no longer than 11 inches.

Permit. A written authorization, in electronic or hard copy format, required to be issued by the county to initiate, continue, or complete the collocation of a small wireless facility or the installation,

modification, or replacement of a pole or decorative pole upon which a small wireless facility is collocated.

Person. Any individual, corporation, limited liability company, partnership, association, trust, or other entity or organization.

Pole. A vertical pole such as a utility, lighting, traffic, or similar pole made of wood, concrete, metal, or other material that is lawfully located or to be located within a right-of-way, including without limitation a replacement pole and an authority pole. Such term shall not include a support structure, decorative pole, or electric transmission structure.

Rate. A recurring charge.

Reconditioning work. The activities associated with substantially painting, reconditioning, improving, or repairing authority poles.

Replace, replacement, or replacing. To replace a pole or decorative pole with a new pole or a new decorative pole, similar in design, size, and scale to the existing pole or decorative pole consistent with 47 C.F.R. § 1.40001 (b) (7) as it existed on January 1, 2019, in order to address limitations of, or change requirements applicable to, the existing pole to structurally support the collocation of a small wireless facility.

Replacement work. The activities associated with replacing an authority pole.

Right-of-way. Generally, property or any interest therein, whether or not in the form of a strip, which is acquired for or devoted to a public road; provided, however, that such term shall apply only to property or an interest therein that is under the ownership or control of the county and shall not include property or

any interest therein acquired for or devoted to an interstate highway or the public rights, structures, sidewalks, facilities, and appurtenances of buildings for public equipment and personnel used for or engaged in administration, construction, or maintenance of public roads or research pertaining thereto or scenic easements and easements of light, air, view, and/or access.

Small wireless facility. Radio transceivers; surface wave couplers; antennas; coaxial, fiber optic, or other cabling; power supply; backup batteries; and comparable and associated equipment, regardless of technological configuration, at a fixed location or fixed locations that enable communication or surface wave communication between user equipment and a communications network and that meet both of the following qualifications:

1. Each wireless provider's antenna could fit within an enclosure of no more than six cubic feet in volume; and
2. All other wireless equipment associated with the facility is cumulatively no more than 28 cubic feet in volume, measured based upon the exterior dimensions of height by width by depth of any enclosure that may be used. The following types of associated ancillary equipment are not included in the calculation of the volume of all other wireless equipment associated with any such facility:
 - a. Electric meters;
 - b. Concealment elements;
 - c. Telecommunications demarcation boxes;
 - d. Grounding equipment;
 - e. Power transfer switches;
 - f. Cut-off switches; and

- g. Vertical cable runs for connection of power and other services.

Such term shall not include a pole, decorative pole, or support structure on, under, or within which the equipment is located or collocated or to which the equipment is attached and shall not include any wireline backhaul facilities or coaxial, fiber optic, or other cabling that is between small wireless facilities, poles, decorative poles, or support structures or that is not otherwise immediately adjacent to or directly associated with a particular antenna.

State. The State of Georgia.

Support structure. A building, water tank, or any other structure to which a small wireless facility is or may be attached. Such term shall not include a decorative pole, electrical transmission structure, or pole.

Wireless infrastructure provider. Any person, including a person authorized to provide telecommunications services in this state, that builds, installs, or operates small wireless facilities, poles, decorative poles, or support structures on which small wireless facilities are or are intended to be used for collocation but that is not a wireless services provider.

Wireless provider. A wireless infrastructure provider or a wireless services provider.

Wireless services. Any services provided to the public using licensed or unlicensed spectrum, including the use of Wi-Fi, whether at a fixed location or mobile.

Wireless services provider. A person that provides wireless services.

Wireline backhaul facility. An above ground or underground wireline facility used to transport communications data from a telecommunications demarcation

box associated with a small wireless facility or facilities to a network.

D. Permit

A permit is required to collocate a small wireless facility in the public right-of-way or to install, modify, or replace a pole or a decorative pole in the public right-of-way. A permit is not required to perform the activities described in O.C.G.A. § 36-66C-6 (e) or (f).

E. Application

Any person seeking to collocate a small wireless facility in the public right-of-way or to install, modify, or replace a pole or decorative pole in the public right-of-way shall submit an application to the Department of Planning and Zoning for a permit on forms made available by the County. Any material change to information contained in an application shall be submitted in writing to the Department of Planning and Zoning within 30 days after the events necessitating the change.

F. Pre-application Meeting

Any person who intends to submit an application to the county pursuant to this section shall meet with the Department of Planning and Zoning at least 30 days prior to the submitting an application for a permit. The purpose of such meeting shall be to inform the county, in good faith, when the applicant expects to commence deployment of small wireless facilities and poles within the county, the number of small wireless facilities and poles it expects to deploy during the 24 months after commencement, and the expected timing of such deployment. All documents or other information provided by the applicant in the course of or in association with such pre-application meeting shall be presumed confidential and proprietary

and a trade secret as such term is defined in O.C.G.A. § 10-1-761 and exempt from disclosure as specified in Article 4 of Chapter 18 of Title 50, known as the Georgia Open Records Act.

G. Requirements for Application

All small wireless facility permit applications required by this section shall be filed via the county's electronic permitting system. Each application shall be submitted by the applicable wireless provider or its duly authorized representative and shall contain the following:

1. The applicant's name, address, telephone number, and e-mail address, including emergency contact information for the applicant;
2. The names, addresses, telephone numbers, and e-mail addresses of all consultants, if any, action on behalf of the applicant with respect to filing the application;
3. A general description of the proposed work and the purposes and intent of the proposed facility. The scope and detail of such description shall be appropriate to the nature and character of the physical work to be performed, with special emphasis on those matters likely to be affected or impacted by the physical work proposed;
4. Detailed construction drawings regarding the proposed use of the right-of-way;
5. To the extent the proposed facility involves collocation on a pole or support structure, a structural report performed by a duly licensed engineer evidencing that the pole or support structure will structurally support the collocation (or that the pole or support structure can and will be modified to meet structural requirements) in accordance with applicable codes;
6. For any new above-ground facilities, visual depictions or representations if not included in the construction drawings;
7. Information indicating the horizontal and approximate vertical location, relative to the boundaries of the right-of-way, of the small wireless facility for which the application is being submitted;
8. If the application is for the installation of a pole, a certification that complies with O.C.G.A. § 36-66C-6(k).
9. If the small wireless facility will be collocated on a pole or support structure owned by a third party, a certification that the wireless provider has permission from the owner to collocate on the pole or support structure;
10. If the applicant is not a wireless services provider, a certification that a wireless services provider has requested in writing that the applicant collocate the small wireless facilities or install, modify, or replace the pole or decorative pole at the requested location; and
11. The applicant may designate portions of its application materials that it reasonably believes contains trade secrets or other proprietary or confidential information by submitting with it an affidavit affirmatively declaring that specific information in the records constitutes trade secrets pursuant to Article 27 of Chapter 1 of Title 10. The applicant shall be solely responsible for clearly identifying and labeling as "proprietary" or "confidential" each page of such materials, but shall undertake all reasonable efforts to minimize the scope and frequency of

such designations. If the applicant submits such an affidavit, the county and the applicant shall follow the requirements of O.C.G.A. § 50-18-72 (a) (34).

H. Application Fees

Each application for a permit shall include the maximum application fees permitted under O.C.G.A. § 36-66C-5 (a) (1), (a) (2), and (a) (3). Such maximum application fees shall automatically increase on January 1 of each year beginning on January 1, 2024, as provided under O.C.G.A. § 36-66C-5 (b).

I. Application Review Period

The county Department of Planning and Zoning shall review applications for permits according to the following timelines and using the procedures identified in O.C.G.A. §§ 36-66C-7 and 36-66C-13 as well as any applicable federal regulations. Any conflict between the contents of this UDC and Federal law and regulations under Section 704 of the Telecommunications Act of 1996 and subsequent amendments, and any other Federal statutes or regulations regarding telecommunication regulations, the Federal statute shall prevail over this UDC.

1. The county has 90 days from receipt of a completed application for a small wireless facility to make a final decision of approval or disapproval. If the application is incomplete, the Director must notify the applicant within 10 days of application submission. At that time, the 90-day window clock stops and is reset to zero. Within 90 days of the date of a completed application is filed the county must:
 - a. Complete the review;
 - b. Make a final decision of approval or disapproval; and

- c. Advise the applicant in writing of the final decision.
2. Within 60 days of the date of a complete application is filed with the county for attaching equipment to a structure which is part of an existing small cell system, the county must:
 - a. Complete the review;
 - b. Make a final decision of approval or disapproval; and
 - c. Advise the applicant in writing of the final decision.

J. Approval of Application

Applications for permits shall be approved unless the requested collocation of a small wireless facility or the requested installation, modification, or replacement of a pole or decorative pole:

1. Interferes with the operation of traffic control equipment;
2. Interferes with sight lines or clear zones for transportation of pedestrians;
3. Fails to comply with the Americans with Disabilities Act, 42 U.S.C. Section 12101, et seq., or similar laws of general applicability regarding pedestrian access or movement, transportation or pedestrians;
4. Requests that ground-mounted small wireless facility equipment be located more than 7.5 feet in radial circumference from the base of the pole, decorative pole, or support structure to which the small wireless facility antenna would be attached, provided that the County shall not deny the application if a greater distance from the base of the pole, decorative pole, or support structure is necessary to avoid interfering with sight lines or clear zones for transportation or pedestrians or to otherwise protect public safety;

5. Fails to comply with applicable codes;
6. Fails to comply with the maximum limitations set forth in O.C.G.A. § 36-66C-7 (h) or (i);
7. With respect to an application to install a pole or decorative pole, interferes with the widening, repair, reconstruction, or relocation of a public road or highway by the county or the department of transportation that has been advertised for bid and scheduled for completion within six months after the application is filed;
8. With respect to an application to install a pole or decorative pole, interferes with a public works construction project governed by Chapter 91 of Title 36 which is advertised for bid and scheduled for completion within six months after the application is filed;
9. Fails to comply with O.C.G.A. § 36-66C-10, O.C.G.A. § 36-66C-11, or O.C.G.A. § 36-66C-12 or any applicable federal regulations;
10. Fails to comply with laws of general applicability addressing pedestrian and vehicular traffic and safety requirements; or
11. Fails to comply with laws of general applicability that address the occupancy or management of the right-of-way and that are not consistent with this Sec. 7.4.4.

K. Special Rules for Development in Residentially Zoned Areas

For application for new poles in the public right-of-way in areas zoned for residential use, the Department of Planning and Zoning may propose an alternate location in the public right-of-way within 100 feet of the location set forth in the application, and the wireless provider shall use the proposed alternate location unless the location imposes technical limits or

significant additional costs. The wireless provider shall certify that it has made such a determination in good faith, based on the assessment of a licensed engineer, and it shall provide a written summary of the basis for such determination to the Department of Planning and Zoning.

L. Nature of Permission Authorized by Permit

A permit issued under this section shall authorize such person to occupy the public rights-of-way to:

1. Collocate a small wireless facility on or adjacent to a pole or a support structure that does not exceed the limitations set forth in O.C.G.A. § 36-66C-7 (h) (3) or on or adjacent to a decorative pole in compliance with O.C.G.A. § 36-66C-12; and
2. Install, modify, or replace a pole or decorative pole for collocation of a small wireless facility that does not exceed the limitation set forth in O.C.G.A. § 36-66C-7 (h) (1) and (h) (2).

M. Annual Payments

Upon the issuance of a permit under this division, and on each anniversary of such issuance, every person issued a permit shall submit to the county the maximum annual payments permitted under O.C.G.A. § 36-66C-5 (a) (4) and (a) (5); provided, however, that if such person removes its small wireless facilities from the public rights-of-way pursuant to O.C.G.A. § 36-66C-5 (e), then such person shall be responsible for the pro rata portion of the annual payment based on the number of days of occupation since the last annual payment. Upon making such pro rata payment and removal of the small wireless facilities, the person's annual payment obligations under this section shall cease as of the date of the actual removal. The maximum annual payments shall automatically increase on January 1 of

each year beginning on January 1, 2023, as provided under O.C.G.A. § 36-66C-5 (b).

N. Permit Fees

Any person issued a permit shall pay the fees identified in O.C.G.A. § 36-66C-5 (a) (6) and (a) (7), as applicable.

O. Revocation of Permit

The County may revoke a permit issued pursuant to this section if the wireless provider or its equipment placed in the public right-of-way under that permit subsequently is not in compliance with any provision of this section or the Georgia Streamlining Wireless Facilities and Antennas Act. Upon revocation, the County may proceed according to Sec. 7.4.4.P.

P. Restoration of Right-of-way Upon Revocation

If a wireless provider occupies the public rights-of-way without obtaining a permit required by this section or without complying with the SWFAA, then the County may, at the sole discretion of the County, restore the right-of-way to the extent practicable in the reasonable judgment of the County, to its condition prior to the unpermitted collocation or installation and to charge the responsible wireless provider the reasonable, documented cost of the county in doing so, plus a penalty not to exceed \$1,000.00. The County may suspend the ability of the wireless provider to receive any new permits from the county under this section until the wireless provider has paid the amount assessed for such restoration costs and the penalty assessed, if any; provided, however, that the County may not suspend such ability of any applicant that has deposited the amount in controversy in escrow pending an adjudication of the merits of the dispute by a court of competent jurisdiction.

Q. Public Inspections of Applications

All accepted applications for permits shall be publicly available subject to the limitations identified herein and in O.C.G.A. § 36-66C-6 (c).

R. Consolidated Application for Multiple Installations

An applicant may file a consolidated application related to multiple small wireless facilities, poles, or decorative poles so long as such consolidated application meets the requirements of O.C.G.A. § 36-66C-13.

S. Completion of Installation

Activities authorized under a permit shall be completed within the timelines provided in O.C.G.A. § 36-66C-7 (k) (2).

T. Authorized Activities

Issuance of a permit authorizes the applicant to:

1. Undertake the collocation, installation, modification, or replacement approved by the permit, and
2. Operate and maintain the small wireless facilities and any associated pole covered by the permit for a period of 10 years.

U. Permit Renewal

Permits shall be renewed following the expiration of the term identified in Sec. 7.4.4.T. upon the terms and conditions identified in O.C.G.A. § 36-66C-7 (k) (2) (B).

V. Collocation on County Poles

If an application for a permit seeks to collocate small wireless facilities on authority poles in the public rights-of-way, then the County shall, within 60 days of receipt of the completed application:

1. Provide a good faith estimate for any make-ready work necessary to enable the authority pole to support the proposed facility; or
2. Notify the wireless provider that the wireless provider will be required to perform the make-ready work. Any make-ready work performed by the County shall be completed pursuant to and in accordance with the provisions of O.C.G.A. § 36-66C-7 (n).

W. Removal, Relocation, Reconditions, Replacement, and Abandonment

1. *Removal by owner/operator.* A person may remove its small wireless facilities from the public rights-of-way according to the procedures of O.C.G.A. § 36-66C-5 (e).
2. *Required restoration upon removal and county's recovery of costs.* In the event of a removal under Sec. 7.4.4.W.1. the right-of-way shall be, to the extent practicable in the reasonable judgment of the County, restored to its condition prior to the removal. If a person fails to return the right-of-way to its condition prior to the removal as determined by the County's reasonable judgment within 90 days of the removal, the County may, at its sole discretion, restore the right-of-way to such condition and charge the person at issue the County's reasonable and documented cost of removal and restoration, plus a penalty not to exceed \$500.00. The County may also suspend the person's ability to receive any new permits until the person has paid the amount assessed for such restoration costs and the penalty assessed, if any; provided, however, that the County will not suspend the ability of any person to receive any new permits who has deposited the amount in controversy in escrow pending an adjudication of

the merits of the dispute by a court of competent jurisdiction.

3. *Relocation to accommodate certain county projects.* If, in the reasonable exercise of police powers, the County determines that a pole or support structure unreasonably interferes with the widening, repair, reconstruction, or relocation of a public road or highway; or that relocation of poles, support structures, or small wireless facilities is required as a result of a public project, the wireless provider shall relocate such poles, support structures, or small wireless facilities pursuant to and in accordance with the provisions of O.C.G.A. § 36-66C-7 (I). If the wireless provider fails to relocate a pole, support structure, or small wireless facility or fails to provide a written good faith estimate of the time needed to relocate the pole, support structure, or small wireless facility within the time period prescribed in O.C.G.A. § 36-66C-7 (I), then the County may take any action authorized by O.C.G.A. § 36-66C-7 (o), in addition to any other powers under applicable law.
4. *Reconditioning and replacing county poles.* The County shall recondition and replace authority poles consistent with the provisions of O.C.G.A. § 36-66C-7 (m). Wireless providers shall accommodate and cooperate with reconditioning and replacement consistent with the provisions of O.C.G.A. § 36-66C-7 (m).
5. *Required notification upon abandonment.* A wireless provider must notify the County of its decision to abandon any small wireless facility, support structure, or pole pursuant to and in accordance with the provisions of O.C.G.A. § 36-66C-7 (p) (1). The wireless provider shall perform all acts and duties identified in O.C.G.A. § 36-66C-7 (p) regarding abandonment.

The County may take all actions and exercise all powers authorized under O.C.G.A. § 36-66C-7 (p) upon abandonment, in addition to any other powers authorized by applicable law.

X. Standards

1. *Standards applying to installations.* Small wireless facilities and new, modified, or replacement poles to be used for collocation of small wireless facilities are authorized in the public right-of-way:

- a. Upon a receipt of a permit;
- b. Subject to applicable codes; and
- c. So long as such small wireless facilities and new, modified, or replacement poles to be used for collocation of small wireless facilities comply with the appropriate provisions of O.C.G.A. § 36-66C-7 (h).

2. *Concealment.* Unless it is determined that another design is less intrusive, or placement is required under applicable law, small wireless facilities shall be concealed as follows:

- a. Antennas located at the top of poles and support structures shall be incorporated into the pole or support structure, or placed within shrouds of a size such that the antenna appears to be part of the pole or support structure;
- b. Antennas placed elsewhere on a pole or support structure shall be integrated into the pole or support structure, or be designed and placed to minimize visual impacts;
- c. Radio units or equipment cabinets holding radio units and mounted on a pole shall be placed as high as possible, located to avoid interfering with, or creating any hazard to, any other use of the public rights-of-way, and located

on one side of the pole. Unless the radio units or equipment cabinets can be concealed by appropriate traffic signage, radio units or equipment cabinets mounted below the communications space on poles shall be designed so that the largest dimension is vertical, and the width is such that the radio units or equipment cabinets are minimally visible from the opposite side of the pole on which they are placed.

- d. Wiring and cabling shall be neat and concealed within or flush to the pole or support structure, ensuring concealment of these components to the greatest extent and degree possible.

3. *Historic place or district.* Notwithstanding any provision of this section to the contrary, an applicant may collocate a small wireless facility within a historic district, and may place or replace a pole within a historic district, only upon satisfactory issuance of a permit pursuant to this section and compliance with applicable codes.

4. *Collocation on Decorative Poles.* Notwithstanding any provision of this section to the contrary, an applicant may collocate a small wireless facility on a decorative pole, or may replace a decorative pole with a new decorative pole, in the event the existing decorative pole will not structurally support the attachment, only upon satisfactory issuance of a permit pursuant to this section and compliance with applicable codes.

5. *Existing Right-of-way Agreements for Deployment of Small Wireless Facilities.* Any existing right-of-way agreement for small wireless facility deployment by and between the County and any wireless provider that

is effective and not terminated prior to the effective date of this section shall remain in effect until its expiration or earlier termination and provided therein, to the extent permissible by law.

Y. State and Federal Laws Incorporated

1. The provisions of the Georgia Streamlining Wireless Facilities and Antennas Act (SWFAA) are incorporated by reference as if set out fully herein. In the event of a conflict between the SWFAA and this section, the SWFAA controls.
2. The provisions of Sec. 6409(a) of the Middle-Class Tax Relief and Job Creation Act of 2012 (Pub. L. 112-96), which addresses telecommunications and has been interpreted by the FCC to apply to small cells and distributed antennae systems, are incorporated by reference as if set out fully herein.

7.4.5. Telecommunications Antennas and Towers

A. Purpose

The purpose of this Sec. 7.4.5. is to establish guidelines for the siting of all wireless, cellular, television, and radio telecommunications towers and antennas.

B. Goals

The goals of this section include the following:

1. Provide for the appropriate location and development of telecommunication facilities in Hall County;
2. To encourage the location of towers in nonresidential areas;
3. To minimize the total number of towers within the community;

4. To strongly encourage the joint use of new and existing tower sites among service providers;
5. To encourage the location of telecommunications towers and antennas in areas where adverse impacts on the community are minimized; and
6. To encourage design and construction of towers and antennas to minimize adverse visual impacts; and
7. To enhance the ability of the telecommunications service providers to deliver such services to the community effectively and efficiently.

C. Definitions

1. The following terms have the meanings as assigned in this Sec. 7.4.5.
2. Words not defined herein shall be construed to have the meaning given by common and ordinary usage and shall be interpreted within the context of the sentence, section, and article in which they occur.
3. For the purpose of this Section, certain words or terms used herein shall be defined as follows.
 - a. The term “erected” includes the terms “constructed,” “located,” and/or “relocated.”
 - b. The term “map” or “zoning map” means the official zoning map of the county.
 - c. The term “parcel” includes the terms “plot” and/or “lot.”
 - d. The terms “used” or “occupied” include the words “intended, arranged, or designed to be used or occupied.”

Alternative tower structure. Clock towers, bell towers, church steeples, light/power poles, electric transmission towers, manmade trees (without accessory

buildings/structures), and similar natural or manmade alternative-design mounting structures that camouflage or conceal the presence of antennas or towers.

Antenna. Any exterior apparatus designed for wireless telecommunication, radio, or television communications through the sending and/or receiving of electromagnetic waves.

Collocation. The placement of the antennas of two or more service providers upon a single tower or alternative tower structure.

Department. The county Department of Planning and Zoning.

FAA. The Federal Aviation Administration.

FCC. The Federal Communications Commission.

Geographic antenna placement area. The general vicinity within which the placement of an antenna is necessary to meet the engineering requirements of an applicant's cellular network or other broadcasting need.

Governing authority. The Hall County Board of Commissioners.

Height. The distance measured from ground level of a tower or other structure to the highest point on the same tower structure or lightning rod or appurtenance attached to the tower, when the term is used to refer to a tower or other structure.

Pre-existing tower and/or antenna(s). Structures as set forth in subsection Sec. 7.4.5.C.

Public officer. The Director of the county Department of Planning and Zoning when used in reference to the procedures and legal remedies found in O.C.G.A. §§ 41-2-7 to 41-2-17.

Scenic views. Those geographic areas containing visually significant or unique natural features, as indicated on the county's comprehensive plan or other official county documentation.

Tower. Any structure that is designed and constructed primarily for the purpose of supporting one or more antennas, including self-supporting lattice towers, guy towers, or monopole towers. The term "tower" includes radio and television transmission towers, microwave towers, common-carrier towers, cellular telecommunication towers, manmade trees (with accessory buildings/structures), and other similar structures.

Visual quality. The appropriate design, arrangement, and location of tower structures in relation to the built or natural environment to avoid abrupt or severe differences.

D. Application of Regulations

1. *District height limitations.* Except as set forth in subsection 3 of this section, the requirements of this Sec. 7.4.5. shall govern the location of telecommunications towers that exceed, and antennas that are installed at a height in excess of 50 feet.
2. *Governmental exemption.* The provisions of this section shall not apply to governmental facilities and structures, including those of Hall County, Georgia.
3. *Amateur radio; receive-only antennas.* This section shall not govern any tower, or the installation of any antenna, which is 75 feet or less in height and is owned and operated by a federally-licensed amateur radio station operator from the operator's residence, or which is 75 feet or less in height and is used exclusively as a receive-only antenna.

4. *Pre-existing towers and antennas.* Any tower or antenna for which a permit has been properly issued prior to the effective date of the ordinance from which this section is derived shall not be required to meet the provisions of this section, other than the requirements of Sec. 7.4.5.H.9. and 7.4.5.H.10. Any such towers or antennas shall be referred to in this section as “pre-existing towers” or “pre-existing antennas.”
 5. *Additional antennas.* If an additional antenna is collocated upon a pre-existing tower after adoption of this section, the fencing and landscaping requirements of this section shall be met.
3. Prior to the issuance of a permit for the construction of a tower or antenna, the owner of the such facility shall procure a bond or a letter of credit from a surety doing business in the State of Georgia with an office located in Hall County, Georgia, in an amount not less than \$25,000.00 conditioned upon the removal of the tower and/or antenna, should it be deemed abandoned under the provisions set forth in this section. Such bond or letter of credit must be renewed at least every two years during the life of the tower or antenna, and the failure to renew a bond or letter of credit shall be grounds for revocation of the tower or antenna permit.

E. Removal of Abandoned Towers and Antennas

1. Any tower or antenna that is not operated for a continuous period exceeding six months shall be considered abandoned, whether or not the owner or operator intends to make use of it or any part of it. The owner of any such antenna or tower shall remove the structure within 60 days of receipt of notice from the County that the tower or antenna is considered by the county to be abandoned.
2. If, after receipt of notice of abandonment from the County, the owner of a tower or antenna does not remove the abandoned tower or antenna within 60 days, the governing authority may, in the manner provided by O.C.G.A. §§ 41-2-7 to 41-2-17, remove such antenna or tower at the owner’s expense. If there are two or more users of a single abandoned tower or antenna, then notice shall not be sent by the County until all users cease to utilize the tower or antenna. Delay by the County does not in any way waive the County’s right to take action.

F. Legal Status Provisions

Whenever the regulations of this section require a greater width, depth, or size of yard or impose other more restrictive standards than are required in or under any other statute or covenants, the requirements of this section shall govern. Whenever the provisions of any other statute or covenants require more restrictive standards than those of this section, the provisions of such statutes or covenants shall govern.

G. Annual Registration of Telecommunications Towers

1. On or before May 1 of each calendar year, the owner of any telecommunications tower shall register such tower with the Director of the Department of Planning and Zoning in a manner prescribed by the County. The initial annual registration shall identify such telecommunications tower by tax parcel number, physical street address, and/or GIS coordinates, and shall describe all structures and equipment on site associated with such telecommunications tower.

Annually thereafter, each subsequent registration shall identify any transfer of ownership or such tower, and/or any modifications to such tower which occurred during the preceding calendar year.

2. For all telecommunications towers which were constructed more than 10 years prior to the submittal of the annual registration, at least once every three years the owner of such tower shall submit certification to the Director that such tower was inspected and that a registered professional engineer has determined that no signs of defect, disrepair, or other hazardous condition exist.
3. Any telecommunications tower owner which owns more than 20 towers that are subject to subsection 2 of this section shall be deemed to be in compliance with its requirements so long as all of such tower owner's towers which are more than ten years old are inspected within three years of the first deadline for registration under this section.
4. The annual registration fee for each telecommunications tower shall be \$100.00 for the first registration year and \$50.00 per tower per year thereafter.

H. General Provisions

1. *Principal or accessory use.* A tower and/or antenna is considered a principal use if located on any lot or parcel of land as the sole or primary structure, and is considered an accessory use if located on a lot or parcel shared with a different existing primary use or existing structure. An existing use or structure on the same lot or parcel shall not preclude the installation of an antenna or tower. For purposes of determining whether the installation of a tower or antenna complies with zoning district

requirements, including, but not limited to, setback, buffer, and other requirements, the dimensions of the entire lot or parcel shall control, even though the antenna or tower may be located on a leased area within such lot or parcel. Towers that are constructed, and antennas that are installed, in accordance with the provisions of this section shall not be deemed to constitute the expansion of a nonconforming use or structure.

2. *Inventory of existing sites.*
 - a. The Department of Planning and Zoning shall maintain an inventory of all towers or alternative tower structures, active and inactive, which are present in the county. This inventory shall include specific information about the location (latitude and longitude coordinates), height, design, tower type, and general suitability for antenna collocation of each tower, and other pertinent information as may be decided by the County.
 - b. To facilitate the collocation of antennas, each applicant seeking to locate a new tower, alternative tower structure, or antenna, or modify any such existing structure, shall provide to the County an affidavit setting forth an inventory of its existing towers or alternative tower structures as provided for below. The applicant shall specifically identify its towers or alternative structures, active or inactive, which are present in the county. Applicants seeking to erect an amateur radio tower or antenna shall be exempt from this provision.
 - c. The applicant's affidavit shall include all of its structures that are within the jurisdiction of the governing authority; within a

- municipality located in whole or in part within the county; or within one mile of the border of the county, and shall include specific information about the location (latitude and longitude coordinates), height, design, tower type, and general suitability for antenna collocation of each such tower, and other pertinent information as may be required by the County. Such information may be shared with other applicants for a tall structure permit under this section or other organizations seeking to locate towers or antennas within the jurisdiction of the governing authority, provided however that the County shall not, by sharing such information, in any way be deemed to have represented or warranted that such sites are available or suitable.
- d. An application for a tall structure permit shall not be considered complete without this affidavit of inventory.
3. *Collocation design requirements.* In addition to all applicable building and safety codes, all towers, except amateur radio towers, shall be designed to accommodate the collocation of cellular telecommunication antennas according to the following criteria:
 - a. For towers up to 125 feet in height, the structure and fenced compound shall be designed to accommodate at least two providers; and
 - b. For towers greater than 125 feet in height, the structure and fenced compound shall be designed to accommodate at least four providers.
 4. *Collocation; availability of suitable existing structures.*
 - a. No new tower, except amateur radio towers, shall be permitted unless the applicant demonstrates to the satisfaction of the Department of Planning and Zoning and Board of Commissioners that no existing tower or existing alternative tower structure can accommodate the applicant's proposed antenna. All evidence submitted shall be signed and sealed by appropriate licensed professionals or qualified industry experts and shall consist of more than mere conclusory statements that no existing tower is suitable. Evidence submitted to demonstrate that no existing tower or structure can accommodate the proposed antenna shall consist of one or more of the following:
 - i. That no existing towers or suitable alternative tower structures are located within the geographic antenna placement area required to meet the applicant's engineering requirements.
 - ii. That existing towers or structures do not have sufficient structural strength to support the applicant's antenna and related equipment.
 - iii. That the applicant's proposed antenna(s) would cause electromagnetic interference with the antenna(s) on the existing towers or structures, or the antenna(s) on the existing towers or structures would cause interference with the

- applicant's proposed antenna(s).
- iv. That the cost or contractual provisions required by the tower owner to share an existing tower or structure or to adapt an existing tower or structure for sharing are unreasonable. Costs exceeding new tower development are presumed to be unreasonable.
 - v. That the applicant adequately demonstrates that there are other limiting factors that render existing towers and structures unsuitable.
- b. For each of the above, the applicant must submit an affidavit listing the existing towers which were considered, and ultimately rejected, by the applicant and provide a detailed explanation of why the existing towers are not useable.
5. *Aesthetic Standards.* The following guidelines shall apply to the design and construction of all towers and the installation of all antennas governed by this section.
 - a. Towers and/or antennas shall either maintain a galvanized steel or concrete finish, or, subject to any applicable standards of the FAA, be painted a neutral color so as to reduce visual obtrusiveness.
 - b. At all tower sites, the design of all buildings and related structures shall use materials, colors, textures, screening, and landscaping that will blend the tower facilities to the natural setting and building environment.
- c. For antennas installed on a structure other than a tower, the antenna and supporting electrical and mechanical ground equipment shall be a neutral color so as to make the antenna and related equipment visually unobtrusive.
 - d. Towers shall not be illuminated, unless required by the FAA, FCC, or other state or federal agency or competent jurisdiction. If lighting is required, the governing authority may review the available lighting alternatives and approve the design that would cause the least disturbance to the surrounding views. If a tower requires lighting by virtue of its height, the county may require the construction of the tower at a lower height in order to avoid lighting requirements.
 - e. No signage or other identifying markings of a commercial nature shall be permitted upon any tower or alternative tower structure within the county.
6. *Setbacks and separation.* The following setbacks and separation requirements shall apply to all towers:
 - a. Towers shall be set back a distance equal to one-half of the height of the tower, from its base, to any public way or property line of the lot or parcel containing the tower.
 - b. All towers in residentially zoned areas greater than 50 feet in height shall be set back a distance equal to the full height of the tower from any adjoining off-site residential structure.
 - c. Guy-wires and accessory buildings and facilities shall meet the minimum accessory use location and setback requirements.

- d. In zoning districts other than S-S, H-B, I-1, and I-2, or county-owned property, towers over 100 feet in height shall not be located closer than 1,500 feet from any existing tower that is over 100 feet in height. This requirement shall not apply to amateur radio towers.
7. *Security fencing.*
- a. All towers and supporting equipment shall be enclosed by fencing not less than 6 feet in height and shall also be equipped with appropriate anti-climbing devices. Fencing shall be constructed of chain link, wood, or other approved alternative.
- b. Amateur radio towers and antennas, or receive-only antennas, shall not be subject to the provisions of this section unless compliance is required by the Board of Commissioners through the tall structure permit process.
8. *Landscaping.* All sites must use landscaping to screen the view of the tower compound from adjacent rights-of-ways, public property and residential property.
- a. Where existing vegetation is not sufficient, tower facilities shall be landscaped in a manner which effectively screens the view of the tower, accessory buildings and equipment, and the tower compound generally. Landscaped strips of plant material shall be a minimum of 10 feet in width and located outside the fenced perimeter of the tower compound. Landscaped strips of plant material shall satisfy the minimum design and planting requirements for landscaped buffers established in Sec. 8.2. and any other applicable ordinances relating to buffers.
- b. Native vegetation and natural landforms shall be preserved to the maximum extent possible. Where existing vegetation around the perimeter of the site would provide an adequate visual screen, an undisturbed buffer may be utilized.
- c. The Board of Commissioners may waive or modify the landscaping requirement where lesser requirements are desirable for adequate visibility for security purposes or for continued operation of existing bona fide agricultural or forest uses such as farms, nurseries, or tree farms.
- d. Amateur radio towers and antennas, or receive-only antennas, shall not be subject to the provisions of this section unless compliance is required by the Board of Commissioners through the tall structure permit process.
9. *Review of tower and antenna erection.* If, upon receipt of an application for the erection of any tower or alternative tower structure governed by this section, the Department of Planning and Zoning deems that the proposed structure may interfere with the use of the airway of the County by the public or interfere with the operation of existing or proposed airport facilities, a copy of the application shall be submitted by the Department for review to the appropriate governmental or aviation authority.
10. *Federal requirements.* All towers must meet or exceed current standards and regulation of the FAA, FCC, and any other agency of the federal government with the authority to regulate towers and antennas. If such standards and regulations are

changed, the owners of the towers and antennas governed by this section shall bring such towers and antennas into compliance with any such revised standards and regulations within six months of the effective date of such standards and regulations unless a more or less stringent compliance schedule is mandated by the controlling federal agency. Failure to bring towers and antennas into compliance with such revised standards and regulations in the time frame established by the County or controlling federal agency shall constitute grounds for the removal of the tower or antenna at the owner's expense. Any such removal by the governing authority shall be in the manner provided by O.C.G.A. §§ 41-2-7 through 41-2-17.

11. *Building codes and safety standards.*

To ensure the structural integrity of towers, the tower's or alternative tower structure's owner, permittee, or subsequent lessee shall ensure that it is maintained in compliance with standards contained in applicable local building and technical codes so as to ensure the structural integrity of such facilities. If, upon inspection, the Department of Planning and Zoning concludes that a tower fails to comply with all applicable codes and standards, or constitutes a danger to persons or property, then upon receipt of written notice to the owner, permittee, or lessee of the tower, said party shall have 15 days to bring the tower into compliance with such standards. If the owner, permittee, or lessee fails to bring the tower into compliance within the 15-day period, the governing authority may remove the tower at the expense of the owner, permittee, or lessee. Prior to the removal of any tower, the Department of Planning and Zoning may consider detailed plans submitted by the owner,

permittee, or subsequent lessee for repair of substandard towers, and may grant a reasonable extension of the above-referenced compliance period. Any such removal by the governing authority shall be in the manner provided in O.C.G.A. §§ 41-2-7 through 41-2-17.

12. *Change of ownership notification.*

Upon transfer of ownership of any tower, alternative tower structure, or lot upon which such a structure has been erected, the tower permittee shall notify the Department of the transaction in writing within 30 days of the effective date of the transaction.

I. Permitted Uses

The uses listed in this section are deemed to be permitted uses and shall not require administrative review or approval of a tall structure permit. However, all such uses shall comply with requirements set forth in Sec. 7.4.5.I. and all other applicable codes and ordinances.

1. *Collocation of antennas required.*

Applicants for the erection of a tower or placement of an antenna shall be required to collocate upon an existing tower or alternative tower structure. An exception to collocation shall only be made if the applicant adequately demonstrates that an existing tower suitable for collocation does not exist in the geographic antenna placement area utilizing the tower inventory maintained by the Department of Planning and Zoning, and that no suitable alternative tower structure is available as set forth in this section.

2. *Uses.*

a. If it is adequately demonstrated that antenna collocation, as required by Sec. 7.4.5.I.1., is not possible for a given geographic antenna placement area, the following uses are permitted uses.

- i. Constructing a new tower, including the placement of a service building or other supporting equipment used in connection with said tower or antenna, in the S-S, H-B, I-1 or I-2 zoning districts; provided, however, that all structures shall meet the setback, screening, and buffer requirements contained herein, and shall be located a minimum distance of two times the height of the tower from any residentially-zoned property.
 - ii. Installation of an antenna on an existing structure other than a tower (such as a building, sign, light pole, water tower, or other freestanding nonresidential structure) that is 50 feet in height or greater, provided that the additional antenna height adds no more than 20 feet to the height of the existing structure, subject to the zoning district restrictions of subsection (i) of this section in the S-S, H-B, I-1, I-2, POD, PCD, or PID zoning districts.
- b. If it is adequately demonstrated that antenna collocation, as required by Sec. 7.4.5.I.1., is not possible for a given geographic antenna placement area, the following special uses are permitted subject to approval by the county's Board of Commissioners per the provisions of this UDC.
- i. Constructing a new tower, including the placement of a service building or other supporting equipment used in connection with said tower or antenna, in the AG-1 and AR-1 zoning districts; provided, however, that all structures shall meet the setback, screening, and buffer requirements contained herein, and shall be located a minimum distance of two times the height of the tower from any residentially-zoned property.
- J. Public Notice**
1. At least ten days prior to the issuance of a building permit for the construction of a tower as a permitted use, the Department of Planning and Zoning shall cause a sign to be posted on the property and the publication of public notice in a newspaper of general circulation within the territorial boundaries of the county. Said public notice shall state the nature of the application, street location of the proposal and height of the proposed structure.
 2. If during the public notice period an objection to the building permit application is raised, the validity of the application and all pertinent documentation shall be determined by the county's Planning Commission. The objection shall be placed on the first available agenda of a regularly scheduled meeting following the expiration of the ten day appeal period. The Planning Commission shall dispense with the objection by either determining that the application is valid and meets all applicable criteria of this section, which shall result in the issuance of a building permit, or determining that the application is in error. Applications

found to be in error must, as a result, be processed through the tall structure permit process set forth in this Sec. 7.4.5.J.

K. Appeal of Administrative Determination

If a building permit application for a tower as a permitted use is determined by the Department of Planning and Zoning to not meet all applicable criteria of this section, the building permit applicant may appeal the determination to the county's Planning Commission. The Planning Commission shall dispense with the objection by either:

1. Determining that the application is valid and meets all applicable criteria of this section, which shall result in the issuance of a building permit; or
2. Determining that the application does not satisfy all applicable criteria of this section. Applications that do not satisfy all applicable criteria must, as a result, be processed through the tall structure permit process set forth in Sec. 7.4.5.M

L. Administrative Approvals

1. The County may administratively approve the placement of additional antennas upon towers or alternative tower structures as follows:
 - a. For a minor change in an existing tower or base station under FCC regulations for which all the following are true:
 - i. The height of a tower is not increased by more than 10 percent.
 - ii. The addition will not extend more than 20 feet from the tower.
 - iii. The modifications will not add more than one equipment shelter or four equipment cabinets.

- iv. The modification does not involve excavation outside the tower site or existing utility and access easements.

2. Each applicant requesting an administrative approval under this section shall submit a scaled site plan, scaled elevation view and supporting drawings, calculations, and other documentation, signed and sealed by appropriate licensed professionals, showing the location and dimensions of all improvements, including topography (utilizing minimum two-foot contour intervals), tower height requirements, setbacks, access driveways or easements, parking, fencing, landscaping, adjacent uses. The Department may request any other information it considers necessary to assess compliance with this section and compatibility with surrounding uses.
3. Amateur radio antennas shall meet the requirements of the county's construction code. Certain documentation requirements of this section may be waived by the Director for amateur radio antenna applications.
4. The Department of Planning and Zoning shall respond to each application within 30 days of its receipt by either approving or denying it. One 30-day extension of this review period may be exercised by the Department if such additional time is deemed necessary to adequately assess the request. If the Department fails to respond to the applicant within a maximum of 60 days, the application shall be deemed to be approved.
5. As part of any administrative approval, the Department of Planning and Zoning may reduce setback requirements by up to 10 percent to

compensate for irregularly shaped lots or parcels.

6. If a request for administrative approval is denied, the applicant may appeal the decision to the county's Planning Commission. In such an instance, the Planning Commission may authorize such variances from the terms of the telecommunications tower and antenna ordinance as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the ordinance will, in an individual case, result in unnecessary hardship, so that the spirit of the ordinance shall be observed, public safety and welfare secured, and substantial justice done. Such variances may be granted in such individual cases of unnecessary hardship upon a finding by the Planning Commission that the denial of the variance presents a significant detriment to the telecommunications service provider making application, and that the denial of the variance is insubstantially related to the public welfare.

M. Tall Structure Permit Required

1. If the proposed location, height, setback, or other aspect of a tower or antenna cannot comply with the minimum requirements established in Sec. 7.4.5.H. and 7.4.5.L. then a tall structure permit shall be required for the construction of a tower or the placement of an antenna in any zoning district.
2. The following provisions shall also govern the issuance of tall structure permits for telecommunications and personal wireless service towers and antennas:
 - a. In granting a tall structure permit, the Board of Commissioners may impose conditions to the extent that the board concludes such

conditions are necessary to minimize adverse effects from the proposed tower on adjoining or nearby properties, including limiting the height of proposed towers located in or near residential areas. In no event shall a new tower exceeding 100 feet in height be placed on residentially-zoned property, nor shall a new tower exceeding 195 feet in height be placed on property with any zoning classification.

- b. All information of an engineering nature that the applicant submits, whether civil, mechanical, or electrical, shall be certified by a licensed professional engineer or qualified industry expert.
 - c. Amateur radio antennas shall meet the requirements of all applicable county codes.
3. *Application, contents, fee.* All applications for tall structure permits shall be submitted to the Department of Planning and Zoning. Each application shall contain detailed plans and specifications as set forth in Sec. 7.4.5.M.4. An application for a tall structure permit shall not be accepted for processing without the information required in this section. An application fee shall be charged by the Department for each such application consistent with applicable law in an amount calculated to reimburse the County for the cost of processing and administering the tall structure application.
 4. *Exhibits required.* Each applicant requesting a tall structure permit under this section shall submit a scaled site plan, scaled elevation view, and supporting drawings, calculations, and other documentation signed and sealed by appropriate licensed professionals or qualified industry

experts, showing the location and dimensions of all improvements, including topography (utilizing minimum two-foot contour intervals), tower height requirements, setbacks, access driveways or easements, parking, fencing, landscaping, adjacent uses, affidavit of inventory as set forth in Sec. 7.4.5.H, and any other information deemed by the Department of Planning and Zoning to be necessary to assess compliance with this section and compatibility with surrounding uses.

5. *Review of application by radio-frequency engineer.*

a. Within five business days of accepting a tall structure permit application, the Department of Planning and Zoning shall refer that tall structure permit application to a radio-frequency engineer for review and recommendation. Within 30 business days after receiving the tall structure permit application for review, the radio-frequency engineer shall submit a detailed report and findings regarding the application to the Department of Planning and Zoning including, but not limited to, the need for the tower in the proposed location, whether or not the height of the tower should be lower than the height requested by the applicant, and possible alternatives for the location of the tower. These findings shall be submitted to the county's Board of Commissioners and the applicant for review within ten business days of receipt by the Department of Planning and Development, along with any staff report or recommendations prepared by the Department of Planning and Development for the

Board of Commissioners' consideration.

b. The applicant shall have ten business days after receiving the findings of the radio-frequency engineer and staff report to withdraw the tall structure permit application without prejudice. If the application is not withdrawn by the applicant within such time period, it shall be placed on the next available agenda for a public hearing by the Board of Commissioners, consistent with the notice requirements of Sec. 7.4.5.J.

6. *Collocation of antennas required.*

Applicants for the erection of a tower or antenna, except amateur radio operators, shall be required to collocate upon an existing tower structure. An exception to collocation shall only be made if the applicant adequately demonstrates that an existing tower suitable for collocation does not exist in the geographic antenna placement area utilizing the tower inventory maintained by the department, and that no suitable alternative tower structure is available as set forth in Sec. 7.4.5.G.4. An applicant must provide a detailed affidavit listing all towers within one mile of the proposed tower and explain why it cannot collocate on each of the existing towers.

7. *Public hearing.* Before taking action upon the proposed tall structure permit, the Board of Commissioners shall hold a public hearing on the matter. At least 30 days prior to the date of the public hearing, the following notice requirements shall be met by the applicant:

a. A sign shall be erected, in a conspicuous location, on or adjacent to each road frontage of

- the property under consideration. The sign shall state the time, place, location, and purpose of the public hearing.
- b. A letter shall be sent by regular mail to all property owners of record of abutting parcels, and all residentially-zoned parcels lying in whole or in part within 1,000 feet of the subject property, giving notice of the public hearing. Owners of record shall be as indicated by the county tax commissioner's records. The letter shall state the same information as required for the sign, referenced in subsection (a) of this section.
8. *Considerations in approval or denial of a tall structures permit.* Any denial of a request to place, construct, or modify a telecommunications facility shall be in writing and supported by substantial evidence contained in a resolution signed by the chairman of the county's Board of Commissioners. The governing authority shall consider, but is not limited to, the following factors in acting upon a tall structure permit application under the provisions of this section:
- a. The height and setbacks of the proposed tower;
 - b. The proximity of the tower to residential structures and residential district boundaries;
 - c. The nature of uses, as well as the height of existing structures, on adjacent and nearby properties;
 - d. The surrounding topography;
 - e. The surrounding tree coverage and foliage;
 - f. The design of the tower, with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness;
 - g. The proposed ingress and egress to the tower area;
 - h. The availability of suitable existing towers or other structures for antenna collocation;
 - i. The impact of the proposed tower upon scenic views and the visual quality of the surrounding area;
 - j. The evidence submitted regarding the need for the tower in the area, including, but not limited to, propagation maps and other similar materials;
 - k. The portion of the tower that will be visible from adjacent and nearby residential properties;
 - l. The number of required trips to the tower site on a monthly basis;
 - m. The tower's effect on property values of adjacent and nearby residential properties;
 - n. The ratio of the height of the proposed tower to the height of the tallest adjacent and nearby residential structure;
 - o. Safety concerns associated with the proposed tower or antenna;
 - p. The tower's effect upon potential purchasers of adjacent and nearby residentially-zoned property; and
 - q. The coverage or lack of coverage experienced by cell phone users in the area of the proposed tower.

N. Coordination with Federal Law

Whenever the Board of Commissioners finds that the application of this section would unreasonably discriminate among providers of functionally equivalent services or prohibit or have the effect of prohibiting the provision of personal wireless services, the Board of Commissioners may waive any or all of the

provisions of this article as part of a special use approval.

Regulations from the FAA, other federal entities, and the Georgia Streamlining of Wireless Facilities & Antenna Act (SWFAA) in

place at the time of the application shall supersede any contrary local regulations.

Sec. 7.5. Commercial Uses

7.5.1. Adult Establishment

A. Defined

Any adult establishment, adult business, adult video store, bathhouse, or escort bureau as defined by Sec. 5.20.020 of the Hall County Business License Code.

B. Use Standards

1. Where an adult establishment is allowed it must meet all specifications and requirements of Sec. 5.20 of the Hall County Business License Code and all other applicable County regulations.

7.5.2. Day Care

A. Defined

A facility providing care, protection, and supervision of children or adults on a regular basis away from their primary residence. Care is provided to a given individual for less than 24 hours a day. Day care includes the following:

1. Adult care center.
2. Day care center.
3. Family day care facility.
4. Group day care facility.
5. Nursery, kindergarten.

B. Adult Care Center

1. Defined.

Any facility licensed or registered with the State of Georgia and licensed by the county to provide, for fewer than 24-hours per day, basic adult day care or adult day health services to one or more adults who require basic services. Includes any establishment that regularly provides adult custodial services.

C. Day Care Center

1. Defined

Any facility licensed or registered with the State of Georgia and licensed by the county to provide, for fewer than 24-hours per day and without transfer of legal custody, care for 19 or more children under 18 years of age.

2. Use Standards

- a. A minimum of 100 square feet of outdoor play area must be provided for each child.
- b. Play areas must be enclosed by a fence at least 42 inches in height.
- c. No play area may be located within 25 feet of any adjacent property.

D. Family Day Care Facility

1. Defined

A private residence licensed or registered with the State of Georgia operated by the person residing there who receives pay for supervision and care, for fewer than 24 hours per day and without transfer of legal custody, for three but not more than six children under 18 years of age who are not related to such person and whose parents or guardians are not residents in the same private residence.

E. Group Day Care Facility

1. Defined

Any facility licensed or registered with the State of Georgia operated by any person, partnership, association or corporation which receives pay for supervision and care for not less than seven or more than 18 children under 18 years of age, for less than 24 hours and without transfer of legal custody.

F. Nursery, Kindergarten

1. Defined

Any facility licensed or registered with the State of Georgia to provide early childhood education for children ages three through six.

2. Use Standards

- a. A minimum of 100 square feet of outdoor play area must be provided for each child.
- b. Play areas must be enclosed by a fence at least 42 inches in height.

7.5.3. Event Facility**A. Defined**

A facility available for lease by private parties or special events, such as weddings.

7.5.4. Indoor Recreation**A. Defined**

A commercial or non-profit facility providing daily or regularly scheduled recreation-oriented activities in an indoor setting. Indoor recreation includes the following:

1. Commercial amusement, indoor.
2. Concert Hall, auditorium.
3. Health spa, gym.
4. Indoor shooting range.
5. School of the arts.
6. Theaters.

B. Commercial Amusement, Indoor**1. Defined**

A place where recreational activity such as arcades, billiards, game rooms, bowling alleys, skating rinks, sporting activities and other recreational amusements are conducted within a building.

C. Concert Hall, Auditorium**1. Defined**

A place of assembly that customarily charges an entrance fee to the public for concerts, plays or other similar live entertainment within a building or portion of a building.

D. Health Spa, Gym**1. Defined**

An establishment that for-profit or gain provides as one of its primary purposes services or facilities which are purported to assist patrons to improve their physical condition or appearance. Not included within this definition are facilities operated by nonprofit organizations, facilities wholly owned and operated by a licensed physician at which such physician is engaged in the practice of medicine, or any establishment operated by a health care facility, hospital, intermediate care facility, or skilled nursing care facility.

E. Indoor shooting range**1. Defined**

A building, room, or enclosure where the firing of firearms is permitted to practice marksmanship.

2. Use Standards

- a. All shooting ranges must meet the licensing requirements of the state and Hall County.
- b. No indoor shooting range may be located within 500 feet of any residential district or use.
- c. Buildings containing ranges must have walls, ceilings and floors that are either impenetrable to the bullets of the firearms being used within or have internal baffling constructed so that bullets cannot hit walls or ceilings.

F. School of the Arts**1. Defined**

An educational facility not operated by the Hall County Board of Education that offers or provides instruction to more than two students at a time in dance, singing, music, painting, sculpting, fine arts or martial arts.

G. Theater

1. Defined

A building or area designed primarily for showing performing arts or motion pictures.

- a. The bed and breakfast must be occupied and operated by the property owner.
- b. The area to be used as guest accommodations, including sleeping areas and bathroom facilities, may not exceed 60 percent of the total floor area.
- c. Bed and breakfast facilities of more than five rooms may be permitted upon approval of a conditional use permit.

7.5.5. Lodging

A. Defined

A facility where members of the public can obtain lodging on a temporary or short-term basis. Lodging includes the following:

- 1. Hotel/motel.
- 2. Bed and breakfast.

B. Hotel/Motel

1. Defined

Any structure consisting of one or more buildings containing dwelling units with provisions for transient occupancy or temporary lodging of 30 days or less and which is offered for pay to persons. Includes such terms as auto court and motor lodge, but not group living or bed and breakfast as defined in this article.

C. Bed and breakfast

1. Defined

A principal or accessory dwelling in which five or fewer rooms are provided for transient occupancy for a daily fee not to exceed 30 consecutive days. Breakfast and refreshments are the only food typically served and are reserved only for guests.

2. Use Standards

7.5.6. Medical

A. Defined

A facility providing medical or surgical care to patients. Some facilities may offer overnight care. Medical includes the following:

- 1. Hospital.
- 2. Medical office, dental office or chiropractor, osteopath, physician, medical practitioner.
- 3. Medical clinic, urgent care, emergency medical office.

B. Hospital

1. Defined

A facility providing inpatient health care for people, including:

- a. General medical and surgical services.
- b. Outpatient facilities.
- c. Psychiatric care and specialty medical facilities.

7.5.7. Office

A. Defined

A facility used for activities conducted in an office setting and generally focusing on business, professional or financial services. Office includes the following:

1. Business services including, but not limited to, advertising, business management consulting, computer or data processing, graphic design, commercial art, or employment agency.
2. Counseling in an office setting.
3. Financial institutions including banks and savings and loan facilities.
4. Financial services including but not limited to, lender, investment or brokerage house, call center, insurance adjuster, real estate or insurance agent, mortgage agent or collection agency.
5. Professional services including but not limited to, lawyer, accountant, auditor, bookkeeper, engineer, architect, sales office, travel agency, interior decorator or security system services.
6. Radio, film, recording, and television studios and stations.
7. Trade, vocational, business school.

B. Financial Institutions

1. Defined

State and national banking associations, federal savings and loan associations or state building and loan associations which are regulated by the Georgia Banking and Finance Department and Federal law. Title pawn businesses are not included within this definition.

C. Radio, Film, Recording, and Television Studios and Stations

1. Defined

A facility in which video, radio or sound production takes place, either for live broadcasting or for the acquisition of raw footage for postproduction.

D. Trade, Vocational, Business School

1. Defined

An educational use not operated by the Hall County Board of Education and having a curriculum devoted primarily to business (including barbers and beauticians), industry, nursing, driving, trade or other vocational-technical instruction.

7.5.8. Personal Service

A. Defined

A facility involved in providing personal or repair services to the public. Personal service includes, but is not limited to, the following:

1. Animal care (indoor).
2. Animal care (outdoor).
3. Beauty, hair, or nail salon.
4. Catering service.
5. Funeral home.
6. Private morgue, mortuary, or crematorium.
7. Laundry and dry cleaning.
8. Massage therapy.
9. Personal repair.
10. Photocopying, printing and reproduction service.
11. Psychic, fortune teller.
12. Tailor, milliner or upholsterer.
13. Tattoo parlor or body piercing.
14. Taxidermist.

B. Animal Care (Indoor)

1. Defined

A facility designed or arranged for the care of animals without any outdoor activity. No outdoor activity associated with the care of animals is allowed, except for outdoor pet elimination

areas no more than 2,000 square feet in area. Includes animal grooming, animal hospital, veterinary clinic, pet clinic, animal boarding, animal shelter, kennel (5 or more dogs or cats), and doggy day care. May include as an accessory use the sale of products such as pet foods, leashes, collars, or animal care products.

C. Animal Care (Outdoor)

1. Defined

A facility designed or arranged for the care of animals that includes outdoor activity. Includes animal grooming, animal hospital, veterinary clinic, pet clinic, animal boarding, animal shelter, kennel (5 or more dogs or cats), and doggy day care. May include as an accessory use the sale of products such as pet foods, leashes, collars, or animal care products.

2. Use Standards

- a. The minimum lot size is 5 acres in the AR-1, AG-1 and AG-2 districts.
- b. No structure or area for the keeping of animals may be located within 100 feet of a property line.
- c. An opaque fence or wall at least 6 feet in height must be erected adjacent to any area used for the keeping of animals.
- d. A vegetative buffer is required in accordance with Sec. 8.2.

D. Beauty, Hair, or Nail Salon

1. Defined

A commercial facility where cosmetology services are offered or provided for a fee.

E. Catering Service

1. Defined

A commercial facility providing prepared foods and/or service for off-site consumption. This does not include the delivery of packaged foods for individual sale.

F. Funeral Home

1. Defined

A facility used for undertaking services, such as preparing the dead for burial and the arranging and managing of funerals. Such facilities may include chapels, storage areas for caskets, urns, and other funeral supplies, and storage for funeral vehicles.

G. Private Morgue, Mortuary, or Crematorium

1. Defined

A facility used for the temporary storage of human corpses awaiting identification, burial, cremation or autopsy.

H. Laundry and Dry Cleaning

1. Defined

A facility where customers wash their clothes using self-operated machines or leave clothes for on or off-site cleaning. Laundry and dry cleaning includes dry cleaning pick-up and delivery stations, clothes drop-off facility, laundromat, and washeteria.

I. Massage Therapy

1. Defined

Any building, structure, or place, other than a regularly licensed and established hospital, whose principal business is to practice nonmedical or nonsurgical manipulative exercises or devices upon the human body manually or otherwise by any person other than a licensed physician, surgeon, dentist, occupational or physical therapist, chiropractor or osteopath with or without the use of

therapeutic, electrical, mechanical or bathing devices.

J. Personal Repair

1. Defined

A business whose primary use is repair services to the public. Personal repair specifically includes, but not limited to, repair of appliances, bicycles, canvas product, clocks, computers, jewelry, musical instruments, office equipment, radios, shoes, televisions, watches, or similar items. Personal repair specifically excludes small engine repair, vehicle repair, and any other principal or accessory use that is otherwise identified in this article.

K. Photocopying, Printing and Reproduction Services

1. Defined

A commercial establishment where copying, reproduction and other business services are performed.

L. Psychic, Fortune Teller

1. Defined

All persons, firms or corporations engaging in the business, trade or profession of fortune-telling, astrology, phrenology, palmistry, clairvoyance, or related practices for a charge or by donation.

M. Tailor, Milliner, or Upholsterer

1. Defined

A facility where professional services are provided for the alteration or repair of clothing, headwear, furniture, or similar household items.

N. Tattoo Parlor or Body Piercing

1. Defined

A business providing one or more of the following:

- a. Placing of designs, letters, figures, symbols, or other marks upon or under the skin of any person, using ink or other substances that result in the permanent coloration or modification of the skin by means of the use of needles or other instruments designed to contact or puncture the skin.
- b. Creation of an opening in the body of a person for the purpose of inserting jewelry or other decoration.
- c. This definition does not include procedures performed by a licensed physician at a medical facility as defined in Sec. 7.5.6.

2. Use Standards

- a. No use may be licensed or operated within 300 linear feet of the front entrance (measured in a straight line) of any residential use, day care facility, place of worship, public or private school, park or playground, or any establishment where alcohol is consumed on premises.
- b. Hours of operation are only allowed from 8:00 a.m. through 9:00 p.m.
- c. All spaces that are used to tattoo, pierce or otherwise modify a body must be separate and not within the line of sight of the public.
- d. Any establishment must remain in compliance with all applicable regulations of the Georgia Department of Public Health.

O. Taxidermist

1. Defined

A business engaged in the preparing, stuffing, and mounting of animal skins to make them appear lifelike.

7.5.9. Outdoor Recreation

A. Defined

A facility or use, varying in size, which provides daily or regularly scheduled entertainment, recreation or amusement activities for profit, including but not limited to an outdoor shooting range, amusement park, private zoo, sports stadium or arena, outdoor sports field or court, swimming pool, travel trailer park, campground or recreational vehicle park, or outdoor theater.

B. Outdoor Shooting Range

1. Defined

An area of land set aside for the discharge of firearms to practice marksmanship.

C. Travel Trailer Park, Campground, Recreational Vehicle Park

1. Defined

A parcel of land which has been planned and developed to accommodate two or more travel trailers, tents or other camping units, or recreational vehicles for temporary occupancy. Accessory uses or facilities may be provided on site including management offices, community facilities for sanitation or recreation, and commercial uses for essential goods or services for exclusive use for park patrons.

2. Use Standards

- a. The minimum lot size is 5 acres.
- b. All designated spaces must be located on an interior driveway. All interior driveways must have unobstructed access to a public street or highway and must be

graded, stabilized and covered with a dust-free material.

- c. Parks designed to accommodate 15 or more designated spaces must provide at least one recreation area with a minimum area of 3,000 square feet. When recreation areas include swimming facilities they must be enclosed by a fence at least 4 feet high. Fences must include a self-latching or self-closing gate.
- d. All park grounds must be maintained with grass, trees or shrubs to enhance the appearance of the park and to prevent soil erosion or the creation of dust during dry weather.
- e. No permanent structure may be erected on any designated space within the park.
- f. Parks must have a public, community or private water and sewer system approved by the County health department and the local water department when appropriate. Water and sewer approval must be obtained prior to submission of the site plan to the Planning Commission.

7.5.10. Eating and Drinking Establishment

A. Defined

A facility that prepares and sells food and drink for on- or off-premise consumption. Eating and drinking establishment includes the following:

1. Brewpub.
2. Coffee, tea, or juice shop.
3. Drive-in restaurant.
4. Restaurant.
5. Yogurt or ice cream shop.

B. Brewpub

1. Defined

An eating or drinking establishment in which beer or malt beverages are manufactured or brewed, subject to the barrel production limitation prescribed in O.C.G.A. § 3-5-36, for on-site retail consumption in draft form.

2. Use Standards

All brewpubs must meet the requirements of Title 5, Chapter 5.30 of the Hall County Official Code.

C. Drive-In Restaurant.

1. Defined

Any restaurant designed for customers to park and place and receive food orders while remaining in their vehicles.

7.5.11. Retail Sales

A. Defined

A facility involved in the sale, lease, or rental of new or used products for personal or household consumption, including processing or manufacturing incidental or subordinate to selling and occupying less than 40 percent of the floor area. Retail sales includes the following:

1. General retail.
2. Bakery.
3. Pawn shop, pawn broker, title pawn, title loan, check cashing.
4. Smoke or vape shop.

B. General Retail

1. Defined

A facility involved in the sale, lease, or rental of new or used appliances, antiques, art supplies, bait and tackle, batteries, beer, liquor, wine, bikes, books, building supplies, cameras, carpet and floor coverings, crafts, clothing, computers, convenience

goods, dry goods, dispensaries, electronics, fabric, food and beverages, furniture, garden supplies, groceries, hardware, home improvement, household products, jewelry, medical supplies, magazines, meat, music, musical instruments, newspaper, novelties, office supplies, package shipping, pets, pet supplies, pharmaceuticals, phones, photo finishing, picture frames, plants, pottery, printed materials, produce, seafood, shoes, sporting goods, stationery, tobacco and related products, toys, media, vehicle parts and accessories, video games and related products, except as otherwise defined in this article.

C. Bakery

1. Defined

A business whose primary use is the retail sale of breads, cakes, cookies, pastries, and other baked goods that have been produced on-site or off-site to the public.

D. Pawn Shop, Pawn Broker, Title Pawn, Title Loan, Check Cashing

1. Defined

A business involved in any part of the pledge, pawn, or exchange of any goods, wares, merchandise, or any kind of personal property or title as security for the repayment of money lent.

E. Smoke or Vape Shop

1. Defined

Any business whose principal use involves the sale or on-site use of tobacco products, alternative nicotine products, vape juice, or any combination of these. For the purposes of this definition, "alternative nicotine products" refer to any products or devices that employ an electronic

heating element, power source, electronic circuit, battery, or other electronic, chemical, or mechanical means to produce a vapor that delivers nicotine to the person inhaling from the device, including electronic cigarettes, electronic cigars, electronic hookahs, electronic bong and electronic pipes, whether manufactured, distributed, marketed, or sold as an electronic cigarette, electronic cigar, or electronic pipe. For the purposes of this definition, “vape juice” refers to any liquid that contains compounds containing pharmaceutical grade vegetable glycerin, propylene glycol, nicotine, food-grade flavoring, and water, and can be used for vaping by means of an alternative nicotine product. For purposes of this definition, “principal use” means that the combined total sales of tobacco products, alternative nicotine products, and vape juice constitute at least 25% of the business’s aggregate sales. “Principal use” also means that any amount of on-site use of sold tobacco products, alternative nicotine products, vape juice, or any combination of these occurs on the premises. A business will be deemed a smoke or vape shop when either or both of these “principal use” meanings are met.

7.5.12. Vehicular

A. Defined

A facility primarily providing the sale, leasing, servicing, repair, parts, or storage of passenger vehicles, light and medium trucks, and other consumer motor vehicles such as motorcycles, boats, and recreational vehicles. Vehicular includes the following:

1. Boat and recreational vehicle sales, rental, or service.
2. Car wash.
3. Fuel sales.
4. Service Station.
5. Truck Stop.
6. Vehicle sales, rental, or auction.
7. Vehicle repair, minor.
8. Vehicle repair, major.

B. Boat and Recreational Vehicle Sales, Rental, or Service

1. A facility that sells, repairs or rents boats, travel trailers or recreational vehicles for a fee. Includes the outdoor storage and display of merchandise.

C. Car Wash

1. Defined

A facility with mechanical or hand-operated equipment used for the cleaning, washing, polishing, or waxing of motor vehicles, including, but not limited to, self-service, full-service, and hand-detailing service.

2. Use Standards

- a. When located within 200 feet of any residential district or use, a car wash is subject to the following:
 - i. Operation of the establishment is limited to the hours between 6 AM to 10 PM on all days of the week.
 - ii. Vacuums and compression machines must be located on the site so as not to cause excessive noise onto adjacent properties.
 - iii. No equipment or structure may be located within 20 feet of the adjacent residential district or use.

- iv. In addition to the screening and buffer requirements of Sec. 8.2., a solid fence or wall at least 8 feet in height must be provided along the adjoining property line.
- b. Adequate stacking spaces must be provided to avoid encroachment by any vehicles into the public right-of-way.
- c. Canopies may not exceed a height of 18 feet to the bottom of the underside of the canopy and 23 feet to the top of the roof of the canopy.
- d. All car wash facilities must meet the architectural standards of Sec. 6.2.6.

D. Fuel Sales

1. Defined

A facility for the dispensing and distribution of vehicle fuels with or without a retail convenience store. Fuel sales may be a primary or accessory use.

2. Use Standards

- a. Canopies may not exceed a height of 18 feet to the bottom of the underside of the canopy and 23 feet to the top of the roof of the canopy.
- b. Fuel pumps must be located at least 50 feet from any residential district.

E. Service Station

1. Defined

A facility where gasoline, oil, grease, batteries, tires and other automobile accessories may be dispensed at retail. Tire recapping facilities are not permitted as a service station.

2. Use Standards

- a. No part of the premises may be used for the storage of dismantled or wrecked vehicles.

F. Truck Stop

1. Defined

A facility for heavy trucks which may provide fuel, minor service or repair facilities, vehicular washing areas, restaurants, convenience retail goods, and restroom or showering facilities on site.

G. Vehicle Sales, Rental, or Auction

1. Defined

A facility that sells, leases, or auctions new or used passenger vehicles, light or medium trucks, or motorcycles.

H. Vehicle Repair, Minor

1. Defined

A facility where minor vehicle repair and service is conducted. Includes audio and alarm installation, custom accessories, quick lubrication facilities, minor scratch and dent repair, emissions testing, bed-liner installation, and glass repair or replacement.

2. Use Standards

- a. For all vehicular repair garages except those provided for under Sec. 7.8.9.E. any operative or non-operative vehicle which is visible from beyond the premises must have a current vehicle registration and a paid ad valorem tax receipt, except that a maximum of three vehicles which are either non-operative or not registered, exempt from registration because they are used for racing or competition events or qualify as antique or classic vehicles undergoing restoration, may be stored within view from beyond the premises

without having a current vehicle registration.

I. Vehicle Repair, Major

1. Defined

A facility used for the service or major commercial repair of motor vehicles, including transmission, brake, muffler and tire shops, along with body and paint shops.

2. Use Standards

- a. All service and repair work must be performed within fully enclosed buildings.
- b. All vehicles, dismantled parts, or supplies must be stored within fully enclosed buildings.

- c. For all vehicular repair garages except those provided for under Sec. 7.8.9.E., any operative or non-operative vehicle which is visible from beyond the premises must have a current vehicle registration and a paid ad valorem tax receipt, except that a maximum of three vehicles which are either non-operative or not registered, exempt from registration because they are used for racing or competition events or qualify as antique or classic vehicles undergoing restoration, may be stored within view from beyond the premises without having a current vehicle registration.

Sec. 7.6. Industrial Uses

7.6.1. Craft Manufacturing

A. Defined

A facility whose primary use is the shared or individual use of hand-operated tools for the manufacturing of products or parts, including their design, processing, fabrication, assembly, treatment and packaging. Craft manufacturing may also include the incidental storage, sale, and distribution of said products or parts. Craft manufacturing specifically includes, but is not limited to, the manufacturing of electronic goods, food and bakery products, non-alcoholic beverages, printmaking, household appliances, leather products, jewelry and clothing, metalwork, furniture, glass or ceramics, and paper.

B. Use Standards

1. No individual facility may exceed 20,000 square feet of floor area.
2. The operation may not result in noise, electrical interference, vibration, smoke, gas, fume, odor, dust, fire hazard, dangerous radiation, or other injurious or obnoxious conditions detectable to the normal human senses off the premises.

7.6.2. Data Center

A. Defined

A facility dedicated to the housing of telecommunications exchanges, or computer or data processing, management, storage, equipment or systems. Data centers may also include accessory utility infrastructure such as air handler, power generator, water cooling and storage facilities, and similar infrastructure necessary to the operations at a data center.

7.6.3. Heavy Industrial

A. Defined

A facility that involves dangerous, noxious or offensive uses, or a facility that has smoke, odor, noise, glare, fumes, gas, vibration, threat of fire or explosion, emission of particulate matter, interference with radio, television reception, radiation or any other likely cause. Heavy industrial includes the following:

1. Airport, which means any area of land or water designed and set aside for the landing and taking off of aircraft and utilized or to be utilized in the public interest for such purposes. An airport shall include all runways, terminal buildings, hangars, and related facilities located on the airport premises.
2. Airfield, private, which means a privately-owned airfield. Airfield means any area of land or water utilized for the landing or taking off of aircraft.
3. Animal processing, packing, treating and storage, livestock or poultry slaughtering, processing of food and related products, production of lumber, explosives, fireworks, tobacco, chemical, rubber, leather, clay, bone, paper, pulp, plastic, stone, or glass materials or products, production or fabrication of metals or metal products including enameling and galvanizing.
4. Asphalt emulsion.
5. Bulk fuel sales.
6. Bulk storage or manufacturing of flammable liquids, chemicals, cosmetics, drugs, soap, paints, fertilizers and abrasive products.

7. Concrete, cement, asphalt, brick, lime, gypsum or tile manufacturing.
8. Laboratory, except those as defined in Sec. 7.6.5.
9. Mineral extraction such as quarrying stone or mining.
10. Petroleum, liquefied petroleum gas and coal products and refining.
11. Prefabricated building manufacturing.
12. Private energy facility used for the generation of power to be sold to a public utility provider, including solar, wind, geothermal or hydraulic facilities.

B. Asphalt Emulsion

1. Defined

A facility where asphalt, water, and an emulsifying agent are combined to create a semi-solid asphalt used for maintenance and repair of concrete, cement, or asphalt roads or walkways.

7.6.4. Light Industrial

A. Defined

A facility conducting light industrial operations which do not result in adverse effects beyond the boundary of the property. Light industrial includes the following:

1. A facility that involves conducting food and beverage production; land-intensive outdoor sales and services; or repair or servicing of industrial, business, or consumer machinery, equipment, or products mainly by providing centralized services for separate retail outlets.
2. Brewery, winery, distillery.
3. Laundry, dry-cleaning, and carpet cleaning plants.
4. Light manufacturing.
5. Micro-brewery.

6. Micro-distillery.

B. Brewery, Winery, Distillery

1. Defined

An industrial facility where malt beverages, distilled spirits, or wine are produced on the premises and then sold or distributed for off-premises consumption in compliance with State law and Department of Revenue licensing requirements. The sale, by a retail licensee, of beverages manufactured at the facility is permitted from the premises. Restaurants and event facilities are also permitted within the facility as accessory uses. Does not include farm winery as defined in Sec. 7.7.4.

C. Light Manufacturing

1. Defined

A facility conducting light manufacturing operations within a fully enclosed building. Light manufacturing includes the following:

- a. Clothing, textile or apparel manufacturing.
- b. Facilities engaged in the assembly or manufacturing of scientific measuring instruments; semiconductor and related devices, including but not limited to clocks, integrated circuits, jewelry, medical, musical instruments, photographic or optical instruments or timing instruments.
- c. Pharmaceutical or medical supply manufacturing.
- d. Printing, bookbinding, or publishing plants.
- e. Sheet metal, welding, machine shop, tool repair.

- f. Stone, clay, glass, or concrete products.
- g. Woodworking, cabinet makers, or furniture manufacturing facility which does not meet the definition of craft manufacturing in Sec. 7.6.1.

D. Micro-brewery

1. Defined

A small-scale malt beverage manufacturing facility in which malt beverages manufactured on-premises or at another of the brewer’s licensed premises under common ownership as defined in OCGA 3-5-24.1 may be sold for consumption on-premises or by the package for off-premises consumption. Malt beverages manufactured or brewed on-premises shall be limited to 10,000 barrels per calendar year, of which no more than 6,000 barrels may be sold at retail for on-premises consumption or by the package for off-premises consumption.

E. Micro-distillery

1. Defined

A small-scale distilled spirit manufacturing facility in which distilled spirits manufactured on-premises or at another of the distiller’s licensed premises as defined in OCGA 3-4-24.2 may be sold for consumption on-premises or by the package for off-premises consumption. Distilled spirits manufactured or distilled on-premises shall be limited to 3,000 barrels per calendar year, of which no more than 750 barrels may be sold at retail for on-premises consumption or by the package for off-premises consumption.

A facility focused primarily on the research and development of new products. Research and development includes the following:

1. Laboratories, offices and other facilities used for research and development by or for any individual, organization or concern, whether public or private.
2. Prototype production facilities that manufacture a limited amount of a product in order to fully investigate the merits of such a product.
3. Pilot plants used to test manufacturing processes planned for use in production elsewhere.

7.6.6. Storage Lot

A. Defined

A facility used entirely for:

1. Contractors equipment storage.
2. Heavy equipment storage.
3. Fleet storage.
4. New and operable used vehicle, boat, or other similar operable vehicle storage where no retail sale of vehicles is conducted.
5. Storage of stone, pipe, steel, and other similar material or equipment.
6. Storage of soil, mulch or lumber, including the splitting of logs.
7. Towing/impounding of vehicles.
8. Truck terminal.
9. Truck yard.

B. Contractors Equipment Storage

1. Defined

A facility engaged in the provision of offsite contractor activities, including, but not limited to, plumbing, electrical work, building, roofing, carpentry, exterminating and landscaping and

7.6.5. Research and Development

A. Defined

other such activities, including the storage of material and the overnight parking of commercial vehicles.

2. Use Standards

- a. When storage of equipment or vehicles occurs outside and adjacent to any non-industrial district, the buffer standards for Industrial uses in Table 8.2.1. apply.

C. Heavy Equipment Storage

1. Defined

A facility engaged in the storage of heavy equipment used for farming, grading or paving, usually uncovered or outside.

2. Use Standards

- a. The buffer standards for Industrial Uses with Outdoor Storage in Sec. 8.2. apply to all such facilities.
- b. In addition to the standards of Sec. 8.2., an opaque fence or wall at least 8 feet in height must be provided to screen storage areas from adjacent properties.

D. Truck Terminal

1. Defined

A facility for the receipt, transfer, short-term storage, and loading or unloading of goods transported by heavy trucks. Does not include the overnight storage of such vehicles.

E. Truck Yard

1. Defined

A facility for the temporary parking or storage of heavy trucks which are in active use.

2. Use Standards

- a. The minimum lot size is 2 acres.
- b. Parking or storage may be overnight.

- c. No loading or unloading may occur on the premises.

- d. No truck yard may be located within 500 feet of a residential district.

- e. No storage of inoperable vehicles is allowed.

7.6.7. Self-Service Storage

A. Defined

A facility providing separate storage areas for personal or business use designed to allow private access by the tenant for storing or removing personal property.

B. Use Standards

1. No outside storage is allowed.
2. New self-service storage facilities must be located at least 1,500 feet from any other self-service storage facility.

7.6.8. Warehouse and Distribution

A. Defined

A facility involved in the storage or movement of goods for themselves or other firms. Goods are generally delivered to other firms or the final consumer with little on-site sales activity to customers. Warehouse and distribution includes the following:

1. Building materials storage yard.
2. Bulk storage, including non-flammable liquids, cold storage plants, frozen food lockers, household moving and general freight storage.
3. Distribution of products and merchandise.
4. Parcel services.
5. Transfer and storage business where there are no individual storage areas or where employees are the primary

movers of the goods to be stored or transferred.

of organic material may be no less than 100 feet when the adjacent property is zoned AG-1 or AR-1.

7.6.9. Waste Related Services

A. Defined

A facility used for the sale, exchange, storage, salvage, baling or cleaning of waste material. Waste-related service includes the following:

1. Composting or storage of organic material.
2. Hazardous household materials collection center.
3. Hazardous waste facility.
4. Junk or salvage yard.
5. Landfill.
6. Recycling processing center.
7. Scrap metal processor.
8. Solid or liquid waste transfer station.
9. Slow rate land treatment system.
10. Waste-related energy recovery or production.

B. Composting or Storage of Organic Material

1. Defined

A facility or lot used for the controlled biological decomposition of organic matter in a stable humus-like material or for the storage of such organic material.

2. Use Standards

- a. Commercial or agricultural composting operations must be at least 200 feet from any side or rear property lines.
- b. Structures for the storage of organic material or waste must be at least 200 feet from any side or rear property line.
- c. In the AG-1 and AR-1 districts the setback for composting or storage

C. Junk or Salvage Yard

1. Defined

The use of any facility whether indoors or outdoors for the storage, keeping, salvage or sale of junk, scrap metals or other scrap materials. Includes the dismantling, demolition or abandonment of one or more automobiles or other vehicles or machinery or parts thereof.

2. Use Standards

- a. No person, firm or corporation may operate, use or expand a junk yard unless and until a valid occupancy permit has been issued. An application must be made on the proper form and a detailed site plan must be attached. Occupancy permits may be issued according to the provisions of these requirements.
- b. A landscape buffer strip of evergreen species must be planted to form a hardy screen dense enough to interrupt vision and noise.
- c. The landscape buffer must be at least 50 feet when adjacent to any residential district or use and at least 30 feet for all other uses, regardless of the zoning of the adjacent property.
- d. The landscape buffer must attain a height of at least 8 feet within five years of establishment of the buffer.
- e. The landscape buffer must be planted at least 5 feet from any street right-of-way or side and rear property line.

- f. Either larger plants or a greater number of plants than will be needed at maturity must be planted as necessary to attain full screening horizontally while the plants are growing to full height. Spacing must be the minimum required for mature plants, and two staggered rows may be used if necessary to attain the required initial screening. New plants must be nursery-grown and of such size, species, and condition as to ensure the maximum initial screening commensurate with a high rate of survival and a high growth rate.
- g. A detailed description or site plan of the landscape buffer strip that meets these requirements must be submitted for review and approval.
- h. Where a certificate of occupancy has been issued for a site prior to the adoption of landscape buffer requirements, a certificate of zoning compliance may be used to indicate approval of a completed landscape buffer strip.
- i. In addition to the landscape screening, a fence at least 6 feet in height must be erected no closer than 10 feet from any property line. The fence must completely obstruct view into the property. Wood or metal slatted chain-link fencing must be used unless specifically modified by the Planning Commission. The slatting used on chain-link fencing must be wide enough to completely fill the area between the links. Gates must be of the same material as the fence and must obstruct view into the property when closed.
- j. The parking of non-operable motor vehicles or the storage of

junk on public rights-of-way or outside the fenced enclosure is specifically prohibited and may be deemed cause for immediate revocation of the occupancy permit.

D. Slow Rate Land Treatment System

1. Defined

A system for wastewater treatment by spray irrigation (land application). The term refers to the advanced treatment of wastewater by irrigation onto land to support vegetative growth. For purposes of this regulation, the term may include ponds or lagoons used for the temporary storage of the treated wastewater before application to the spray fields.

2. Use Standards

- a. The treatment system must be properly sited, designed and operated in conformance with state and local regulations.
- b. Any treated wastewater stored in ponds or lagoons must have been treated to a level that the wastewater could be sprayed without further treatment.
- c. Any ponds or lagoons must have liners to prevent seepage.

E. Waste-related Energy Recovery or Production.

1. Defined

A private facility where non-recyclable waste materials are converted into usable heat, electricity, or fuel through a variety of processes including, but not limited to, combustion, gasification, pyrolyzation, anaerobic digestion or landfill gas recovery.

2. Use Standards

- a. The minimum lot size is 10 acres.

- b. No structure or facility used in the recovery or production process may be within 200 feet of any property line.

A facility involved in the sale, lease, or rent of products, primarily to other businesses. Wholesale may include display or storage areas for products.

7.6.10. Wholesale

A. Defined

Sec. 7.7. Agricultural Uses

7.7.1. Agriculture, General

A. Defined

The use of a lot for the following activities: raising, growing, harvesting, or storing of crops; post-harvest services on crops with the intent of preparing them for market or further processing, including, but not limited to crop cleaning, drying, shelling, fumigating, curing, sorting, grading, packing, ginning, canning, pickling, and cooling; feeding, breeding, or managing livestock or poultry; producing or storing feed for the use in the production of livestock or poultry; slaughtering and processing of poultry and other animals raised on site; manufacturing dairy products; producing horticultural, viticultural, silvicultural, grass sod, dairy, livestock, poultry, egg, and apiarian products; keeping of up to four equines and equine related activities such as riding rings or dressage fields; or similar agrarian activity for gain or profit, and the related buildings, structures, and appurtenances necessary to carry out the use.

Includes the operation of facilities which allow the public to participate in agricultural related activities such as petting zoos, educational tours, guest ranches, and pay fishing. This does not include the raising of dangerous animals.

B. Use Standards

1. The minimum lot size is 5 acres.
2. No commercial poultry house or structure for the keeping of livestock or equine for commercial purposes may be located within 200 feet of the side and rear property lines.
3. In the raising of exotic animals no structure, including outside runs or

pens used to house such animals, may be located within 200 feet of a property line.

7.7.2. Equestrian Center

1. Defined

A lot on which more than four adult equines are kept for the purpose of training, instruction, practice sessions, shows, competitive equestrian events, or riding lessons are provided a fee. Includes facilities for riding trails and rings, dressage fields, and other equestrian related activities.

2. Use Standards

- a. The minimum lot size is 5 acres.
- b. No structure for the keeping of equines, including stables, may be located within 200 feet of any property line.
- c. No other structures or facilities, including but not limited to riding trails, show and training rings or jumps, may be located within 50 feet of any property line.

7.7.3. Agri-entertainment Events

A. Defined

The gathering of individuals for social, celebratory or entertainment purposes at an agricultural location or venue wherein a fee is charged by the owner or representative of the property for the use of the venue. Events include weddings, receptions, private parties, public gatherings, community events or similar agri-entertainment uses as determined by the Director.

B. Use Standards

1. A pre-application meeting with the Department of Planning and Zoning is required prior to any application for agri-entertainment use.

2. The minimum lot size is 5 acres.
3. The agri-entertainment event barn or primary event structure may be constructed only on the property described in the application. The barn or primary structure must be located at least 300 feet from any property line under separate ownership.
4. Accessory buildings or structures for the use of the property as an agri-entertainment event facility must be located at least 50 feet from any property line under separate ownership.
5. All parking for an agri-entertainment event must be located at least 200 feet from any property line under separate ownership. Parking on grass or gravel may be permitted.
6. The maximum number of attendees to occupy any agri-entertainment event barn or structure on the premises is determined by the Hall County Fire Marshal.
7. The occupancy of the agri-entertainment event barn or primary event structure must not exceed the occupancy load provisions of the Uniform Building Code. e Occupancy load limits will be posted on the premises by the Hall County Building Inspection Department.
8. The use of the premises for an agri-entertainment venue may be permitted only after the issuance of a certificate of occupancy by the Hall County Building Inspection Department.
9. Any improvements required to support the property as an agri-entertainment venue may be made only after the issuance of a building permit by the Hall County Building Inspection Department.
10. Outdoor activities may not involve the outside amplification of voice, music or instruments except during a wedding ceremony.
11. Agri-entertainment events may operate between the hours of 9:00 a.m. to 10:00 p.m. on Sunday through Thursday and 9:00 a.m. to 12:00 a.m. on Friday and Saturday.
 - a. Operate, as used in this Sec. 7.7.3., means the conclusion of services for guests or attendees such as food, drinks, and entertainment.
12. All agri-entertainment events must provide adequate potable water and sanitary waste disposal systems as determined by the Hall County Environmental Health Department.
13. All agri-entertainment events must provide adequate access and egress for emergency vehicles.
14. All agri-entertainment events must provide adequate personnel to assist with parking, emergency and other potential impacts of each event.
15. If the property being considered for agri-entertainment use is a "bona-fide conservation use property" as defined under O.C.G.A. §§ 48-5-7.1 through 48-5-7.4, caution should be used to ensure that the proposed agri-entertainment use of the property does not constitute a breach of the conservation covenants applicable to the property.

7.7.4. Farm Winery

A. Defined

The same meaning as set forth by state law and Chapter 5 of the Hall County Code of Ordinances.

B. Use Standards

1. The minimum lot size is 5 acres.
2. The farm winery must be located on a lot used for agricultural purposes,

- including the cultivation of grapes, berries or fruits utilized in the manufacture or production of wine.
3. The farm winery must be owned and operated by persons who work in the production of a large part of the agricultural produce used in its annual production.
 4. Parking areas must be screened from roads and adjacent properties.
 5. No amplified sound is permitted unless it is within an enclosed structure.
 6. Activity areas such as tasting rooms, buildings used for production, storage, bathroom facilities, and parking areas must be at least 100 feet from any lot line. This does not include the propagation of grapes or other crops.
 7. The maximum number of attendees and hours of operation will be evaluated by the Board of Commissioners on a case-by-case basis for each site to protect the public's health, safety, and welfare.

8. Tasting rooms must not exceed 2,500 square feet in size.
9. The farm winery must comply with applicable requirements for a Farm Winery in Chapter 5 of the Hall County Code of Ordinances.

7.7.5. Sawmill

A. Defined

A facility used to process timber grown and harvested on-site.

B. Use Standards

1. The minimum lot size is 5 acres.
2. The sawmill must be located at least 200 feet from the nearest residence on any adjacent property.
3. No sale of products resulting from the sawmill may occur on the property.
4. Hours of operation are limited to Monday to Saturday, 7:00 a.m. through 7:00 p.m.

Sec. 7.8. Accessory Uses

7.8.1. General

- A. Accessory uses are permitted in conjunction with an allowed principal use. Allowed accessory uses include those listed in this section and additional accessory uses as interpreted by the Director.
- B. Accessory uses may not be erected before construction of the principal building to which they are accessory.
- C. Accessory buildings or structures may not be utilized unless the principal structure is also occupied.
- D. Accessory buildings may not be used for any use not allowed in the zoning district.
- E. Dimensional standards for accessory buildings and structures are included with the building setback for each zoning district; by use standards within this section; subject to the yard encroachments allowed under Sec. 2.1.4.B.

7.8.2. Accessory Structure

A. Defined

A building detached from and subordinate to a main building or use on the same lot and used for purposes customarily incidental to the use of that property. Any agricultural use shall be deemed to be an accessory building whether situated on the same lot with the principal building or not. Except as otherwise permitted in this UDC, accessory structures may not be used as a dwelling.

7.8.3. Accessory Dwelling Unit (ADU)

A. Defined

A small, self-contained dwelling unit located on the same lot as a principal residence.

B. Use Standards

1. The design and size of the ADU must conform to all codes required for any new construction.
2. The ADU must be a site-built structure. Mobile or modular structures may not be used as an ADU.
3. Only one ADU may be created per principal dwelling unit.
4. The ADU must be either:
 - a. Detached in an accessory building; or
 - b. Attached or within the principal dwelling unit but not accessible from the interior of said dwelling unit. Such ADU must have its own independent entrance.
5. If not attached to the principal dwelling, the building containing the ADU must be located in the rear or side yard.
6. No ADU may exceed 1,000 square feet in floor area nor be less than 300 square feet in floor area, excluding any related garage area or other ancillary storage. In addition to the above, no ADU may exceed the floor area of the principal dwelling nor have more than two bedrooms.
7. The ADU must be constructed of materials similar in appearance to the primary residence.

7.8.4. Caretaker's Residence

A. Defined

A residence (including a manufactured home) for a bona fide caretaker, watchman, owner, or other employee that is accessory to a permitted use.

B. Use Standards

1. The lot which contains the residence must be an approved, recorded lot and must front a publicly maintained road, or it must be a lot of record as defined in Sec. 12.2.
2. The proposed residence must meet all setback requirements for the zoning district in which it is located.
3. The proposed residence may be permitted only if the residence is necessary to the property's orderly operation or safety.
4. Only one caretaker residence is permitted on a piece of property at a time, except that in the AG and AR zoning districts one caretaker residence may be permitted for each five acres of land.
5. The proposed residence may only be of a type inherently permitted in the zoning district in which it is located, unless otherwise specified by the zoning regulations.
6. The applicant for a caretaker residence must demonstrate in writing how the circumstances are unique and different from those of other similar uses in the area to warrant approval of the accessory use.

7.8.5. Drive-Thru Facility

A. Defined

A facility at which the customer is served while sitting in a vehicle, typically associated with drive-thru restaurants, banks, and pharmacies.

7.8.6. Garage, Private

A. Defined

An accessory building or portion of a principal building used for the private storage of motor vehicles.

7.8.7. Garden

A. Defined

A plot of ground where herbs, fruits, flowers, or vegetables are cultivated for personal or group use, consumption, or donation. Includes a rooftop garden or green roof.

7.8.8. Guest House

A. Defined

Accessory living quarters located within a detached structure located on the same lot as a principal residence. A guest house is distinct from an ADU in that it is not intended for long-term occupancy.

B. Use Standards

1. No more than one guest house may be erected on a lot.
2. The guest house must be a site-built structure. Mobile or modular structures may not be used as a guest house.
3. No guest house may be used as a primary residence.
4. Any guest house must be located at least 20 feet from the primary structure.
5. The floor area of the guest house and any attached structures, such as garages or accessory storage, may not exceed 20 percent of the total lot area and must be subordinate to the primary structure in size.

7.8.9. Home-Based Business

A. Defined

Any business, profession, occupation, trade, or activity conducted within a

dwelling or its accessory building, which is clearly incidental to the residential use, and which is conducted for profit by a person or household residing on the premises, and which does not change the essential residential character of the property. Home-based business includes the following:

1. Home office.
2. Home occupation.
3. Residential business.
4. Rural business.

B. Home Office

1. Defined

An office use conducted entirely within a dwelling.

2. Use Standards

- a. The home office may not exceed more than 300 square feet in floor area.
- b. Uses are limited to routine office, clerical or bookkeeping procedures.
- c. No employees other than family members residing on the premises may be permitted.
- d. Home offices may not include any business which involves the sale, manufacture or repair of merchandise on the premises or the storage of inventory, raw materials or other materials to be used in the business.
- e. Home offices may not include any business requiring access by the public, including but not limited to customers, clients or vendors.
- f. No outside storage or display, including signs, is permitted.

C. Home Occupation

1. Defined

An occupation or profession conducted entirely within a dwelling.

2. Use Standards

- a. Home occupations may not include the repair or maintenance of motor vehicles, large scale manufacturing or any use which will create noise, noxious odors or any hazard that may endanger the health, safety or welfare of the neighborhood.
- b. The home occupation may not allow customers or the public to come to the premises.
- c. The dwelling must be the primary residence of the principal practitioner at the time of the application and the home occupation may be valid only as long as the original principal practitioner resides in the dwelling, is conducting the business and has a current business license.
- d. Home occupations may not exceed 25 percent of the total heated floor area of the residence or 500 square feet, whichever is less.
- e. Any additions or alterations to the residence which will be used for the home occupation must be architecturally compatible with the surrounding residential and agricultural development.
- f. The portion of the residence in which the business is conducted must be completely enclosed so that the business is not visible from surrounding properties.
- g. No employees other than family members residing on the premises may be permitted.
- h. There may be no exterior evidence of a business being

conducted on the premises. No outside storage or display, including signs, is permitted.

- i. No more than two home occupations, residential businesses or rural businesses are allowed in a residence at one time.
- j. No use that creates noise, dust, vibration, odor, smoke, glare, or electrical interference that would be detectable to the normal senses beyond the dwelling unit is permitted.
- k. Two business vehicles used exclusively by the resident are permitted. The vehicle is limited to a passenger car, a van or a truck up to one ton. Utility trailers or similar trail behind cargo trailers are not considered business vehicles.
- l. Pickups from and deliveries to the site for the business are restricted to vehicles having no more than two axles and may not exceed two per day.

D. Residential Business

1. Defined

An occupation or profession conducted entirely within a dwelling which may require access by the public.

2. Use Standards

- a. Residential businesses may include but are not limited to beauty shops, barber shops, professional offices and minor repair services. In the R-I district, the use is restricted to those uses where no customers or clients are coming to the site.
- b. Residential businesses may not include the repair or maintenance of motor vehicles, large scale

manufacturing, or any use which will create noise, noxious odors or any hazard that may endanger the health, safety or welfare of the neighborhood.

- c. The residential business may not involve group instruction or group assembly of people on the premises.
- d. The dwelling must be the primary residence of the principal practitioner and the residential business may be valid only as long as the principal practitioner resides in the dwelling, is conducting the business, and has a current business license.
- e. Residential businesses may not exceed 35 percent of the total heated floor area of the residence or 600 square feet, whichever is less.
- f. Any additions or alterations to the residence which will be used for the residential business must be of an architectural style in keeping with the surrounding residential and agricultural development.
- g. The portion of the residence in which the business is conducted must be completely enclosed in a manner that the business is not visible from surrounding properties.
- h. Only one employee outside of family members residing on the premises may be permitted. For uses where no customers or clients are coming to the site, the number of employees permitted at any one time may be increased to three.
- i. Property on which the residential business is proposed must have frontage on a public road.

- j. Parking for customers or clients must be provided on site as provided in Table 8.1 of Sec. 8.1.
 - k. No outside storage or display may be allowed.
 - l. Days and hours of operation allowing access by the public, employees, customers or clients are limited to Monday to Saturday, 8:00 a.m. through 6:00 p.m.
 - m. No more than one home occupation, residential business or rural business is allowed on a lot at one time.
 - n. The principal practitioner may be permitted to park one commercial vehicle in the approved parking area. The commercial vehicle is limited to a passenger car, a van or a light truck (up to one ton).
 - o. Any utility trailer needed for the orderly operation of the business must be specifically requested and approved by the Planning Commission. The request must include the proposed use and size of the trailer.
 - p. Pickups and deliveries to the site in regard to the business are restricted to vehicles having no more than two axles, may not exceed two per day, and must occur during applicable hours of operation.
 - q. See Sec. 8.6.14. and 8.6.15. for sign standards.
- c. Retail sales or services of a specialty nature including antique shops, specialty foods, custom furniture, custom-made sporting goods, and meat cutting as a retail service to the public; provided, however, that no slaughtering or wholesale meat cutting or processing is permitted.
 - d. Small repair shops for appliances, machinery, farm equipment or automobiles, provided the following:
 - i. The operation may not result in noise, electrical interference, vibration, smoke, gas, fumes, odor, dust, fire hazard, dangerous radiation, or other injurious or obnoxious conditions detectable to the normal human senses.
 - ii. No more than two vehicles may be actively worked on at any time.
 - iii. Machinery, farm equipment, or vehicles must be parked or stored within a designated area a maximum of 1,000 square feet in size. Said area must be located to the side or rear of the property and must be screened as provided in Sec. 8.2.
 - iv. Storage of spare parts must occur within a structure, the area of which is counted towards the overall square footage of the business.

E. Rural Business

1. Defined

An occupation or profession conducted within a dwelling, accessory structure or outside. Rural business includes the following:

- a. Offices.
- b. Beauty shops, barber shops.

2. Use Standards

- a. The minimum lot size is 1 acre.

- b. The dwelling must be the primary residence of the principal practitioner and the rural business may be valid only as long as the principal practitioner resides in the dwelling, is conducting the business and has a current business license.
- c. Rural businesses may not exceed 1,000 square feet if in a structure or 1,000 square feet of land if outside a structure. Should the use require both inside and outside areas, the total area used may not exceed 1,200 square feet. When a rural business is conducted in the residence, it may not exceed 35 percent of the heated floor space or 1,200 square feet, whichever is less. The proposed size of the business must be specified at the time of application for a rural business.
- d. Any buildings or structures for the rural business must be located at least 50 feet from any property line.
- e. Any additions or alterations to the residence which will be used for the rural business must be of an architectural style in keeping with the primary structure. Any structure built to house the business must be located to the side or rear of the residence, or, if the structure is in front of the residence, must be at least 100 feet from the front property line. The structure must be readily and easily usable for customary agricultural and residential uses.
- f. Any outside area other than accessory on-site parking must be completely enclosed or screened in such a manner that the business or outside storage is not visible from the surrounding property as set forth in Sec. 8.2.
- g. Only one employee outside of family members residing on the premises may be permitted.
- h. Property on which the rural business is proposed must have frontage on a public road.
- i. Parking for customers or clients must be provided on-site as provided in Table 8.1 of Sec. 8.1.
- j. Days and hours of operation requiring access by the public, customers or clients are limited to Monday to Saturday, 8:00 a.m. through 6:00 p.m.
- k. No more than one home occupation, residential business or rural business is allowed on a lot at one time.
- l. See Sec. 8.6.14. and 8.6.15. for sign standards.

7.8.10. Institutional Accessory Uses

A. Defined

Accessory uses administered by an institution that are related directly to the campus or institution, including parks, athletic fields, stadiums, playgrounds, bookstores, soda shops, art galleries, restaurants, cafeterias, card and souvenir shops, clinics, medical and dental offices, boarding and rooming houses, clubs, sororities, fraternities, and temporary lodging facilities.

7.8.11. Keeping of Livestock and Poultry

A. Defined

The raising or keeping of cattle, horses, donkeys, mules, goats, sheep, swine and other hoofed animals; poultry, ducks, geese, pigeons, peacocks and other live fowl; and fur or hide-bearing animals;

whether for pleasure or utility, as an accessory use to a single-family detached dwelling. The keeping of livestock and poultry does not include small species of pigs, cage birds, cats, dogs, or rabbits kept within a dwelling as a household pet; nor does it include the butchering, slaughtering or killing of animals; nor does it include the keeping, breeding, or training of livestock or fowl for profit in any residential district.

B. Use Standards

1. At least 15,000 square feet of land must be provided for each one domestic livestock or hoofed animal.
2. Livestock and fowl must be adequately contained within the property boundaries.
3. Structures or buildings for the keeping of animals must be at least 100 feet from any property line.
4. The breeding or sale of livestock, poultry or other animals is not permitted.

7.8.12. Modular Offices/Classrooms

A. Defined

A structure or building designed to be moveable from one location to another and which is not designed to be permanently attached or anchored to the ground but intended for occupancy. The use of such structures for public buildings and uses does not require a permit.

7.8.13. On-Site Parking

A. Defined

Parking provided on-site to serve a principal use of the site.

7.8.14. Outdoor Storage, Minor

A. Defined

Minor outdoor storage includes, but is not limited to:

1. The outdoor storage of merchandise or material in boxes, in crates, on pallets or other kinds of shipping containers.
2. Outdoor sale or rental areas for sheds, building supplies, garden supplies, plants, lawnmowers, barbecues, and other similar items.
3. The overnight outdoor storage of vehicles awaiting repair (but not new vehicles for sale).
4. The outdoor storage of contractors' equipment that is accessory to a retail sales business with a floor area of 25,000 square feet or larger.

The use does not include the storage or sale of any items identified under major outdoor storage; nor does it include the outdoor display of tires or animals; nor does it include any temporary events under Sec. 7.9.5.

B. Use Standards

1. **Accessory to Large Retail Sales.** Where minor outdoor storage is allowed accessory to a retail sales business with a floor area of 25,000 square feet or larger, it is subject to the following:
 - a. Minor outdoor storage must be located to the side or rear of the business it is accessory to, or within 100 feet of the primary entrance, or within 10 feet of the front facade.
 - b. Minor outdoor storage may not impede the safe movement of pedestrian traffic.
 - c. Minor outdoor storage may not exceed 10% of the enclosed floor area size of the business it accessory to.

- d. Minor outdoor storage may or may not be fully or partially covered. No covering may extend higher than the roof level of the principal building.
- 2. **Accessory to All Other Business.** Where minor outdoor storage is allowed and is not subject to clause 1 above, it is subject to the following:
 - a. Minor outdoor storage must be located to the side or rear of the business it is accessory to.
 - b. Minor outdoor storage may not exceed the enclosed floor area size of the business it accessory to.
 - c. Minor outdoor storage must be enclosed by a permanent, minimum 6 feet high opaque fence or wall that is compatible with the principal building in terms of texture, quality, material, and color.
 - d. Scrap materials, building materials, non-operable vehicles or other items intended for repair must be stored within an enclosed building.

7.8.15. Outdoor Storage, Major

A. Defined

Major outdoor storage includes, but is not limited to:

- 1. The outdoor storage of contractors' equipment that is not accessory to a retail sales business with a floor area of 25,000 square feet or larger.
- 2. The outdoor storage of soil, mulch, stone, lumber, pipe, steel, salvaged or recycled materials, and other similar merchandise, material or equipment.
- 3. The outdoor storage of vehicles (including fleet vehicles), boats,

recreational vehicles, or other similar vehicles.

- 4. The outdoor storage of pallets, kegs, cardboard, air and gas-filled tanks, and similar items, as determined by the Director.

B. Use Standards

- 1. Where major outdoor storage is allowed, it must be screened with a high opaque fence or wall at least 6 feet in height.

7.8.16. Religious Accessory Uses

A. Defined

Accessory uses administered by a religious institution that are related directly to their place of worship, including cemeteries, education and activity buildings, athletic fields, monasteries or convents, playgrounds, parsonages or parish houses.

7.8.17. Short Term Rental

A. Defined

An accommodation for transient occupancy where, in exchange for compensation, all or part of a privately owned dwelling is provided for lodging for a period of no less than 2 and no more than 30 consecutive nights per stay.

B. Use Standards

All Short Term Rentals must meet the requirements of Title 5 of the Hall County Official Code.

7.8.18. Swimming Pool, Hot tub, and Spa

A. Use Standards

- 1. Swimming pools, except for those constructed in-ground, hot tubs or spas must meet all setback requirements for the district in which they are located.

2. Accessory structures such as pergolas, cabanas, or structures housing equipment or mechanical features must meet all setback requirements for the district in which they are located.

Sec. 7.9. Temporary Uses

Temporary uses are only allowed in the zoning districts specified in this section.

7.9.1. Farmers' Market

A. Defined

The outside temporary display and sale of agricultural products sold directly by farmers. A farmers' market typically consists of booths, tables or stands where farmers sell fruits, vegetables, meats, and sometimes value-added farm products and prepared foods and beverages.

B. Use Standards

1. At least 75% of the displayed inventory of the products sold in each farmers' market must be farm products or value-added farm products.
2. At least 75% of the booths open during the market's hours of operation must be producers, or family members or employees or agents of producers.
3. If a booth sells farm products or value-added farm products that are not produced by the vendor, the booth must explicitly disclose the producer's name and location in writing with lettering that is at least 2 inches tall and visible to the consumer.

7.9.2. Mobile Food Establishment

A. Defined

A vehicle mounted food establishment where food preparation and service for sale to the public is housed in a truck or trailer. Also referred to as a food truck or mobile food unit.

B. Use Standards

1. All mobile food establishments must be properly licensed by the County, including compliance with any

business license or public health requirements.

2. Written permission from the property owner is required to be submitted to the Department of Planning and Zoning as a part of the approval process for such temporary use.
3. During business hours, the permit holder must provide a trash receptacle for customer use and must keep the area clear of litter and debris at all times.

7.9.3. Garden Market

A. Defined

The outside temporary display and sale of agricultural products grown on-site. A garden market typically consists of booths, tables or stands where fruits, vegetables, meats, and sometimes value-added farm products and prepared foods and beverages are sold.

B. Use Standards

1. All the displayed inventory of the products sold in each garden market must be farm products grown on-site.
2. All the booths open during the market's hours of operation must be the on-site producers, or family members or employees or agents of said producers.

7.9.4. Temporary Buildings

A. Defined

A temporary building, sign or buildings for use in connection with a construction project or subdivision development. Temporary buildings and signs include the following:

1. Construction trailer.

2. Temporary sales office.

B. Construction Trailer

1. Defined

A trailer designed for temporary office use by a contractor working on utility line installation or road improvements for a governmental unit or public utility company. Includes any storage areas, parking areas or other accessory uses or structures normally associated with such contracts.

2. Use Standards

- a. Trailers must meet all building code requirements for such structures.
- b. Trailers and storage areas may not be located within 200 feet of any residence.
- c. Trailers and accessory structures must meet setback requirements for the zoning district in which they are located and may not be located on public right-of-way.
- d. No outside lighting is permitted except for security lighting. Security lighting must be designed in a manner so as not to be directly cast into any residential district or roadway.
- e. Parking must be provided in accordance with the requirements for office uses in Sec. 8.1.
- f. Driveways serving the trailer or storage areas must be constructed according to the “Rules and Regulations for Driveway Construction in Unincorporated Hall County”.
- g. The trailer, accessory structures and all storage areas must be removed from the site and the site returned to its original condition upon completion of the contracted work.

- h. In the O-I, S-S, H-B, M-U, I-1, and I-2 districts:

- i. Trailers are permitted for a period of three months with no screening requirement.
- ii. Trailers permitted for a period of up to 12 months must screen all outdoor storage so as not to be visible from surrounding properties or rights-of-way. Such screening must include a buffer at least 10 feet wide that meets the standards of Sec. 8.2.4.
- iii. Conditional use permit approval by the Planning Commission is required for construction trailers expected to exceed a period of 12 months. Approval must be obtained prior to installation.

- i. In all other districts:

- i. Construction trailers require conditional use permit approval by the Planning Commission.
- ii. All outside storage must be screened in a manner so as not to be visible to surrounding property or rights-of-way.

- j. See Sec. 8.6.4. for standards for construction trailer signs.

C. Temporary Sales Office

1. Defined

A structure, often a model home, located within an approved, recorded subdivision used for the sale of approved lots within the boundaries of that subdivision.

2. Use Standards

- a. The temporary sales office must be located on an approved, recorded

- lot and must front a publicly maintained road.
- b. The area around the structure must be landscaped.
- c. A site plan showing the dimensions of the lot and location of the proposed sales office is required. The site plan must include any proposed landscaping and screening and its location within the site.
- d. The temporary sales office is restricted in use to the sale of approved lots within the boundaries of that subdivision in which the office is located. The office may not be used for any other use other than a sales office. The storage of construction materials or equipment is prohibited.
- e. Temporary sales offices must be removed when 75% of lots are occupied or sold.

7.9.5. Temporary Events

A. Defined

An activity having a specific duration or the end of which is related to a specific action, usually lasting for only a few days or months at a time. Temporary events include, but are not limited to, the following:

1. Sale of seasonal goods on non-residential property for a period not to exceed 90 consecutive days.
2. Promotional activities or devices intended to attract attention to a specific place, business, organization, event, or district, such as signs, searchlights, or balloons.
3. Fundraising or non-commercial events by a civic, philanthropic, educational or religious organization, such as a community fair or religious

assembly, including any on-site signs and structures.

4. For profit events such as carnivals or festivals.

B. Use Standards

1. An application for a temporary event must be submitted to the Department of Planning and Zoning at least 14 days prior to the event.
2. A detailed site plan showing the proposed location of any structures associated with the event, including tents, food trucks, games or rides, restrooms, and similar structures must be submitted to the Department of Planning and Zoning as a part of the application.
3. Written permission from the property owner is required to be submitted to the Department of Planning and Zoning as a part of the application process for such temporary use.
4. A 24-hour emergency contact number must be provided to the Department of Planning and Zoning as a part of the application.
5. The hours of operation for such events are 8:00 a.m. to 12:00 a.m. Monday through Saturday and 12:00 p.m. to 7:00 p.m. on Sundays.
6. All temporary events must be properly licensed by the County, including compliance with any business license or public health requirements.

7.9.6. Yard/Garage Sales

A. Defined

A sale of personal belongings or household effects held at a person’s home, usually in the garage or front yard.

B. Use Standards

1. The duration of the sale may not exceed 72 hours.

2. A sale on a particular property may not occur more frequently than four times during any 12-month period.
3. No goods purchased for resale or consignment goods may be offered for sale.

Article 8. Site Development

Table of Contents

Sec. 8.1. Parking and Loading	8-2	Sec. 8.5. Open Space	8-23
8.1.1. General	8-2	8.5.1. General	8-23
8.1.2. Off-Street Parking Requirements....	8-2	8.5.2. Applicability	8-23
8.1.3. Parking Lot Const and Design	8-4	8.5.3. Open Space Standards.....	8-23
8.1.4. Add. Vehicle Parking Provisions.....	8-7	Sec. 8.6. Signs	8-25
8.1.5. Off-Street Loading Requirements ...	8-8	8.6.1. General	8-25
Sec. 8.2. Fencing and Buffers.....	8-9	8.6.2. Definitions.....	8-26
8.2.1. General.....	8-9	8.6.3. Prohibited Signs.....	8-27
8.2.2. Fences and Walls	8-9	8.6.4. Signs Not Requiring a Permit.....	8-28
8.2.3. Required Buffer Areas	8-9	8.6.5. Temporary Signs	8-29
8.2.4. Buffer Types and Standards.....	8-9	8.6.6. Sign Permits	8-30
Sec. 8.3. Tree Protection	8-13	8.6.7. Signs Requiring a Sign Permit.....	8-31
8.3.1. General.....	8-13	8.6.8. Awning Signs.....	8-32
8.3.2. Definitions	8-13	8.6.9. Canopy Signs	8-33
8.3.3. Applicability.....	8-14	8.6.10. Wall Signs	8-34
8.3.4. Removal of Trees	8-15	8.6.11. Entrance Signs	8-35
8.3.5. Protection of Existing Trees.....	8-15	8.6.12. Monument Signs	8-36
8.3.6. Tree Replacement	8-16	8.6.13. Projecting Signs.....	8-37
8.3.7. Tree Measurements.....	8-16	8.6.14. AG-1, AR-1, R-1-L, R-1, R-TF, R-X and	PRD Zoning Districts.....
8.3.8. Tree Protection Plan.....	8-17	8.6.15. R-MF and MHP Zoning Dist.	8-38
8.3.9. Reqs. for Commercial, Industrial or	Multi-family Residential Developments	8.6.16. O-I, S-S, H-B, M-U, I-1, and I-2 Zoning	Districts
8.3.10. Reqs. for Single-family Residential	Developments	8.6.17. Standards for Fuel Sales	8-38
	8-19	8.6.18. Gateway Corridors Overlay.....	8-39
Sec. 8.4. Sidewalks.....	8-21	8.6.19. Standards for Billboards.....	8-39
8.4.1. General.....	8-21	8.6.20. Nonconformities	8-42
8.4.2. Applicability.....	8-21		
8.4.3. Stds. for Design and Construction	8-21		
8.4.4. Add'l Reqs. for Res. Subdivisions .	8-21		
8.4.5. Exemptions and Waivers.....	8-21		
8.4.6. Sidewalk Repair and Maintenance	8-22		

Sec. 8.1. Parking and Loading

8.1.1. General

In order to facilitate the movement of emergency vehicles, to lessen congestion in the streets, and to prevent obstructing traffic and blocking streets, alleys and entrances to buildings, the following standards for off-street parking and loading are established.

8.1.2. Off-Street Parking Requirements

A. Required Parking

1. Off-street parking spaces must be provided on every lot on which any use is established.
2. Off-street parking spaces must be provided with vehicular access to a street or alley and must be equal in

number to the minimum requirements as specified in Table 8.1.1.

3. Each fraction occurring in the total spaces required will be construed to mean one additional space.
4. In the case of any use which is not specifically mentioned, the Director may make the determination on required off-street parking based on the most similar use.
5. Spaces equipped with an electric vehicle (EV) charging station may be used to reduce the minimum requirements at a ratio of 1.5 standard parking spaces for every 1 EV charging station for a maximum of 10 EV equipped parking spaces.

Table 8.1.1 Required Parking

Minimum Vehicle Parking Required	
Residential Uses	
All household living, except as listed below	2 spaces per dwelling unit
Townhouse	2 spaces per dwelling unit plus 1 guest space for every 4 dwelling units
Multi-family	2 spaces per dwelling unit plus 1 guest space for every 15 dwelling units
Cottage court	1.5 spaces per dwelling unit plus 1 guest space for every 4 dwelling units
All group living	1 space for every 3 dwellings
Public/Institutional Uses	
All club or lodge	1 space per 200 sq. ft.
All college, public or private	1 space per 500 sq. ft.
All museum, library	1 space per 200 sq. ft.
All parks and open space, except as listed below	None
Marina	5 spaces for each boat ramp, plus 1 space for every 3 boat slips available for rent or lease
All places of worship or community center	1 space for every 3 seats in the largest assembly space; or 1 per every 100 sq. ft. (if no fixed seating is provided)

All public buildings and uses as listed below	
Government facility, except school	1 space per 500 sq. ft.
Government facility, school	2 per classroom plus 1 space per student in grades 10-12
School, private	2 per classroom 5 per classroom for high schools plus 1 per 4 seats (if fixed seating is provided); or 1 per 100 sq. ft. (if no fixed seating is provided) for places of assembly
Commercial Uses	
All adult businesses	1 space per 100 sq. ft.
All animal care	1 space per 300 sq. ft. of indoor area accessible to patrons
All day care, except as listed below	1 space for each 10 children plus 1 space for each employee; an additional 1 space per vehicle operated by the facility
Adult day care	1 space per employee plus 1 space per vehicle operated by the facility
All eating and drinking establishments	1 space per 100 sq. ft. of indoor floor area
All event facilities	1 space per every 4 seats; or 1 space per every 200 sq. ft. of floor area (if no fixed seating is provided)
All indoor recreation, except as listed below	5 spaces per 1,000 sq.ft.
Bowling alley	4.5 spaces per each alley
Movie Theater	1 space per every 4 seats
All lodging	1 space per guestroom
All medical, except as listed below	4.5 spaces per 1,000 sq.ft.
Hospital	1 space per every 2 beds
All office	3 spaces per 1,000 sq.ft.
All outdoor recreation, except as listed below	1 per 300 sq. ft. plus 1 per 1,000 sq. ft. of outdoor area
Campground, travel trailer park, recreational vehicle park	1 space per 300 sq. ft. of office space plus 1 per camp site
Drive-in theater	No minimum
Amusement park, large outdoor assembly, outdoor sports fields, stadium, arenas	1 per 300 sq. ft. of office space plus 1 per 4 seats (if fixed seating is provided); or 1 per 100 sq. ft. (if no fixed seating is provided)
All personal service, except as listed below	3 spaces per 1,000 sq.ft.
Funeral home	1 per 300 sq. ft. of viewing rooms and chapels
All retail	3 spaces per 1,000 sq.ft.; or 4 spaces for every 1,000 sq. ft. for retail centers greater than 15,000 square feet in size
All vehicular as listed below	
Car wash	None
Fuel sales	1 space per fuel pump
Service Station	3 spaces per each service bay plus 1 space per employee
Vehicular repair (major or minor)	2 spaces per 300 sq. ft.

Vehicular sales lot, including boat and recreational vehicles	1 space per 500 sq. ft.
Industrial Uses	
All craft manufacturing	1 per 300 sq. ft. of office plus 1 per 3,000 sq. ft. additional indoor area
All data center	1.5 spaces per 5,000 sq. ft.
All light industrial/manufacturing	1.5 spaces per 5,000 sq. ft.
All heavy industrial/manufacturing	1.5 spaces per 5,000 sq. ft.
All research and development	1 per 300 sq. ft. of office plus 1 per 3,000 sq. ft. additional indoor area
All self-service storage	1 space per every 300 sq. ft. of office plus 1 per every 20 storage units
All warehouse and distribution, including storage lot	1 per 300 sq. ft. of office plus 1 per 5,000 sq. ft. additional indoor area
All waste related services	1 per 300 sq. ft. of office plus 1 per 5,000 sq. ft. additional indoor area
All wholesale	1 per 300 sq. ft. of office plus 1 per 3,000 sq. ft. additional indoor area
Agricultural Uses	
All agriculture, except as listed below	None
Agri-entertainment	1 per 300 sq. ft. of office space plus 1 per 4 seats (if fixed seating is provided) or 1 per 250 sq. ft. (if no fixed seating is provided) for places of assembly
Equestrian center	1 per 300 sq. ft. of office space plus 1 per 4 seats (if fixed seating is provided) or 1 per 250 sq. ft. (if no fixed seating is provided) for places of assembly
Farm winery	1 space per 300 sq. ft. of indoor area accessible to patrons

8.1.3. Parking Lot Construction and Design Standards

The following standards apply to all off-street parking facilities.

A. Design Standards

1. All off-street parking facilities must be constructed of materials which will have a surface resistant to erosion, adequately drained to prevent damage to abutting properties or public streets, and maintained by the property owner.
2. Parking facilities must be arranged for convenient access and safety for pedestrians and vehicles.

3. Each parking space for nonresidential uses must be clearly defined and must be provided with adequate access to a public right-of-way.
4. Minimum dimensions for off-street parking spaces and drive aisles are provided in Table 8.1.2.
 - a. Parking provided beyond the minimum required in Table 8.1.1. may include spaces designed for compact vehicles. Those spaces designed for compact vehicles must be clearly indicated on the site plan.
5. Driveways and curb cuts are to be constructed consistent with the

standards found in Title 12 of the Hall County Code of Ordinances.

B. Parking Lot Landscaping

1. Frontage landscape strips must be provided between any parking lot designed or intended to accommodate five cars or more and any street frontage of the property on which the parking lot is located. Landscaping must be provided as follows unless the parking area is otherwise screened from the street by a building or other means. The depth of such strips must be 10 feet for commercial and industrial zoned property and 20 feet for residentially zoned property.
2. Such landscape strips may not contain any structures, parking areas, patios, stormwater detention facilities, or any other accessory uses except for:
 - a. Retaining walls or earthen berms constructed as part of an overall landscape design.
 - b. Pedestrian-oriented facilities such as sidewalks and bus stops.
 - c. Underground utilities.
 - d. Driveways required to access the property.
 - e. Signs otherwise permitted by this UDC.
3. One tree must be provided within the frontage landscape strip for every 40 feet of length of street frontage, or portion thereof.
 - a. Such trees must be of a type that is suitable to local growing conditions and that will normally reach at least 12 inches diameter breast height upon maturity.
 - b. New trees must have a caliper of no less than two inches DBH and may be clustered for decorative effect following professional landscaping standards for spacing, location, and design.
4. All portions of a frontage landscape strip must be planted in trees, shrubs, or grass or ground cover, except for those areas that are mulched or covered by permitted structures.
5. Plant materials in the landscape strip must not extend into the street right-of-way unless specifically allowed by the Department of Public Works.
6. Where, for any reason, trees cannot be saved or planted within the required planting strips, the depth of the strip must be extended beyond the minimum indicated to such depth as necessary to accommodate the required landscaping.
7. Deciduous shade trees must be provided within any parking lot designed or intended to accommodate five cars or more, in accordance with the requirements of this section.
 - a. One deciduous shade tree must be provided within the parking lot for every ten parking spaces or portion thereof. Each tree must be located within the parking lot in reasonable proximity to the spaces for which the tree was required.
8. A landscaping island must be located at the end of every parking bay between the parking space and an adjacent travel aisle or driveway. The island must be no less than 8 feet in width, equal to the depth of the parking bay, and planted with trees.
9. Interior landscaped areas such as islands, peninsulas, and medians must be installed at the rate of one per every 12 parking spaces. Landscaped areas must be at least 8 feet in width and equal to the depth of the parking bay.

- a. Each interior landscaped area must include at least one tree subject to approval by the county.
10. Tree planting areas within parking lots must provide at least 100 square feet of planting area per tree. No tree may be located less than two and one-half feet from the back of curb.
11. Landscaping islands and tree planting areas must be well drained and contain suitable soil and natural irrigation characteristics for the planting materials they contain.
12. To facilitate a more efficient and functional parking lot design, the Director may approve modifications to the above landscaping requirements, provided the total landscaping area is not reduced.

Table 8.1.2. Dimensions for Parking Spaces and Drive Aisles

	Stall Width	Stall Depth	Drive Aisle Width
Two-way drive aisle 90°			
Regular	9 feet min.	17.5 feet min.	26 feet min.
Compact	8 feet min.	15 feet min.	
Two-way drive aisle 60°			
Regular	9 feet min.	18 feet min.	26 feet min.
Compact	8 feet min.	15.5 feet min.	
One-way drive aisle 75°			
Regular	9 feet min.	18.5 feet min.	22 feet min.
Compact	8 feet min.	16 feet min.	
One-way drive aisle 60°			
Regular	9 feet min.	18 feet min.	18 feet min.
Compact	8 feet min.	15.5 feet min.	
Two-way drive aisle 45°			
Regular	9 feet min.	16.5 feet min.	16.5 feet min.
Compact	8 feet min.	14.5 feet min.	

8.1.4. Additional Vehicle Parking Provisions

A. Off-site Shared Parking

If off-street parking cannot be reasonably provided on the same lot on which the principal use is conducted, the Planning Commission may permit such spaces to be provided on other off-street property upon approval of a variance in accordance with Sec. 11.2. Off-site parking spaces must be associated with the permitted use and may not thereafter be reduced or encroached upon in any manner.

B. Shared Parking

1. The required parking space for any number of separate uses may be combined in one lot, but the required space assigned to one use may not be

assigned to another use at the same time, except that one-half of each parking space required for churches, theaters, or assembly halls may be assigned to a use with off-setting hours of operation.

2. Up to 50 percent of the required off-street parking for places of public assembly may be met by utilizing parking facilities which normally serve businesses with off-setting hours of operation if the parking facilities are within 300 feet of the place of public assembly.

C. Prohibitions

Notwithstanding any other provisions of this UDC, the following prohibitions apply to all off-street parking areas.

1. Except for single-family residential uses, all off-street parking areas that

make it necessary for vehicles to back out directly into a public road, street or highway are prohibited.

- 2. No required off-street parking space may be used for the sale, repair, dismantling or servicing of any vehicles, equipment, materials or supplies.

8.1.5. Off-Street Loading Requirements

A. Every building or structure used for business, trade or industry must provide space as indicated in Table 8.1.3. for the loading and unloading of vehicles. Off-street loading spaces must have access to a public alley or public street.

- B. The off-street loading spaces must be provided on the same lot as the structure they are intended to serve, and in no case may any off-street loading space be part of the area used to satisfy the off-street parking requirements of this section. Each space provided must have at least 14-feet of overhead clearance.
- C. All off-street loading areas visible from a public right of way must be screened with a landscape buffer at least 10 feet in width in accordance with Sec. 8.2.4.

Table 8.1.3 Required Loading Spaces

Use	Unit of Measure	Required Loading Spaces
Commercial/Retail	20,000 sq. ft. of floor area	1 per unit, min. 15' X 25'
Industrial	20,000 sq. ft. of floor area	1 per unit, min. 15' X 50'
Schools, public	N/A	2 spaces total, min. 15' X 25'
Bus and truck terminals	N/A	Sufficient space to accommodate the maximum number of buses or trucks to be stored or to be loading or unloading at the terminal at any one time.

Sec. 8.2. Fencing and Buffers

8.2.1. General

Buffers are required between incompatible land uses and zoning districts, around particular visually objectionable structures, and between certain land uses located along certain streets in order to provide separation and privacy and to reduce the impact of noise, debris, and undesirable lighting to adjacent properties.

8.2.2. Fences and Walls

Fences and walls are permitted in all districts. When erected in compliance with the standards of this section fences and walls do not require a building permit.

A. Fence and Wall Standards

1. Fences may be no more than 7 feet in height in side and rear yards for all uses, unless otherwise permitted by this UDC.
2. Fences in yards adjacent to a street may be no more than 6 feet in height.
3. Walls may be no more than 4 feet in height for all uses, unless otherwise permitted by this UDC.
4. Design standards.
 - a. Residential: Fences and walls in residential districts must be constructed of wood, brick, stone, decorative metal or aluminum, and split rail. Barbed wire may only be used for permitted agricultural purposes.
 - b. Nonresidential: Fences and walls in nonresidential districts must be ornamental or decorative and must be constructed of wood, brick, stone, metal, or split rail. The use of chain link fencing, barbed wire, and metal mesh is not permitted.

- c. In all districts the use of discarded or scrap materials such as tires, scrap metal, scrap fabric, plastics, or fiberglass is prohibited.
5. No fence or wall may be erected in the county right of way.
6. See Sec. 8.2.4.F. for additional standards for fences and walls adjacent to street intersections.

8.2.3. Required Buffer Areas

Except as noted in Sec. 8.2.4.B.4., a vegetated buffer area with a minimum width as specified in Table 8.2.1. must be planted parallel with the lot line when a non-residential use or district abuts property zoned AR-1, V-C, R-1-L, R-1, R-TF, R-X, R-MF, or PRD.

Table 8.2.1. Buffer Requirements

Use	Required Buffer from Residential Use or District
Office or Commercial, no outdoor activity	10 feet min.
Office or Commercial, outdoor activity*	20 feet min.
Industrial, no outdoor activity	30 feet min.
Industrial, outdoor activity*	50 feet min.

Table notes:

*Outdoor activity does not include required parking or loading areas.

8.2.4. Buffer Types and Standards

A. General

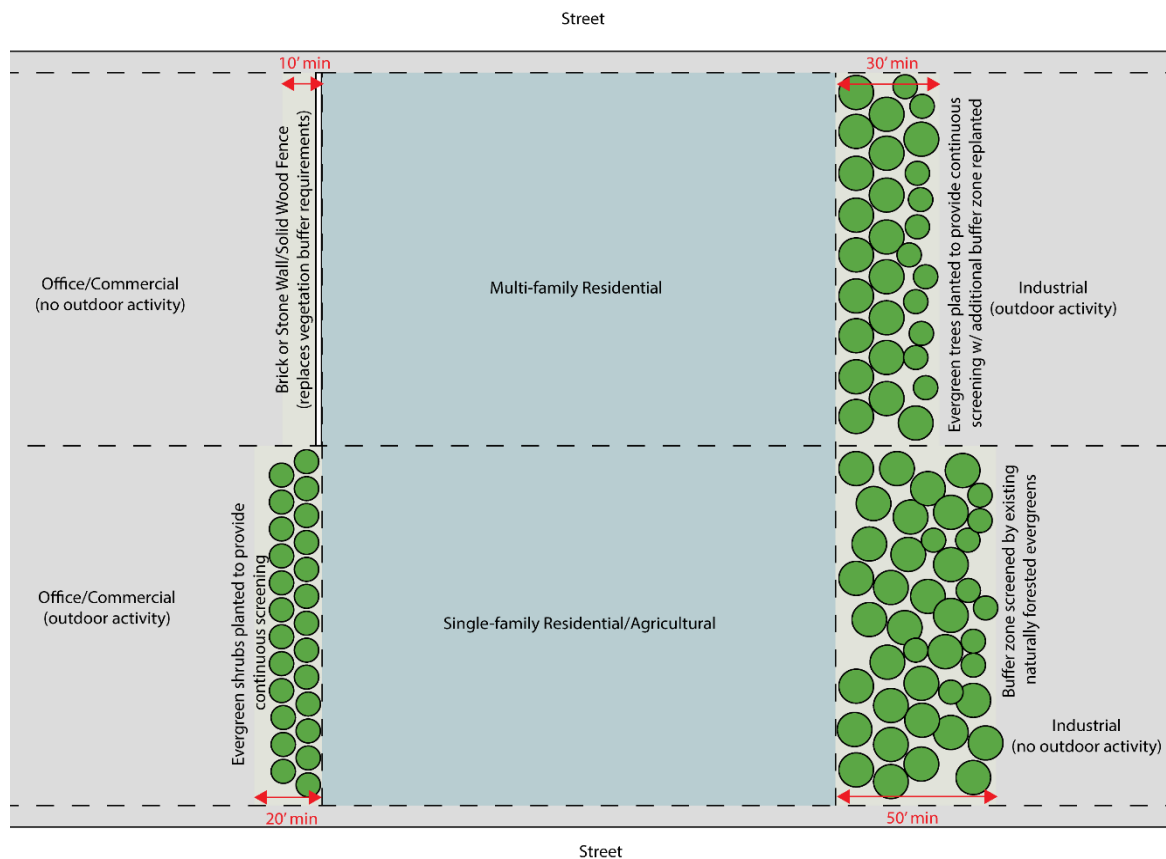
1. Buffers must be undisturbed and may contain no structures except for walls,

- fences, or structures otherwise allowed in the buffer by this UDC.
- 2. Buffers may be made up of existing vegetation or planted vegetation or a combination of the two.
- 3. Buffers must be located wholly on the subject property.
- 4. The owner of the property on which the buffer is located is responsible for the maintenance, repair, and replacement of the required buffer.
- 5. The vegetation must be located or planted far enough from the property lines to prevent encroachment into

Official may grant a temporary occupancy permit until the season changes.

B. Buffer Material

- 1. The buffer strip must be planted as specified in Table 8.2.1. and must consist of evergreen trees or shrubs at least 5 feet in height at the time of planting, spaced to provide a continuous screen when mature.
 - a. Where buffer widths greater than 10 feet are required, the remaining buffer adjacent to the residential district use may be left in a natural



Buffer Design Standards, Figure 8-1
adjacent properties.

- 6. The required buffer must be installed prior to occupancy or commencement of use. Where compliance with the preceding is not possible because of the season of the year, the Building

forested state, if such condition exists, or planted with a mix of deciduous and evergreen trees.

- b. Where existing vegetative material in good condition meeting the minimum height remains in the

- buffer area after clearing and construction, it may be utilized and credited toward meeting the screening requirement. The county must approve the materials and planting plan for the buffer prior to the buffer being established.
2. Spacing of plants should be the minimum required for mature plants, and staggered rows of plantings may be used if necessary to attain the required initial screening. Screening plants must be nursery-grown and of such size, species, and condition as to ensure the maximum initial screening commensurate with a high rate of survival and a high growth rate. Other trees planted to re-establish a forested area must be a minimum caliper of at least three inches at the time of planting.
 3. Earthen berms may be incorporated in the buffer design upon approval by the Director after a determination that the berms will not cause drainage or erosion problems to the subject site or adjacent properties.
 4. A structural buffer such as a solid fence or wall may be substituted, upon approval from the Director, for part or all of the vegetated buffer as follows:
 - a. A brick or stone wall at least 6 feet in height may be erected adjacent to the property line in lieu of the buffer requirements.
 - b. A solid wooden fence at least 6 feet in height may be erected adjacent to the property line. The fence must have a natural finish and the finished side of the fence must face the adjacent property. If stained or varnished, the resulting finish must be natural in appearance.
 5. For nonresidential uses with outdoor storage, the construction of both a vegetative and structural buffer must be provided upon determination by the Director that the buffer requirement will otherwise be insufficient to achieve the desired level of screening.
- C. Buffer Height**
- The screening vegetation must attain a minimum height of 10 feet within five years of establishment of the buffer. Where the required interim growth has not been attained, the property owner is responsible for replacing the vegetation with new vegetation that will meet the buffer requirement within the remaining portion of the original five-year period.
- D. Buffer Width**
- The buffer width must be as indicated in Table 8.2.1. unless a structural buffer has been approved in accordance with Sec. 8.2.4.B.4.
- E. Maintenance of Buffer**
- All buffers required by this section must be maintained in a healthy condition and pruned to provide a solid screen with maximum opacity from the ground to a height of at least ten feet. Should vegetation die or be removed such that the buffer no longer functions as required, that vegetation must be replaced by the property owner. Fences or walls serving as a buffer must remain in a good state of repair to provide a solid screen.
- F. Vision Clearance at Intersections**
- In all districts no plantings, fences, walls, signs or other obstruction to vision between the heights of 3 feet and 15 feet may be permitted within 25 feet of the intersection of the right of way lines of two streets, railroads or driveways, and a public road.

G. Modification of Buffer Requirements

1. The Board of Commissioners may modify or waive the buffer requirements on rezonings and uses subject to their approval upon determination that the buffer is not necessary or creates a hardship.
2. The Planning Commission may modify or waive the buffer requirements on uses subject to their approval upon determination that the buffer is not necessary or creates a hardship.
3. The Director may modify or waive the buffer requirements on plan approvals not subject to Planning Commission or Board of Commissioners review, based on a specific finding that existing topography, vegetation, building orientation or other physical characteristics of the area will provide screening and buffering that meets the intent of this section.

Sec. 8.3. Tree Protection

8.3.1. General

Growth and development in Hall County has resulted in the reduction of the overall tree canopy. The county recognizes the valuable benefits that trees hold to the community, including:

- A. Improved health of Hall County's citizens.
- B. Improved air quality.
- C. Improved water quality.
- D. Improved soil quality.
- E. Reduced noise and glare and better buffering or screening between uses.
- F. Increased shade to improve the quality of life and mitigate the urban heat island effects.
- G. Improved community aesthetics and increased property values.

The purpose of these regulations is to encourage the conservation of the existing tree canopy and to provide standards for the removal, protection, and replacement of trees within the county.

8.3.2. Definitions

The following words have the meanings indicated below as used in this Sec. 8.3.

Agricultural activities.

1. Good-faith commercial production from the land or on the land of agricultural products, including horticultural, floricultural, dairy, livestock, poultry, and apiary products, but not including forestry products (See also tree farming);
2. Clearing trees for the purpose of planting crops, providing pasture for livestock, or constructing buildings

accessory to production of agricultural products.

Building tree line. The lines extending from the corners of a building nearest a street to the side lines of the lot (not including a street right-of-way), parallel to the right-of-way line or to the chord of that line.

Caliper. Tree trunk diameter measured at a point six inches above ground level.

Canopy tree. A species of tree that normally reaches a height at maturity in excess of 40 feet and in which the layers of leaves and branches of the tree are so arranged or formed to provide shade. Examples of canopy trees would include scarlet oak, northern red oak, shumard oak, water oak, white oak, yellow poplar, red maple, sugar maple, American elm, winged elm, Chinese elm, trident maple, pin oak, American beech, pecan, southern magnolia, sweetgum, and willow oak, or other species as approved by the Director.

Clear cut. The large-scale, indiscriminate removal of trees, shrubs, and undergrowth with the intention of preparing real property for non-agricultural development purposes.

Critical root zone. The land area circular in shape and centered on the trunk of a tree, the radius of which circle is determined by the farthest extent of the drip line from the trunk.

DBH (diameter-at-breast-height). Tree trunk diameter measured in inches at a height of four and one-half feet above the ground. If a tree splits into multiple trunks below four and one half feet, each trunk must be measured as a separate tree.

Development site. That portion of a tract of land that will be dedicated to a proposed development, including that land containing trees that will be counted toward satisfying the requirements of these provisions. Where a

development site is smaller than the tract in its entirety, only those trees specified to be within the construction area may be counted toward meeting the 15 units per acre requirement.

Drip line. A perimeter formed by the points farthest away from the trunk of a tree where precipitation falling from the branches of that tree lands on the ground.

Significant tree. A tree in fair or better condition which has been determined to be of a high value by a trained arborist or other trained professional as approved by the Director because of its species, size, age, or other professional criteria. A tree is considered in fair or better condition if:

1. Its life expectancy is greater than 15 years;
2. It has a relatively sound and solid trunk with no extensive decay or hollow with less than 29 percent radial tip die-back; and
3. It has no major insect or pathological problems.

Hardwood trees such as oaks and hickories and softwood trees such as pines and cedars whose diameters are 18 inches DBH or more and small hardwoods such as dogwoods, redbuds or sourwoods whose diameters are eight inches DBH or more are considered significant trees due to size. A tree of lesser size than the preceding may be significant if it is a rare or unusual species or is of historical significance or is specifically used by design as a landscape focal point of the project.

Tree farming. Planting, cultivating, and harvesting of trees in a continuous cycle as a regular practice on a tract of land, not including the removal of trees for purposes of development or the removal of trees without replanting.

8.3.3. Applicability

- A. The tree protection zone applies to the entirety of a tract of land for which no tree protection plan has been approved. After such approval, the tree protection zone must correspond to that part of a tract of land designated as a tree conservation area in the plan.
- B. The tree protection zone does not apply to the following (but see the soil erosion and sedimentation control ordinance for provisions regarding retention of undisturbed natural vegetative buffers adjacent to Lake Lanier and other state waters):
 1. Property already occupied by an owner-occupied single-family dwelling, unless nonresidential uses are proposed for such property. Any construction, paving, or other activity on the property that will damage trees on the public right-of-way is subject to the restrictions of Sec. 8.3.5.
 2. Public utility companies and government agencies conducting operations on public and utility rights-of-way and easements or on-sites for electric power substations and similar facilities, which operations are for the purpose of assuring uninterrupted utility and governmental services and unobstructed passage on public streets.
 3. Property in use for tree farming or other agricultural activities, provided the best management practices established by the Georgia Forestry Commission or the state Department of Agriculture are observed.
 4. Family held property the subdivision of which is affected for the sole purpose of transferring a portion of such property to one (1) or more family members for use as the family member's primary residence.

5. Minor subdivisions as defined in Sec. 12.2.

8.3.4. Removal of Trees

- A. **Permit.** On properties which are not exempted under Sec. 8.3.3.B., a permit is required to remove or cause the death of existing significant trees and any other trees ten inches DBH or larger located within the tree protection zone, or for grading or other work adjacent to a tree which would affect it adversely. An approved tree protection plan is required for issuance of a permit. Permit requirements are waived where the county determines that trees to be removed are dead, diseased or are infested to the extent that removal is necessary, or have been damaged by lightning, wind, ice, or other disasters to the extent that public safety is endangered.
- B. **Retention.** The property owner must retain trees on the property equivalent to 15 units per acre of development site in accordance with these regulations and the approved plan, including, if necessary, replacing trees which die or are irreparably damaged.

8.3.5. Protection of Existing Trees

- A. When a choice is available as to which existing trees to save, emphasis must be given to the preservation of significant trees, even isolated individual trees, over retention of other trees. Nonsignificant trees, however, should be saved in stands rather than as individual trees scattered over a site. Removal of significant trees and other trees ten inches DBH or larger may be permitted only in conjunction with an approved preliminary tree protection plan, an approved grading plan, and actual grading of building pads. Removal of trees to clear a lot without a development plan is not permitted.

- B. On properties which are not exempted under Sec. 8.3.3.B. the following provisions apply, with the exception that encroachment on the critical root zone of a tree is permitted where necessary to the development, such as the construction of a driveway, provided that the tree may not be counted toward the required 15 units per acre of development site:

1. No person may:
 - a. Cut, carve, or otherwise damage or remove any tree except in accordance with the provisions of this section;
 - b. Attach any wire, nails, advertising posters, or other contrivance harmful to any tree;
 - c. Allow any gaseous, liquid, or solid substance which is harmful to trees such as concrete washout, fuel, lubricants, herbicides, or paint, to come in contact with any tree; or
 - d. Set a fire or permit any fire to burn when such fire or the heat thereof will injure any portion of any tree.
2. During excavation, filling, construction, or demolition operations, each tree or stand of trees to remain on the property must be protected against damage to bark, roots, and low-hanging branches with a fence enclosing the critical root zone. Fencing must be either plastic construction area fencing, silt fencing, 12-gauge two-inch by four-inch wire mesh, double one-inch by four-inch rails on two-inch by four-inch posts, or high-visibility surveyors' tape on one-inch by two-inch posts. The height of the latter three fence types must be at least four feet.
3. All building materials, vehicles, construction equipment, dirt, debris, or other objects likely to cause soil

compaction or above-ground damage must be kept outside the critical root zone. Where a limited amount of encroachment is unavoidable and is approved by the county, the critical root zone must first be mulched with a four-inch layer of processed pine bark or wood chips or a six-inch layer of pine straw.

4. There may be no raising or lowering of the ground level within the critical root zone. Stripping of topsoil in the critical root zone is not permitted. Where necessary, the use of moderate fill is permitted only with prior installation of an aeration system approved by the county. Deposition of sediment in the critical root zone must be prevented by placement of sediment barriers backed by two-inch by four-inch wire mesh in areas of steep slope.
5. No person may excavate any ditch or trench within the critical root zone. Where such encroachment is unavoidable and is approved by the county, ditches or trenches must be located in a manner to minimize root damage. If roots must be cut, root pruning procedures approved by the county must be employed.
6. No person shall pave with concrete, asphalt, or other impervious material within the critical root zone unless authorized by the county.

8.3.6. Tree Replacement

The following standards apply to the replacement of trees:

- A. Spacing and the potential size of species chosen must be compatible with spatial limitations of the site.
- B. The species must be ecologically compatible with the specifically intended growing site.

- C. The trees must have the potential for size and quality comparable to those removed.
- D. The trees must be compatible in extent of crown and root systems at maturity with nearby utilities.
- E. Planting preference will be given to specimens of no more than three inches DBH.
- F. Where trees must be added to achieve the required 15 units per acre of development site, pines may not comprise more than 30 percent of the required units. Where existing pines already comprise 30 percent or more of the required units, no additional pines may be credited toward the required units. At least 25 percent of the replacement tree units must be canopy trees.
- G. Authority for questions of tree characteristics shall be publications of the USDA Forest Service, Georgia Forestry Commission, Cooperative Extension Service of the University of Georgia College of Agriculture, American Forest Foundation, The National Arbor Day Foundation or any other authority found acceptable by the county.

8.3.7. Tree Measurements

The diameter of a tree's trunk will be measured and a value assigned in units in accordance with tables 8.3.1., 8.3.2, and 8.3.3. The values assigned to trees of the same size will be different for existing and new trees, as indicated. One unit is not the same as one tree.

Table 8.3.1. Unit Values for Existing Trees

Inches*	Units	Inches*	Units
1-4	0.1	28	4.3
5-6	0.2	29	4.6
7	0.3	30	4.9
8	0.4	31	5.2

9	0.5	32	5.6
10	0.6	33	5.9
11	0.7	34	6.3
12	0.8	35	6.7
13	0.9	36	7.1
14	1.1	37	7.5
15	1.2	38	7.9
16	1.4	39	8.3
17	1.6	40	8.7
18	1.8	41	9.2
19	2.0	42	9.6
20	2.2	43	10.1
21	2.4	44	10.6
22	2.6	45	11.0
23	2.9	46	11.5
24	3.1	47	12.0
25	3.4	48	12.6
26	3.7	49	13.1
27	4.0	50+	13.6
*Measured at DBH			

Table 8.3.2. Unit Values for Replacement Trees

Caliper	Units
1	0.4
2	0.5
3	0.6
4	0.7
5	0.8
6+	1.0

Table 8.3.3. Unit Values for Large Species Trees

Caliper	Units
1	0.5
2	0.6
3	0.7
4	0.9
5+	1.1

8.3.8. Tree Protection Plan

A proposal for development or improvement of any tract of land must include a tree protection plan. The tree protection plan may be included on the soil erosion plan. Such plan must be submitted to the county prior to any grading, bulldozing, or other removal of existing vegetation. A preliminary plan may be submitted in certain circumstances as provided in Sec. 8.3.8.B.

- A. The full tree protection plan must show the following:
 - 1. The extent of the development site.
 - 2. All significant trees to be removed and all other trees ten inches DBH or larger to be removed.
 - 3. All significant trees and all other trees ten inches DBH or larger which will remain on the development site and be protected during construction, including trees less than ten inches DBH which are submitted for credit as

part of the required 15 units per acre of development site.

4. In heavily wooded areas that will not be disturbed, the plan may show only the boundaries of each stand of trees and a list of the number, size, and type (e.g., hardwood, softwood, deciduous, evergreen) of trees in each stand which are submitted for credit.
 5. Areas subject to provisions of the soil erosion and sedimentation control ordinance regarding retention of undisturbed natural vegetative buffers adjacent to Lake Lanier and other state waters must also be shown.
 6. Locations of proposed on-site underground utility lines.
 7. Locations of other on- and off-site utility lines. The plan must indicate areas where trees cannot be planted because of interference with existing or proposed utilities on public rights-of-way or on utility rights-of-way or easements and existing utilities on adjoining properties.
 8. Limits of land disturbance, clearing, grading, and trenching.
 9. Limits of tree conservation areas, showing trees to be maintained and planted, specifying type and size.
 10. Grade changes or other work adjacent to a significant tree or any other tree ten inches DBH or larger which would affect it adversely, with drawings or descriptions as to how the grade, drainage, and aeration will be maintained around the tree.
 11. Planting schedule, if applicable.
- B. A preliminary tree protection plan may be submitted for development of an industrial park where multiple sites will be cleared and graded for purposes of marketing vacant sites to industrial prospects. Planting of new trees will not be

required on a lot until a use is developed on that lot, and locations of new trees need not be shown on the preliminary plan. The preliminary tree protection plan for industrial, office or commercial parks must show the following:

1. The extent of the development site.
 2. Limits of land disturbance, clearing, grading, and trenching.
 3. All significant trees to be removed and all other trees ten inches DBH or larger to be removed.
 4. Grade changes or other work adjacent to a significant tree or any other tree ten inches DBH or larger which would affect it adversely, with drawings or descriptions as to how the grade, drainage, and aeration will be maintained around the tree.
 5. Units of trees that will be required on the lot when it is developed, calculated both without subtracting any building footprint area from the acreage and by subtracting one-third of the lot area as assumed building area.
- C. Where property has been clear-cut of trees in violation of the Best Management Practices as established by the Georgia Forestry Commission, or in violation of the provisions of this Article, no rezoning or permissive use application may be made for that property for a minimum of three years.

8.3.9. Requirements for Commercial, Industrial or Multi-family Residential Developments

The following standards apply to all commercial, industrial or multi-family residential uses.

- A. Upon completion of development, all properties must have a number of trees

equivalent to 15 units per acre of development site.

- B. Existing significant trees or any other trees ten inches DBH or larger that are in excess of the required 15 units per acre of development site but outside the construction area may not be removed unless adjacent development would cause irreparable damage to the critical root zones.
- C. Flowering ornamental trees may not be used in density calculations.
- D. Trees located within the 25 foot non-disturb buffer of a creek or stream may not count toward the unit requirement.
- E. Where trees must be added to achieve the required 15 units per acre of development site, such additions may be made between the street right-of-way and the building tree line in locations approved by the Director.
- F. Trees required by this UDC in relation to parking lot landscaping may be included in calculating the required 15 units per acre. However, trees existing or planted in a buffer required under Sec. 8.2.4. are not to be counted as part of the minimum 15 units per acre requirement.
- G. On properties on which the requirements of this section would exceed the required 15 units per acre, the Department of Planning and Zoning must approve of the location and design of the landscape plan.

8.3.10. Requirements for Single-family Residential Developments

The following standards apply to all single-family residential developments which are subject to preliminary plat approval.

- A. A tree plan must accompany all preliminary plat submissions. The tree plan must indicate the location of all

significant trees and existing tree stands, and the limits of clearing proposed to accommodate the construction of roads, utilities and other infrastructure necessary for the development of the subdivision.

- B. The removal or clearing of trees or other existing vegetation is prohibited outside the appropriate clearing boundaries as defined on the approved preliminary plan.
- C. Lots may not be cleared and prepared during the construction of the roads, infrastructure, utilities, etc. Where limited clearing is necessary, a note must be placed on the final plat indicating a tree plan for the lot in its entirety.
- D. In order to encourage the preservation of significant trees and the incorporation of these trees into the design of the development, additional density credit will be given for significant trees that are successfully saved. Credit for any significant tree saved will be two times the assigned unit value shown in Table 8.3.1.
- E. Any significant tree that is removed without the appropriate review and approval by the Department of Planning and Zoning must be replaced by trees with a total density equal to twice the unit value of the tree removed.
- F. Preference is given to existing trees that will be maintained on the property.
- G. Each residential subdivision development must, upon completion, achieve a tree count equivalent to 15 tree units per acre. It is anticipated that this requirement must be achieved through the preservation of existing trees on the site. However, where a site is primarily pastureland (90 percent open space or greater) prior to the initiation of the subdivision development, the tree units required may be calculated using the total

acreage from disturbed areas only (i.e. acreage from road and utility construction).

- H. For subdivision developments in which trees must be planted to achieve the required tree units, the final plat must include a landscaping plan specifying the

method in which the requirement is met. Any new trees required must be planted prior to the issuance of an occupancy permit for any dwelling located on a lot which would require a tree unit(s).

Sec. 8.4. Sidewalks

8.4.1. General

The county finds that it is in the interests and safety of its citizens to provide safe, adequate space for pedestrians along rights-of-way.

8.4.2. Applicability

Sidewalks are to be installed along all new public rights-of-way or private streets as indicated in Sec. 8.4.3.

8.4.3. Standards for Design and Construction

- A. Where installed, sidewalks must conform to the following standards:
1. Sidewalks must be at least five feet in width.
 2. Sidewalks are to be installed no less than one foot from the back of the required curb or edge of pavement, as applicable.
 3. All sidewalks must be constructed of a material as approved by Hall County as follows:
 - a. At least four inches in thickness.
 - b. Compacted subgrade (95 percent Standard Proctor).
 - c. Class "A" concrete (3,000 psi).
 - d. Sidewalks must have a $\frac{3}{4}$ -inch grooved joint maximum ten-foot on center.
 - e. Expansion joints must be installed at least every 40 feet and at catch basins, driveways, roads, and other similar locations as determined by the Hall County Engineer.
 - f. All sidewalks must be broom finished.

g. Sidewalks must have a $\frac{1}{4}$ -inch per foot cross slope.

4. Sidewalks must be compliant with the Americans with Disabilities Act (ADA).

8.4.4. Additional Requirements for Residential Subdivisions

See Sec. 9.4.8. and 9.4.9. for additional requirements for sidewalks in residential subdivisions.

8.4.5. Exemptions and Waivers

- A. The following exemptions apply to the installation of sidewalks:
1. Along state owned rights-of-way, sidewalks are subject to the requirements of the Georgia Department of Transportation.
 2. New single-family residential construction in the AG-1 and AR-1 zoning districts are not required to install sidewalks.
 3. New single-family residential construction in the V-C, R-1-L, and R-1 zoning districts, when not a part of a residential subdivision, are not required to install sidewalks.
- B. The Director may waive or modify the requirements for sidewalks in Sec. 8.4.2. and 8.4.3. upon evidence that:
1. There exist site conditions related to topography, wetlands, streams, or mature trees which would be negatively impacted by the installation of sidewalks; or
 2. There are existing sidewalks on the block face opposite of the subject property which meet the standards of this Sec. 8.4.

8.4.6. Sidewalk Repair and Maintenance

- A. Sidewalks on county right-of-way will be inspected by Hall County Engineering Division on a periodic basis, and as directed by citizen concern, to see that the sidewalks are in a safe and suitable condition for public use and travel. The County Engineer will determine repair requirements for any damage observed to bring the sidewalk back to a safe and suitable condition. The repair of sidewalks due to damage caused by activities of a resident, their guests, or their contractors will be the responsibility of the landowner, and a notification letter will be sent indicating such. The repair of sidewalks due to damage caused by activities of a subdivider's contractor or a subcontractor will be subdivider's responsibility, and a notification letter will be sent indicating such.
- B. Upon receiving the notification letter, the landowner or subdivider has three options in repairing the sidewalk:
 1. The landowner or subdivider may repair the sidewalk. The Hall County Engineering Division will inspect the sidewalk repair work, and any inconsistencies with the sidewalk specifications will need to be corrected. Sidewalks not repaired within 60 days of receiving the notification letter will be repaired by Hall County as provided in Sec. 8.4.6.B.3.
 2. A subcontractor hired by the landowner or subdivider may repair the sidewalk. The Hall County Engineering Division will inspect the sidewalk repair work, and any inconsistencies with the sidewalk specifications will need to be repaired. Sidewalks not repaired within 60 days of receiving the notification letter will be repaired by Hall County as provided in Sec. 8.4.6.B.3.
 3. The landowner or subdivider may choose to allow Hall County or its representatives to repair the sidewalk. Charges will be assessed to the landowner, and the cost of the repairs will be as per the most current Georgia Department of Transportation Item Mean Summary, or in accordance with actual Hall County contractual bid prices.

Sec. 8.5. Open Space

8.5.1. General

A. Purpose and Findings

The County finds that the preservation and conservation of undeveloped greenspace within its jurisdiction will have a significant impact on maintaining the character of the county as it continues to grow and develop. The intent of open space requirements is to conserve open land, preserve natural features and wildlife habitat, minimize land disturbing activities, create developments with direct access to open land and amenities, and provide active and passive recreational opportunities for residents in accordance with the Comprehensive Development Plan.

B. Defined

Open space is an area of land essentially unimproved in its natural state and set aside, dedicated, designated, or reserved for permanent protection. Open space areas may be utilized for common use or enjoyment through means of active or passive recreation but may not be occupied by non-recreational uses or structures.

8.5.2. Applicability

Open space is required as shown on Table 8.5.1. Open space must conform to the requirements of this Sec. 8.5 and any other applicable requirements of this UDC.

Table 8.5.1 Open Space Requirements

Use	Minimum Required Open Space*
Conservation Subdivision (note 1)	40% of the gross lot area
Multi-family Residential and Mixed-use Developments (note 2)	30% of the gross lot area
Non-residential uses	20% of the gross lot area

*Required open space is based on the gross area of the lot to be developed

Table notes:

1. Additional open space standards for Conservation Subdivisions can be found in Sec. 4.8.7.
2. Includes development in the R-X district.

8.5.3. Open Space Standards

- A. The following areas or features of a site may be counted towards open space requirements:
1. Areas set aside for conservation of natural, archaeological, or historic features.
 2. Meadows, woodlands, wetlands, wildlife corridors or similar conservation-oriented areas.
 3. Passive recreational areas.
 4. Outdoor amenities such as greens, commons, community gardens, non-paved trails and similar areas.
 5. Active non-commercial recreation areas, such as playing fields, playgrounds, courts, and bikeways. These areas may be credited to no more than 25% of the required open space and may not be located within conservation areas.

6. The area of any buffers required by Sec. 8.2.4.
- B.** The following areas or features of a site may not be counted towards open space requirements:
1. Driveways, alleys or similar paved areas.
 2. Parking lots, including those reserved for recreation areas.
 3. Streets, existing or proposed.
 4. Detention or retention ponds.
 5. Other impervious surfaces including but not limited to buildings and accessory structures, unless otherwise permitted by this section.

Sec. 8.6. Signs

8.6.1. General

A. Purpose and Findings

The county finds that signs provide an important medium through which individuals may convey a variety of noncommercial and commercial messages. However, left completely unregulated, signs can become a threat to public safety as a traffic hazard and detriment to property values and to Hall County's overall public welfare as an aesthetic nuisance. By enacting this Sec. 8.6., the county commission intends to:

1. Balance the rights of individuals to convey their messages through signs and the right of the public to be protected against the unrestricted proliferation of signs;
2. Further the objectives of the Hall County Comprehensive Plan;
3. Protect the public health, safety, and welfare;
4. Reduce traffic and pedestrian hazards;
5. Maintain and enhance the visual environment, and preserve the right of the citizens to enjoy Hall County's scenic beauty;
6. Protect property values by minimizing possible adverse effects and visual blight caused by signs;
7. Avoid the harmful aspects of the unrestricted proliferation of signs;
8. Promote economic development; and
9. Ensure the fair and consistent enforcement of sign regulations.

B. Applicability

No sign may be erected, altered, refurbished or otherwise modified except

in accordance with the requirements of this Sec. 8.6.

C. Permit required

A permit shall be required for the erection, alteration or reconstruction of any sign unless otherwise noted and shall be issued by the building official in accordance with these regulations.

D. Standards

1. **Materials and maintenance.** Signs permitted by this UDC must be:
 - a. Constructed of materials, either singly or in combination, such as wood, cut or formed metal, glass, stone, masonry, plastics, L.E.D., high-density urethane foam, acrylics, polycarbonates, or similar materials as approved by the Director; and
 - b. Free from: rust or holes on or in the sign or sign structure; broken, missing, loose or bent parts; faded or flaking paint; nonoperative or partially nonoperative illuminating or mechanical devices; and/or missing letters/graphics in sign copy; and
 - c. Maintained in good condition and not constitute a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation or obsolescence.
2. **Freestanding signs**
 - a. All permanent freestanding signs over 6 square feet in area must be a monument sign.
 - b. Maximum sign areas shall apply to each face separately, but no freestanding sign may have more than two faces.

- c. Where two sign faces are located in a "V" formation, the angle between the two sign faces may not exceed 60 degrees.
3. **Obsolete signs.** A sign becomes obsolete if it conveys advertising or identification to services or uses without a valid business license, or a sign that is not maintained in accordance with this Sec. 8.6.1.D. Obsolete signs must be removed or repaired by property owner, developer or former lessee of property upon which sign is located within 30 days after receipt of written notice from the Director or Code Enforcement division.
4. **Illumination.** No sign may be illuminated by lights that flash, move, change in intensity, or turn on intermittently; except that a digital display may change no more often than once each 20 seconds, and shall be subject to the applicable lighting standards within this Sec. 8.6.
 - a. Internally illuminated signs, when permitted, may not exceed 20 foot-candles at a distance of 10 feet from such structure.
 - b. To prevent glare visible from a public street or adjoining property, the beam of any external lighting shall be directed so as not to be visible beyond the sign at which it is directed, and the light source shall not be visible from any point on an adjacent property or the public right-of-way.
5. **Movement or animation.** No sign or part of a sign may rotate, oscillate, or otherwise move or change in appearance, whether such motion is driven by wind, mechanical, electrical, or other means; except as provided under "Illumination" above.

8.6.2. Definitions

The following terms have the meanings indicated below as used in this Sec. 8.6.

Billboard. A freestanding sign larger than 200 square feet in area.

Billboard, digital. A freestanding sign larger than 200 square feet in area and programmable by a computer capable of displaying words, symbols, figures, or picture images that can be altered or rearranged on site or by remote means without altering the face or surface of the sign.

Freestanding sign. A sign that is not mounted on a principal building.

Nonconforming sign. A sign that does not conform to the provisions of this UDC and was legal when originally erected.

Portable sign. A sign which is not permanently affixed by rigid structures to a permanent, concrete foundation or a building; including any sign mounted on a vehicle, trailer, or other device designed to be moved periodically from place to place.

Roof sign. A sign projecting over the coping of a flat roof, or wholly or partially over the ridge of a gable, hip or gambrel roof, and supported by or attached to the roof.

Sign. Any structure, display, or device that is used to advertise, identify, direct, or attract attention to a business, institution, organization, person, idea, product, service, event, or location by any means, including words, letters, figures, design characteristics, symbols, logos, fixtures, movement, or illumination.

Sign area. The entire area within a continuous perimeter, enclosing the extreme limits of the sign structure, not to include the first 24 inches of the base height of a monument sign. Curved, spherical, or any other shaped sign face area will be computed based on the actual surface area. The copy of signs composed of individual letters, numerals, or other devices will be the sum of the area of the smallest rectangle or other geometric figure encompassing each of said letter or device as well as spaces between each letter or device.

1. Supporting structures for signs are not counted in the sign area, provided such supporting structures consist of posts, hangers, or brackets of the minimum number and size necessary to support the sign.
2. A wall or fence on which a sign is mounted not counted in the sign area, provided it serves primarily to enclose, divide, or protect an area.

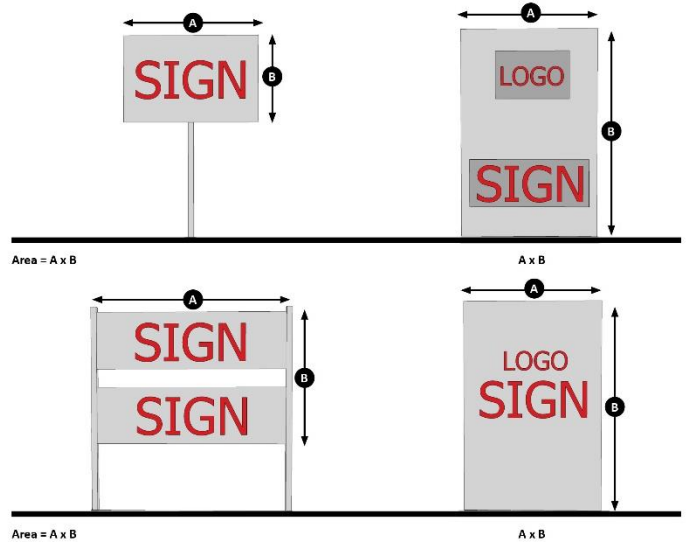
Temporary sign. A display, sign, or banner with or without a structural frame, temporarily mounted, and intended to be displayed for a period not to exceed 30 days.

8.6.3. Prohibited Signs

Notwithstanding any other provision of this Sec. 8.6., the following signs are prohibited:

- A. Signs displaying intermittent lights resembling the flashing lights customarily used in traffic signals or in police, fire, ambulance or rescue vehicles, nor shall any sign use the words "stop," "danger," or any other word, phrase, symbol or character in a manner that might mislead or confuse a vehicular driver.
- B. Signs within any street or highway right-of-way, unless erected by a public agency.
- C. Signs painted on or attached to trees, fence posts and telephone or other utility poles

or signs painted on or attached to rocks or other natural features or painted on the



roofs or walls of buildings.

- D. Fluttering ribbons and banners and similar devices within the front yard setback. This restriction does not apply to flags.
- E. Billboard signs, except as otherwise required by Georgia or federal law.
- F. Roof signs and other signs mounted on or extending into the air above any roof surface of a building. A sign may be mounted against a parapet of uniform height around the perimeter of a building but may not extend above the parapet.
- G. Portable signs unless qualified as a temporary sign and complies with all applicable requirements for such signs under this Sec. 8.6.
- H. Wall murals.
- I. Signs within visibility clearance areas. No freestanding sign or flag between a height of two and one-half feet and ten feet, and no billboard support structure with a

maximum dimension of 12 inches or more, shall be installed and or maintained within the visibility clearance area defined by:

1. Points 25 feet distant from the intersection of any two of the following:
 - a. Any public street(s);
 - b. Any driveway for other than single- or two-family use; or
 - c. Any railroad right-of-way with an at-grade crossing; and
2. A straight line connecting those two points.

8.6.4. Signs Not Requiring a Permit

The following sign types do not require a sign permit when they are erected and maintained in compliance with all applicable standards:

A. Address Signs

An address sign is a sign displaying the street address of the property.

B. Entrance Directory signs

An entrance directory sign is any sign located on a developed property, adjacent to exits, entrances, driveways or off-street parking facilities. Entrance directory signs must meet the following standards:

1. The sign may not exceed 12 ft in area and 5 feet in height.
2. The sign must be at least one foot from the edge of the pavement or curb.
3. One entrance directory sign is allowed per exit, entrance, and off-street parking lot.

C. Construction Signs

A construction sign is a temporary sign erected on premises where construction for which a permit is required is taking place. Construction signs must meet the following standards:

1. The sign may not exceed 50 square feet in area and 8 feet in height.
2. The sign must be at least 10 feet from the edge of the adjacent pavement.
3. Signs must be at least 15 feet from side and rear property lines.

D. Home Occupation Signs

A home occupation sign is a sign associated with a permitted home occupation. Home occupation signs must meet the following standards:

1. The sign may not exceed one foot in area.
2. The sign may not be illuminated.
3. The sign must be attached to the structure in which the home occupation is conducted.

E. Internal Development Signs

Signs internal to a multi-building residential or nonresidential complex which may be part of a greater wayfinding system used to serve as directional signage to effectively navigate people through a space. Internal development signs must meet the following standards:

1. One sign is allowed at each street or driveway intersection.
2. The sign may not exceed 6 square feet in area and 4 feet in length.
3. The sign may not be mounted more than 5 feet above grade.

F. Residential temporary signs

Residential temporary signs are temporary signs on residentially zoned property. Residential temporary signs must meet the following standards:

1. The sign may not exceed 6 square feet in area.
2. Signs must be at least 15 feet from side and rear property lines.

G. Flags

Flags are any fabric or other flexible material designed to be flown from a flagpole. Flags must meet the following standards:

1. No more than two flagpoles are permitted per lot.
2. No more than two flags are permitted per flagpole.
3. The maximum dimension of the hoist side of each flag may not exceed 20 percent of the height of the flagpole.
4. Flagpoles must be set back from each property boundary a distance equal to the height of the flagpole.
5. Flagpoles must be maintained in good repair, so as not to constitute a hazard to health, welfare or public safety.
6. On officially designated county, state, and federal holidays, there is no maximum flag size or number of flags which may be on display.

H. Window signs

A window sign is a sign attached to the interior or exterior face of a window, door, or display case and intended to be viewed from the outside. Window signs must meet the following standards:

1. Window signs may not exceed 25% of the area of the individual window they are located in; and
2. Additional standards apply in the Gateway Corridor Overlay District. See Sec. 8.6.18.

I. Other exempt signs

In addition to any other permitted signs, the following signs are also permitted without a sign permit:

1. **Agricultural and residential zoning districts.** Individual signs not exceeding 6 square feet in area, with a

combined area not exceeding 18 square feet.

2. **Other zoning districts.** Individual signs not exceeding 10 square feet in area, with a combined area not exceeding 30 square feet. Such signs must not be more than 5 feet high and must be at least 5 feet from side and rear property lines.
3. **Public signs.** Signs authorized by any public agency for official purposes. Official notices issued by any court, public agency, or officer.

8.6.5. Temporary Signs

A total of one additional sign per street frontage, which may be either of the following, is allowed for the duration of a temporary event:

- A. One non-illuminated temporary sign, flag or banner, not exceeding 6 square feet in area nor 4 feet in height in a single-family residential zoning district and not exceeding 32 square feet in area nor 12 feet in height in a multifamily or nonresidential zoning district; or
- B. One non-illuminated inflatable sign, which may be placed on a building roof, but regardless of location, must be installed in accordance with all requirements of the building code. Such inflatable sign may not contain an inflatable area in cubic feet that is greater than the square footage area of the sign structure for the principal freestanding sign on the property as determined by the Director.
- C. Signage is limited to a total of 60 days a calendar year for the same business or organization. The duration of the temporary event may not last longer than 15 consecutive days and must not take place more frequently than four times in any calendar year for the same business or organization. Any four such events must

be separated by at least 30 consecutive days.

8.6.6. Sign Permits

A. Purpose

The purpose of this Sec. 8.6.6 is to provide a review process for sign permit applications that ensures that signs comply with the standards of this Sec. 8.6.

B. Authority

The Director is authorized to review and approve or disapprove an application for a sign permit pursuant to the procedures of this Sec. 8.6.6 and the standards of this Sec. 8.6.

C. Applicability

No sign, except those listed in Sec. 8.6.4, may be erected, placed, reconstructed or structurally altered without the sign owner having first obtained a sign permit from the Director or building official, if applicable, per the procedures in this Sec. 8.6.5 and the standards of this Sec. 8.6.

D. Procedure

1. **Initial submission and review of application.** Application for a sign permit must be made on the form provided by the Department of Planning and Zoning and must be accompanied by the information and documents listed on the form. An application will only be deemed as sufficient when all required information and accompanying documents are received.
2. **Action by Planning and Zoning Director.** Within 10 working days after the application is determined sufficient, the Director or their designee must review the application in accordance with this Sec. 8.6.5 and determine whether the application

complies with the standards in this Sec. 8.6.

3. **Approval.** If the Director finds that the application complies with the standards of this Sec. 8.6, they must approve a sign permit. Any sufficient sign application for which no action has been taken after ten working days will be deemed approved.
4. **Fails to comply.** If the Director determines the application fails to comply with the standards of this Sec. 8.6, the applicant must be provided a notification with written comments, explaining why the application fails to comply with the standards. The applicant must be provided an opportunity to submit a revised application. If a revised application is not resubmitted within 30 days of the date of notification, the application will be considered withdrawn and subject to a new application and remittance of accompanying fees. The time for resubmission may be extended an additional 30 days, if requested prior to the original deadline for resubmittal.
5. **Re-submittal.** A revised application must be re-submitted to the Director and reviewed by the Director within five working days after its re-submittal. The Director must approve or disapprove the application, based on the criteria in this Sec. 8.6.
6. **Fees.** No permit may be issued until the appropriate application has been filed with the Department of Planning and Zoning and fees as established by the Board of Commissioners have been paid.
7. **Criteria.** A sign permit must be approved upon a finding that the applicant has demonstrated the application complies with the standards of this Sec. 8.6.6.

- E. Expiration.** If the work described in any sign permit has not been completed within six months of issuance, the sign permit will expire and be void, however, one six-month extension of the permit will be granted if an additional permit extension fee has been paid prior to the expiration date of the initial permit. The permit extension fee will be the amount of the initial permit fee.
- F. Amendments.** A sign permit may be amended, extended, or modified only in with the procedures established for its original approval.
- G. Appeals.** Any person aggrieved or affected or any officer, department, board or

bureau of the county affected by the determination of the Director on an application for approval of a sign permit may appeal the determination to the Planning Commission in accordance with the procedures of Sec. 11.2. The appeal must be heard within 45 days of the filing of the written notice of appeal.

8.6.7. Signs Requiring a Sign Permit

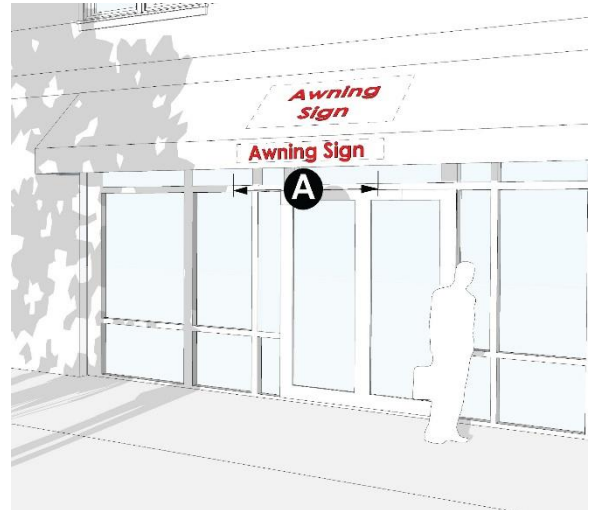
Signs are allowed by district as shown below. Specific requirements for each sign are shown on the following pages. All of the following sign types require a sign permit.

	AG-1, AR-1, R-1-L, R-1, R-TF, PRD	R-MF, MHP, R-X	O-I, S-S, H-B, I-1, I-2	Gateway Corridor Overlay	Standards
Awning Sign, or Canopy Sign, or Wall Sign	□	□	■	Per base zoning and	Sec. 8.6.8 Sec. 8.6.9 Sec. 8.6.10
Entrance Sign	■	■	■	Per base zoning	Sec. 8.6.11
Monument Sign	□	□	■	Per base zoning and Sec. 8.6.18	Sec. 8.6.12
Projecting Sign	□	□	■	See base zoning	Sec. 8.6.13

Table Key:

- = Allowed
- = Allowed for nonresidential, residential businesses, and rural businesses uses only
- = Not Allowed

8.6.8. Awning Signs



A. Definition

A sign where graphics or symbols are sewn on, printed on, or otherwise adhered to the awning material as an integrated part of the awning itself.

B. General Provisions

1. Signs may not extend outside the awning.
2. Only awnings over ground story doors or windows may contain signs.
3. The awning that the sign is attached to must be opaque.
4. Signs may be on the front valance, the side valance, or on the sloping face of the awning.
5. Signs may not be internally illuminated.

C. Number of Signs

1. One awning sign, or one canopy sign, or one wall sign, or one projecting sign is allowed per establishment along the side of the establishment that includes its public entrance, unless specified in Sec. 8.6.14 or Sec. 8.6.15.
2. One additional awning sign, or one additional canopy, or one additional wall sign, or one addition projecting sign is allowed along each facade adjacent to a public right of way.

D. Sign Area

1. The maximum area is 64 square feet per building, or one square foot per linear foot of storefront, whichever is greater.
2. A tenant with less than 16 linear feet of storefront is allowed one sign not exceeding 16 square feet in area.

E. Dimensions

- Ⓐ Sign width: no max.
- Ⓑ Sign height: no max.

8.6.9. Canopy Signs



A. Definition

A sign affixed to, superimposed upon, or painted on any roof or roof-like structure which is extended over a sidewalk, walkway, or vehicle access area.

B. General Provisions

1. Signs cannot extend outside the overall length or width of the canopy. However, a canopy sign may extend above or below the canopy.
2. Signs may not extend above the height of the building, including any parapet wall.
3. Signs may not be located on a roof.
4. Signs must be located at least 8 feet above any sidewalk or walkway and 13 feet 6 inches above any vehicular access area.

C. Number of Signs

1. One awning sign, or one canopy sign, or one wall sign, or one projecting sign is allowed per establishment along the side of the establishment that includes its public entrance, unless specified in Sec. 8.6.14 or Sec. 8.6.15.
2. One additional awning sign, or one additional canopy, or one additional wall sign, or one addition projecting sign is

allowed along each facade adjacent to a public right of way.

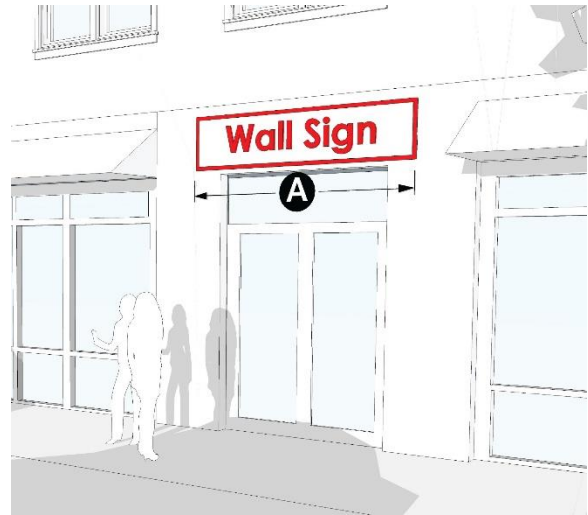
D. Sign Area

1. The maximum area is 64 square feet per building, or one square foot per linear foot of storefront, whichever is greater.
2. A tenant with less than 16 linear feet of storefront is allowed one sign not exceeding 16 square feet in area.

E. Sign Dimensions

- (A) Sign width: max. canopy width
- (B) Sign height: max. 2 ft.

8.6.10. Wall Signs



A. Definition

A sign which is mounted on the facade of the building, is in a plane parallel to the wall (i.e., does not project at an angle to the wall), and does not project more than 12 inches from the wall.

B. General Provisions

Reserved

C. Number of Signs

1. One awning sign, or one canopy sign, or one wall sign, or one projecting sign is allowed per establishment along the side of the establishment that includes its public entrance, unless specified in Sec. 8.6.14 or Sec. 8.6.15.
2. One additional awning sign, or one additional canopy, or one additional wall sign, or one addition projecting sign is allowed along each facade adjacent to a public right of way.

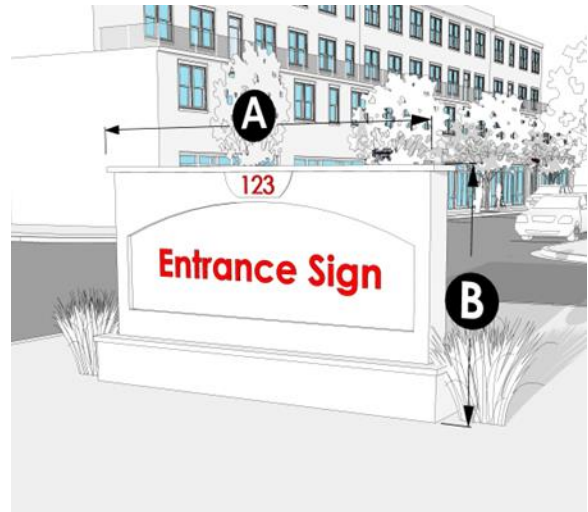
D. Sign Area

1. The maximum area is 64 square feet per building, or one square foot per linear foot of storefront, whichever is greater.
2. A tenant with less than 16 linear feet of storefront is allowed one sign not exceeding 16 square feet in area.

E. Sign Dimensions

- Ⓐ Sign width: no max.
- Ⓑ Sign height: no max.

8.6.11. Entrance Signs



A. Definition

Any sign located in a residential or nonresidential subdivision or planned unit development.

B. General Provisions

1. Signs must be at least 15 feet from all property lines.
2. Signs may not be internally illuminated, and any lighting must come from external sources screened from view with evergreen plantings.

C. Number of Signs

One per street entrance.

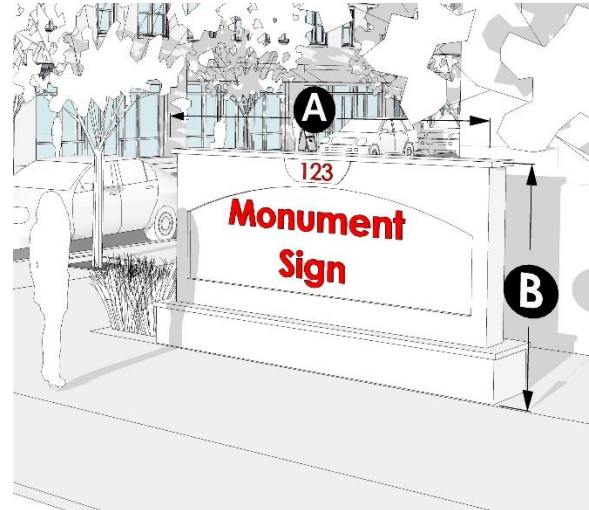
D. Sign Area

1. Residential developments:
 - a. Fewer than 100 residential units or lots: max. 20 sq. ft.
 - b. 101-200 residential units or lots: max. 32 sq. ft.
 - c. Developments with more than 200 residential units or lots: max. 48 sq. ft.
2. Nonresidential or mixed-use developments: max. 48 sq. ft.

E. Sign Dimensions

- Ⓐ Sign width: no max.
- Ⓑ Sign height: max. 6 ft.

8.6.12. Monument Signs



A. Definition

A permanently affixed sign which is wholly independent of a building for support and attached to the ground along its entire length.

B. General Provisions

1. The base of the monument sign must be at least two-thirds the width of the sign itself.
2. The base of the monument sign must be faced in brick, masonry, stucco, or stone, unless otherwise specified in Sec. 8.6.18 for the Gateway Corridors Overlay District.
3. On corner lots, monument signs must be at least 50 feet from lot corner (defined by the lot lines extended).
4. Signs must be at least 15 feet from all property lines.

C. Number of Signs

One monument sign is allowed along each street that the lot has frontage on, unless otherwise specified in Sec. 8.6.14 or Sec. 8.6.15.

D. Sign Area

1. *O-I, S-S, P-C, H-B, M-U, I-1, and I-2 zoning districts.* Determined by building gross floor area:
 - a. 0-10,000 sf.: max. 32 sf. (each side)
 - b. 10,001-50,000 sf.: max. 48 sf. (per side)
 - c. 50,001-100,000 sf.: max. 64 sf. (per side)
 - d. Over 100,000 sf.: max. 96 sf. (per side)
2. *All other zoning districts.* See Sec. 8.6.14 and Sec. 8.6.15.

E. Sign Dimensions

Ⓐ Sign width: no max.

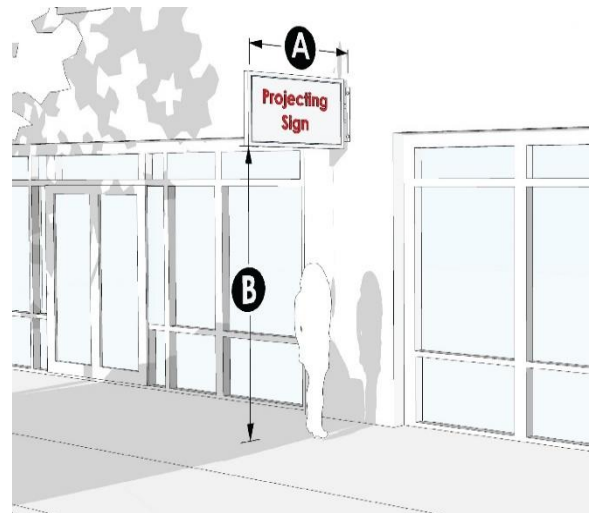
Ⓑ Sign height:

O-I, S-S, P-C, H-B, M-U, I-1, and I-2 zoning districts. Determined by building gross floor area:

- a. 0-50,000 SF: max. 8 ft.
- b. 50,001-100,000 SF: max. 10 ft.
- c. Over 100,000 SF: max. 12 ft.

All other zoning districts: max. 6 ft.

8.6.13. Projecting Signs



A. Definition

A sign which is attached perpendicular to a building or other structure and extends more than 12 inches horizontally from the plane of the building facade.

B. General Provisions

1. Must be at least 18 inches from a vertical plane at the street curb line.
2. May not project beyond property lines.

C. Number of Signs

1. One awning sign, or one canopy sign, or one wall sign, or one projecting sign is allowed per establishment along the side of the establishment that includes its public entrance.
2. One additional awning sign, or one additional canopy, or one additional wall sign, or one addition projecting sign is allowed along each facade adjacent to a public right of way.

D. Sign Area

1. The maximum area is 64 square feet per building, or one square foot per linear foot of storefront, whichever is greater.
2. A tenant with less than 16 linear feet of storefront is allowed one sign not exceeding 16 square feet in sign area.

E. Sign Dimensions

- Ⓐ Projection from facade: max. 5 feet.
- Ⓑ Clear height above walkways or other non-vehicular areas: min. 10 ft.
- Ⓑ Clear height above parking, driveways, or other vehicle access: min. 14 ft.

8.6.14. AG-1, AR-1, R-1-L, R-1, R-TF, R-X and PRD Zoning Districts

The following additional standards apply in AG-1, AR-1, R-1-L, R-1, R-TF, R-X and PRD zoning districts:

A. Nonresidential Uses

Nonresidential uses are allowed one canopy sign, or one wall sign, or one projecting sign, or one freestanding sign, with a maximum area of 20 square feet and the maximum height of 6 feet.

B. Residential Business Signs

1. **AG-1, AR-1, R-1-L, R-TF, R-X and PRD zoning districts.** Residential businesses are allowed one non-illuminated freestanding sign with a maximum sign area of 16 square feet and a maximum height of 5 feet. The location must be approved by the planning commission.

2. **R-1 zoning district.** No sign is allowed.

C. Rural Business Signs

Rural businesses are allowed one non-illuminated freestanding sign not exceeding 16 square feet in area. The location must be approved by the planning commission. The sign must be at least 15 feet from all property lines.

8.6.15. R-MF and MHP Zoning Districts

The following additional standards apply in RMF and MHP zoning districts:

A. Nonresidential Uses

Nonresidential uses are allowed one canopy sign, or one wall sign, or one projecting sign, or freestanding sign, with a maximum area of 30 square feet and the maximum height of 6 feet.

B. Residential Business Signs

Residential businesses are allowed one non-illuminated freestanding sign, including a monument sign, with a maximum area of 16 square feet and a maximum height of 5 feet. The location must be approved by the Planning Commission.

C. Rural Business Signs

Rural businesses are allowed one non-illuminated freestanding sign not exceeding 16 square feet in area. The location must be approved by the Planning Commission. The location must be at least 15 feet from all property lines.

8.6.16. O-I, S-S, H-B, M-U, I-1, and I-2 Zoning Districts

The following additional standards apply in O-I, S-S, H-B, M-U, I-1, and I-2 zoning districts:

A. Master plan for signs in multi-tenant developments

For all multi-tenant buildings or developments, a coordinated program of wall signs must be developed and approved by the county at the time of site plan approval. The signage master plan must specify the sign type, design, height, colors, illumination, and other specifications to give a coordinated appearance to the building or development. The county's review and approval of the signage master plan must be based on the compatibility of the proposed signage with the siting and architecture of the subject building or development and the compatibility of the signage with surrounding land uses.

8.6.17. Standards for Fuel Sales

Fuel sales facilities are allowed additional signage as follows:

A. One sign per canopy facade per public street frontage with a maximum of 16

square feet is allowed, provided that the area used to display this information is no larger than 8 square feet and does not extend above or below the edge of the canopy.

- B. Spreader bars (signs located under canopy over pump islands) are limited to no more than two signs per spreader bar, not exceeding 4 square feet per sign. However, the total area for all spreader bars may not exceed 24 square feet.

8.6.18. Gateway Corridors Overlay

The following additional standards and restrictions apply to civic, commercial, industrial, and other non-residential uses in the Gateway Corridor Overlay district:

A. Monument Signs

The monument sign structure must be constructed of the same materials that are used in the facade of the principal building.

B. Sign Illumination

1. Automatic changeable copy signs are prohibited, except for public buildings and uses, as these terms are defined in Sec. 7.4.
2. Externally mounted neon signs are prohibited.
3. Signs may be illuminated with external lighting fixtures provided that fixtures are directed downward and away from streets and adjacent property and public streets. All lighting shall have recessed luminaries or be semi-cutoff luminary fixtures.
4. Internally illuminated signs are permitted subject to the standard of illumination in Sec. 8.6.1.D.4.

8.6.19. Standards for Billboards

A. General Standards

Sec. 8.6.18 prohibits the erection of new billboards in Hall County and the reconstruction of existing billboards to the fullest extent to be consistent with state and federal law or with the provisions allowing for the reduction of the overall number of billboards within Hall County, per Sec. 8.6.19.C.

1. **Permit required.** No billboard may be permitted to be erected or reconstructed without a permit from the county building official.
2. **No new billboards.** After the effective date of this UDC, the county building official may not issue permits for new billboard structures except as required by Georgia or federal law and/or permitted by Sec. 8.6.19.C.
3. **Billboards are primary structures.** After the effective date of this UDC all billboards are classified as primary structures, and no billboard may be located on any lot or parcel that contains another primary structure. Lots or parcels that contain both a billboard and another primary structure will be nonconforming and will be subject to the nonconforming use provisions of this UDC.

B. Location, area and height

All billboard structures required to be permitted under state or federal law, and erected so as to be visible from any public, state or federal road must conform to the following standards:

1. **General.** All billboard structures erected abutting or so as to be visible from the right-of-way of any state highway that is a limited or controlled access highway shall conform with O.C.G.A. § 32-6-75, and must meet all federal and state requirements

necessary to obtain a permit under said code. In instances where the sign controls of this UDC are stricter, these regulations apply.

2. **Structure type.** Only one sign may face the same direction per location. This allows back-to-back or V-formation signs, provided they are joined by a mutual or attached frame, but prohibits two signs stacked or side-by-side facing the same direction.
3. **Setback.** All structures must be set back at least 15 feet from any property or right-of-way line.
4. **Spacing**
 - a. All roads except divided lane four-lane highways and limited or controlled access highways. No billboard structure may be within 500 feet of another billboard along the same side of the road or within 1,000 feet of any residential or agricultural district, public park, public building or religious building, regardless of whether the measurements extend outside of county limits.
 - b. Divided four-lane highways and limited or controlled access highways. No billboard structure may be within 500 feet of another billboard, measuring from the two closest points, regardless of whether the measurements extend outside of county limits.
5. **Maximum sign area**
 - a. All roads except divided lane four-lane highways and limited or controlled access highways. The maximum sign area permitted for each face of the structure shall not exceed 64 square feet with or without trim.
 - b. Divided four-lane highways and limited or controlled access

highways. The maximum sign area permitted for each face of the structure may not exceed 100 square feet with or without trim.

6. **Sign height.** Signs must be at least 10 feet above the adjacent road measuring from the lower portion of the sign face. No sign may exceed the height of 35 feet from either the level of the road or the ground surface, whichever is higher. Two signs in the same location back-to-back or in a V-formation must be the same height above the pavement surface.
7. **Extrusions prohibited.** Extrusions beyond the face of the sign, excluding aprons, are prohibited.
8. **Lighting.** No illumination of off-premises signs is allowed.

C. Digital billboard conversion and location

Any legally erected billboard may be converted to a digital billboard so long as it meets the following limitations:

1. **Replacing a static billboard with a digital billboard**
 - a. Two square feet of existing static billboard display must be removed within the county limits for each one square foot of digital billboard display area, either newly constructed or installed as a modification and/or conversion of an existing static billboard. The two square feet removed must be from physically completed static billboards with complete sign faces. No partially erected or partially completed signs may be used to qualify for the requirement.
 - b. The applicant must provide an inventory of their outdoor advertising sign locations within the county. A company that converts an existing static

billboard to a digital billboard must provide, with each permit application, a complete current inventory of its billboards located within the corporate limits of Hall County. The inventory must include per structure: location (longitude/latitude), size, number of faces and type of illumination.

- c. No person may convert an existing static billboard structure to a digital billboard structure without first obtaining a sign permit as required by this Sec. 8.6.19.C. and all other applicable county permits required for improvements.
- d. Digital billboards shall be the same size or smaller than the static billboard being replaced.
- e. A digital billboard replacing a nonconforming static billboard may be permitted if approved by the county Board of Commissioners.

2. Construction of digital billboards in new locations

- a. After removing two square feet of existing static billboard display per Sec. 8.6.19.C.1.a, a new structure may be erected containing a digital billboard if the location is approved by the county Board of Commissioners.
- b. The county Board of Commissioners has the right to permit the installation of a new digital billboard structure in any location within the county so long as the location complies with all applicable state and federal regulations pertaining to outdoor advertising, and these regulations.

3. Digital billboard operational standards

- a. Digital billboards must display static images for a period of at least

ten seconds before instantaneously transitioning to another static image.

- b. Animation, frame effects, flashing and the appearance of movement whatsoever are explicitly prohibited.
- c. All digital billboards must be equipped with automatic dimming technology which automatically adjusts the sign's brightness based on ambient light conditions.
- d. No digital billboard may exceed a brightness level of 0.3 foot-candles above ambient light as measured using a foot-candle meter at a preset distance depending on sign area. Measuring distance will be determined by the following equation: the square root of the product of the sign area and 100.

Example using a 200 square foot digital billboard:

$$(200 \times 100) = 141.4 \text{ feet measuring distance.}$$

- e. The county will from time to time check the brightness of each digital billboard to verify the levels specified in Sec. 8.6. are met. If the owner of a sign fails to control brightness within these limits, the sign permit will be revoked. If a permit is revoked, the sign must be turned off immediately and must remain off unless and until the sign is re-permitted. Re-permitting requires the owner to reapply in accordance with the procedures in place at the time of the new permit application, including paying fees required for a new permit.
- f. All digital billboards must have a switch or circuit breaker located on the property that allows electrical power to be turned off. The owner of each digital billboard

must provide the county contact information for a 24-hour, seven-day/week contact person who has the authority and is able to turn off the sign promptly if a malfunction occurs. If at any time more than 30 percent of the digital display lights malfunction or are no longer working property, the owner of the digital billboard shall turn off the electronic display until repairs are made.

4. **Emergency compliance.** The permit holder of a digital billboard must coordinate with governmental authorities to display, when appropriate, emergency information important to the traveling public, such as Amber Alerts or alerts concerning terrorist attacks, or natural disasters. Emergency information messages must remain in the advertising rotation according to the protocols of the agency that issues the information, or protocols established by the Georgia Department of Transportation.

D. Nonconforming billboards

Any legally erected sign that would become nonconforming as a result of Sec. 8.6. is allowed to remain in accordance with this Code, or until purchased by the Georgia Department of Transportation or the county, provided that the sign owner meets the requirements of state laws and rules and regulations governing such signs. No nonconforming billboard may be increased in size or height or relocated on the property, but may be decreased in size or height and/or may be converted to a digital billboard subject to Sec. 8.6.19.C.

8.6.20. Nonconformities

A. Signs related to nonconforming uses

Signs related to nonconforming uses, and located on the same lot or property as the nonconforming use, may continue to exist, but may not be increased in size or number, and may not be relocated on the same site unless the relocation of the existing sign brings it into greater conformity with the provisions of this Sec. 8.6. that would apply if the use were a permitted use in that zoning district.

B. Nonconforming signs

1. A building or freestanding sign that lawfully existed on the effective date of this UDC may continue to be used, except that the nonconforming sign:
 - a. May not be repaired, rebuilt, replaced or altered after damage or removal exceeding 50% of the sign structure.
 - b. May not be enlarged or altered in a way that increases its nonconformity.
 - c. May not be altered for a change in use, change in ownership or change in business name. Individual sign panels not exceeding 50% of the total sign face area of a multi-tenant freestanding sign may be replaced for a change in use or change in business name.
2. The owner of a nonconforming sign who wishes to apply for its continued use, and who makes an application for such within one year from the date such sign became nonconforming, will have their application fee waived. An owner who submits their application for the continued use of a nonconforming sign within two years of the date such sign became nonconforming will have one-half of the application fee waived. Any owner of a nonconforming sign must apply for its continued use after the expiration of two years from the date

the sign became nonconforming must pay the full application fee as required by Sec. 11.2.

3. Nonconforming signs associated with Legacy Uses, as defined in Sec. 7.1.6.,

may be re-used upon approval of a conditional use permit for such use.

Article 9. Subdivisions

Table of Contents

Sec. 9.1. General Land Development Standards	9-3	9.3.4. Dev. Along Major Street, Limited-Access Highway or Railroad Right-of-Way	9-7
9.1.1. Policy	9-3	9.3.5. Reserve Strips.....	9-7
9.1.2. Purposes.....	9-3	9.3.6. Additional Width on Existing Streets	9-7
9.1.3. Conditions on Dev.; Compliance.....	9-3	9.3.7. Street Jogs.....	9-8
9.1.4. Jurisdiction	9-4	9.3.8. Angle of Intersection.....	9-8
9.1.5. Interpretation	9-4	9.3.9. Intersection Sight Distance	9-8
9.1.6. Conflicting Provisions.....	9-4	9.3.10. Stopping Sight Distance	9-8
9.1.7. Easements, Covenants and Other Private Restrictions	9-4	9.3.11. Property Lines at Intersections....	9-9
9.1.8. Subdivisions Relying on Provision of Access or Services by Municipal Corporations or Other Counties	9-4	9.3.12. Temporary Dead-End Streets.....	9-9
9.1.9. Saving Provision.....	9-4	9.3.13. Median Design	9-9
Sec. 9.2. General Design Requirements	9-5	9.3.14. Minimum Sight Clearance	9-9
9.2.1. Minimum Design Standards.....	9-5	9.3.15. Pavement Width	9-9
9.2.2. Suitability of Land	9-5	9.3.16. Street Tapering Adjacent to Median	9-9
9.2.3. Name of Subdivision.....	9-5	9.3.17. Width of Right-of-Way	9-9
9.2.4. Access	9-5	9.3.18. Structures Over Street.....	9-10
9.2.5. Through Traffic.....	9-5	9.3.19. Planting Materials	9-10
9.2.6. Continuation of Ex. Street Pattern..	9-5	9.3.20. Maintenance of Medians.....	9-10
9.2.7. Relationship to Comp. Plan.....	9-5	9.3.21. Design Standards for Streets	9-10
9.2.8. Reservation of Public Spaces	9-5	9.3.22. Utilities.....	9-12
9.2.9. Res. of Public Spaces; Waiver	9-6	9.3.23. Sts. to Connect to Publicly Maintained Road.....	9-14
9.2.10. Res. of Public Spaces; Denial of Plat.....	9-6	9.3.24. Dams	9-14
9.2.11. Suitability of Land Dedicated for Public Use.....	9-6	9.3.25. One-Way Streets	9-14
9.2.12. Subdivisions Adjacent to or Containing Dams.....	9-6	9.3.26. Property Monuments.....	9-14
9.2.13. Construction of Streets on or Across Railroad Rights-of-Way.....	9-6	9.3.27. Utility Easement Required Along Certain Streets.....	9-14
9.2.14. Alternate Design Standards.....	9-6	9.3.28. Decel. Lanes and Left-Turn Lanes ..	9-14
Sec. 9.3. Streets and Other Rights-of-Way ...9-7		Sec. 9.4. Street Construction Requirements	9-17
9.3.1. Continuation of Existing Streets.....	9-7	9.4.1. Minimum Construction Standards....	9-17
9.3.2. Connections with Fut. Subdivisions..	9-7	9.4.2. Cuts, Fills, and Subgrade	9-18
9.3.3. Street Names	9-7	9.4.3. Culverts and Storm Sewers.....	9-18
		9.4.4. Base Course Construction.....	9-19
		9.4.5. Bituminous Plant Mix Paving.....	9-21
		9.4.6. Curb and Gutter Requirements	9-21

9.4.7. Installation of Utilities	9-21	9.7.9. Nonresidential Subdivisions and Planned Developments.....	9-35
9.4.8. Sidewalk Installation.....	9-21		
9.4.9. Sidewalk Construction Reqs.	9-24		
Sec. 9.5. Water and Sanitary Sewer System Requirements.....	9-26	Sec. 9.8. Construction Schedule.....	9-37
9.5.1. Water Systems	9-26	9.8.1. Prerequisites for Beginning Construction.....	37
9.5.2. Fire Hydrants and Valves	9-27	9.8.2. Grading.....	37
9.5.3. Sanitary Sewer Systems.....	9-27	9.8.3. Utilities	37
9.5.4. Water and Sanitary Sewer System Design Approval.....	9-27	9.8.4. Inspections.....	37
Sec. 9.6. Street Lighting.....	9-28	9.8.5. Recording of Final Plat Required Prior to Sale or Transfer of Lots	37
9.6.1. Special Tax District for Street Light Program.....	9-28	9.8.6. Recording of Final Plat Required Prior to Issuance of Building Permits.....	37
9.6.2. Costs and Fees.....	9-29	9.8.7. Completion of Improvements Required Prior to Occupancy	37
9.6.3. Conformance by Subdivider; Acceptance of Public Ways	9-30	Sec. 9.9. Custom Support Signage.....	9-38
9.6.4. Procedures for Subdivisions.....	9-30	9.9.1. Purpose	9-38
9.6.5. Subdivisions with Underground Electric	9-31	9.9.2. Designation of Maint. Authority....	9-38
9.6.6. Lighting in Districts Other than Single- Family Residential.....	9-31	9.9.3. Responsibilities of Maint. Authority. 9- 38	
9.6.7. Installation and Operation Standards.....	9-31	9.9.4. Liability	9-38
9.6.8. Authority to Contract with Public Utilities.....	9-32	9.9.5. Regulations for the Installation of Custom Support Traffic Sign Assemblies ...	9-38
9.6.9. Exceptions	9-32	9.9.6. Regulations for the Maintenance of Custom Support Traffic Sign Assemblies ...	9-39
9.6.10. Conflict w/ Federal or State Laws...9- 32		9.9.7. Inspections.....	9-39
9.6.11. Right of Appeal.....	9-32	9.9.8. Failure to Adequately Maintain the Signage Assemblies	9-39
9.6.12. Availability of Provisions.....	9-32	9.9.9. Request to Relinquish Maintenance of Custom Supports and Signage Assemblies 9- 39	
Sec. 9.7. Required Improvements	9-33	9.9.10. Auth. to Remove Signage.....	9-39
9.7.1. Preliminary Plat Approval.....	9-33	9.9.11. Responsible Government Agencies 9- 40	
9.7.2. Street Improvements Standards ..	9-33	Sec. 9.10. Modification of Standards	9-41
9.7.3. Delay of Installation of Paving.....	9-33	9.10.1. Permitted Modifications.....	9-41
9.7.4. Water and Sewer Improvements .	9-33	9.10.2. Approval with Conditions	9-41
9.7.5. Notification of Utility Owners Prior to Completion of Street Grading	9-34	9.10.3. Petition for Modification	9-41
9.7.6. Lot Specifications.....	9-34	9.10.4. Review by Planning Director	9-41
9.7.7. Burying Debris and Waste Under Roadway or Right-of-Way.....	9-34	9.10.5. Action by Board of Comm.....	9-41
9.7.8. Preservation of Natural Features, Historic Sites and Other Amenities	9-35		

Sec. 9.1. General Land Development Standards

9.1.1. Policy

- A. In the interest of orderly, planned, efficient and economical development, and furtherance of the general health and welfare of the county and its residents, and to ensure consistency with the Comprehensive Plan, it is declared to be the policy of the county to consider the subdivision of land and its development to be subject to the control of the county.
- B. Land to be subdivided must be of such character that it can be used safely for building purposes without danger to health or peril from fire, flood, or other menace and that it can be serviced with those public facilities deemed necessary and appropriate for such development.
- C. The existing and proposed public improvements must conform with and be properly related to the proposal shown in the land use plan, and it is intended that these regulations supplement and facilitate the enforcement of the provisions and standards contained in building and housing codes, the Unified Development Code, the Comprehensive Plan, and the capital budget and program of the county.

9.1.2. Purposes

These regulations are adopted for the following purposes:

- A. To encourage the development of an economically sound and stable community so as to help conserve and protect the natural, economic, and scenic resources of the county;
- B. To assure the provision of required streets, utilities, and other facilities and

services to both residential and nonresidential subdivision developments;

- C. To assure the adequate provision of safe and convenient access and circulation, both vehicular and pedestrian, and to help ensure that all lots will be accessible to emergency and service vehicles;
- D. To assure the provision of needed public open spaces and building sites in new land development through the dedication or reservation of land for recreational, educational, and other public purposes;
- E. To ensure adequate drainage by providing for the proper layout of streets and lots, thereby reducing maintenance problems;
- F. To promote a safe and healthy environment;
- G. To assure adequate identification of property on the public records;
- H. To encourage, in general, the wise development of the community consistent with the Comprehensive Plan; and
- I. To assure the equitable review of subdivisions by providing uniform procedures and standards for the subdivider.

9.1.3. Conditions on Development; Compliance

Regulation of the subdivision of land and the attachment of reasonable conditions to land subdivision is an exercise of valid police power delegated by the state to this county. The developer has the duty of compliance with these regulations for design, dedication, improvement, planning, etc., so as to conform to the physical development of the county and to the safety and general welfare of the future

lot owners in the subdivision and of the community at large.

9.1.4. Jurisdiction

These regulations control the subdivision of residential and nonresidential land within the unincorporated portion of Hall County, Georgia.

9.1.5. Interpretation

In their interpretation and application, the provisions of these regulations will be held to be the minimum requirements for the promotion of public health, safety, and general welfare.

9.1.6. Conflicting Provisions

Where any provision of these regulations imposes a restriction different from those imposed by any other provision of these regulations or any other ordinance, rule or regulation, or other provision of law, whichever provisions are more restrictive or impose higher standards will apply.

9.1.7. Easements, Covenants and Other Private Restrictions

These regulations are not intended to supplant any easement, covenant or any other private restriction; provided that, when the provisions of these regulations are more

restrictive or impose higher standards than such easement, covenant, or other private restriction, the provisions of these regulations will apply.

9.1.8. Subdivisions Relying on Provision of Access or Services by Municipal Corporations or Other Counties

Hall County may deny all or any part of a subdivision where proper access and the provision of services affecting the health, safety, and welfare of the subdivision are jeopardized by reliance upon the performance of another jurisdiction.

9.1.9. Saving Provision

These regulations shall not be construed as abating any action now pending under, or by virtue of, prior existing subdivision regulations, or as discontinuing, abating, modifying, or altering any penalty accruing or about to accrue, or as affecting the liability of any person, firm, or corporation, or as waiving any right of the county under any section or provision existing at the time of adoption of the regulations codified in this UDC, or as vacating or annulling any rights obtained by any person, firm, or corporation, by lawful action of the county, except as expressly provided for in these regulations.

Sec. 9.2. General Design Requirements

9.2.1. Minimum Design Standards

All subdivisions hereafter established must be developed in accordance with the minimum design standards and requirements set forth in this UDC.

9.2.2. Suitability of Land

Land subject to flooding, improper drainage, or erosion, or which is for topographical, geological or other reasons unsuitable for residential use, may not be platted for residential use or for any other uses that will continue to increase the danger to health, safety, or property destruction, unless the hazards can be corrected. Determination will be made by study of topographic maps or inspection of the subdivision by the County Engineer.

9.2.3. Name of Subdivision

The name of the subdivision must have the approval of Hall County. The name must not duplicate or closely approximate the name of an existing subdivision.

9.2.4. Access

Access to every subdivision lot must be provided over a public road or over a common access driveway which meets the standards set forth in the driveway regulations. Hall County may control access to freeway, expressway, arterial, and collector roads by requiring all buildings to face and have access to only minor roads. In any subdivision not involving the construction of new roads and in any minor subdivision, as defined by this UDC, all new lots accessing a road designated as an arterial or collector must have a minimum frontage of 90 feet.

9.2.5. Through Traffic

Minor streets must be laid out so that their use by through traffic will be discouraged.

9.2.6. Continuation of Existing Street Pattern

Whenever topography, ownership, and design objectives permit, the street pattern within a subdivision must provide for the continuation or appropriate projection of the existing street pattern in the section of the county involved.

9.2.7. Relationship to Comprehensive Plan

All proposed subdivisions must meet the intent of the Comprehensive Plan and development policies in effect at the time of submission.

9.2.8. Reservation of Public Spaces

Where features of the Comprehensive Plan such as school sites, parks, streets other than local subdivision streets, or other public spaces are located in whole or in part in a proposed subdivision, or when these features have not been anticipated by the Comprehensive Plan and planning policy, but are considered essential by the Director, such features may be dedicated, or in lieu of dedication may be reserved by the subdivider. Whenever such reserved land, or any portion thereof, is not acquired, optioned, or condemned by the appropriate public agency within a six-month period from the date of recording the subdivision or by the next budget year, whichever is the longer period of time, the subdivider may claim the original reservation, or portion thereof, and cause it to be subdivided in a manner suitable to the subdivider, subject to the provisions of these rules and regulations.

9.2.9. Reservation of Public Spaces; Waiver

The Director may waive the public space reservation requirements whenever the public body responsible for land acquisition executes a written release stating that such a planned feature is not being acquired.

9.2.10. Reservation of Public Spaces; Denial of Plat

The Director may deny plats when such planned features, as specified by the Comprehensive Plan, are not incorporated into the plat.

9.2.11. Suitability of Land Dedicated for Public Use

Whenever the plat proposes the dedication of land to public use and the Director or the appropriate agency finds that such land is not required or suitable for public use, the Director may either refuse to approve said plat or may require the rearrangement of lots to include such land.

9.2.12. Subdivisions Adjacent to or Containing Dams

The subdividing of land, any portion of which is or will be adjacent to a proposed or existing dam, must be such that:

- A. Subdivision lots must have at least 50 feet of frontage on a street dedicated to public use which meets the requirements for acceptance into, or which is part of, the county road maintenance system.
- B. Such lots must be accessible by streets which meet the requirements for

acceptance into, or which are currently part of, the county road maintenance system.

- C. There may be no lots which are accessible only by use of a street or streets which cross a proposed or existing dam.
- D. No lot may be allowed on any portion of an entire street which crosses a proposed or existing dam unless such lot fronts on a street which meets the requirements for acceptance into, or which is part of, the county road maintenance system.
- E. No dwellings or other buildings designed for human occupancy may be constructed below any dam within the breach floodway of the dam.

9.2.13. Construction of Streets on or Across Railroad Rights-of-Way

The subdivider is responsible for obtaining all permits and paying all costs associated with the construction of a subdivision street on or across railroad rights-of-way.

9.2.14. Alternate Design Standards

Alternate design standards for subdivision streets may be considered only in Planned Residential Developments. Each alternate design must be justified in writing by a state licensed engineer, surveyor, architect, or landscape architect.

Sec. 9.3. Streets and Other Rights-of-Way

9.3.1. Continuation of Existing Streets

All proposed streets must connect to a state or county road and have a uniform typical section for the entire length of the proposed street. Existing streets must be continued at the same cross-section as required by these regulations unless doing so would violate other regulations within this code and for superelevation necessary for roads with a classification higher than minor.

9.3.2. Connections with Future Subdivisions

Streets must be reserved at strategic locations to provide for future access to adjoining properties which may be subdivided in the future. Each street connection must intersect property lines at a 90-degree angle through the adjacent lot if streets are reserved.

9.3.3. Street Names

Street names require the approval of the Director. Streets that are obviously in alignment with streets already in existence and already named will be given the name of the existing street. Names of new streets must not duplicate or closely approximate those of existing streets.

9.3.4. Development Along Major Street, Limited-Access Highway or Railroad Right-of-Way

Where a subdivision abuts or contains an expressway, freeway, arterial or collector street, or a railroad right-of-way, the Director of Public Works may require a street approximately parallel to and on each side of such right-of-way either as a marginal access street, or at a distance suitable for an appropriate use of intervening land, with a nonaccess reservation, suitably landscaped.

Due regard must be given requirements for approach grades and future grade separations in determining distances. Lots shall have no access to expressways, freeways, or arterial streets, but only to an accessible street, in which case the Director may require double-frontage lots. Non-residential subdivisions may have direct access to non-limited arterial streets, as may be approved by the Director, provided all driveway and intersection spacing requirements are met according to the authority having jurisdiction over the arterial street right-of-way.

9.3.5. Reserve Strips

Reserve strips controlling the access to streets may be permitted except in situations where the Director determines that the reserve strip prohibits an adjoining property owner from having adequate and safe access to an existing county road or that the reserve strip would prevent proper design of a road system for the adjoining property. Reserve strips must be combined with a lot or lots within the subdivision.

9.3.6. Additional Width on Existing Streets

Subdivisions that abut existing county-maintained streets must dedicate additional right-of-way if needed to meet the minimum street right-of-way width requirements set forth below. Subdivisions that abut existing rights-of-way not maintained by the county are exempt from the right-of-way dedication requirement.

- A. The entire right-of-way, to include each side of the roadway, must be provided where any part of the subdivision is on both sides of the existing streets.
- B. When the subdivision is located on only one side of an existing street, one-half of the required right-of-way, measured from

the centerline of the existing roadway, must be provided.

9.3.7. Street Jogs

Street jogs or centerline offsets of less than 200 feet in the horizontal alignment of streets across intersections are prohibited.

9.3.8. Angle of Intersection

Whenever feasible, streets must be laid out so as to intersect as nearly as possible to right angles. No street may intersect with any other street at an angle of less than 75 degrees or at a grade of greater than three percent. This angle and grade must be implemented for a distance of at least 50 feet, measured from the edge of pavement of the intersecting road. The angle of intersection must be measured at the intersection of street centerlines. Streets at intersections with crosswalks must not have a grade of more than two percent within the first 50 feet as measured from the edge of pavement of the intersecting street.

9.3.9. Intersection Sight Distance

This is the sight distance available to a stopped vehicle entering the intersecting roadway. Where necessary, back slopes must be flattened and horizontal or vertical curves lengthened to provide the minimum required intersection sight distance. Intersection sight distance must meet current AASHTO design standards.

Intersection sight distance for a passenger vehicle is measured assuming a driver's eye height of three and one-half feet above the roadway surface 14½ feet from the nearest edge of the travel way of the intersecting road to an object three and one-half feet above the intersecting road surface in the appropriate approach lane.

If there is no posted speed limit then the 85th percentile speed, as determined from a study performed on the street, may be used in

determining the minimum required intersection sight distance.

Table 9.3.1. Passenger Vehicle Intersection Site Distance

Posted Speed Limit (mph)	Minimum Intersection Sight Distance (feet)
25	280
30	335
35	390
40	445
45	500
50	555
55	610

Note: The above table is for roadways with two lanes and grades of three percent or less. If the geometric configuration differs or if the development is nonresidential, adjustment factors must be applied, as approved by the Hall County Traffic Engineer.

9.3.10. Stopping Sight Distance

This distance is the length of the roadway ahead that is visible to a driver and must be sufficient to enable an approaching vehicle traveling at or near the design speed to stop before reaching a stationary object in its path. Minimum stopping sight distance must be provided to account for vehicles waiting to turn from the existing roadway into the proposed roadway and along all portions of the proposed roadway. Stopping sight distance must meet current AASHTO design standards.

Table 9.3.2. Stopping Site Distance

Posted Speed Limit (mph)	Minimum Stopping Sight Distance (feet)
25	155

30	200
35	250
40	305
45	360
50	425
55	495

Note: The above table is for level roadways and additional stopping sight distance needs to be provided for downgrades in accordance with current AASHTO design standards. In computing and measuring the stopping sight distance, the height of the driver's eye is three and one-half feet and the height of an object to be seen by the driver is two feet. If there is no posted speed limit then the 85th percentile speed may be used (see Hall County Standard Detail TE-22).

9.3.11. Property Lines at Intersections

Property lines at street intersections must be rounded with a minimum radius of 30 feet or miter of not less than 30 feet from the projected corner of the intersecting right-of-way lines. There shall be no less than 13 feet of right-of-way behind the back of curb or 16 feet behind the edge of pavement where there is no curb.

9.3.12. Temporary Dead-End Streets

Temporary dead-end streets must be provided with a temporary turnaround area which meets the construction requirements for design (sidewalks, curb and gutter not required), maintenance, and removal. If the absence of curb and gutter on a temporary cul-de-sac creates a drainage problem, the subdivider will be required to install appropriate stormwater conveyance devices with concurrence from Hall County Engineering. No lots may be subdivided off any radius of a temporary turnaround. A performance bond is required, and the cul-de-sac must either be removed and the new phase

of construction final platted, or the cul-de-sac must be completed, including sidewalks, and curb and gutter, within 15 months or 75 percent buildout, whichever occurs last, from time of final platting.

9.3.13. Median Design

Median width and length proposed by the subdivider must be to county specifications. Minimum curb radius must be three feet. No median may be approved which contains less than 100 square feet inside the back of curb. Median breaks are required at intervals specified by the County Engineer.

9.3.14. Minimum Sight Clearance

Median curb must be not less than 14 feet from pavement or back of curb of an intersecting street. The median must not encroach into the right-of-way of an intersecting street.

9.3.15. Pavement Width

Pavement width at the median section must be at least 14 feet on each side of the median for residential and non-residential streets, both with nine-foot shoulders.

9.3.16. Street Tapering Adjacent to Median

Pavement edge adjacent to median at taper must have a minimum curve of 20-foot radius.

9.3.17. Width of Right-of-Way

- A. **Curbed streets.** The right-of-way must be a minimum of 13 feet behind the back-of-curb, and the total width must be evenly divisible by ten feet with a variable width taper.
- B. **Non-curbed streets.** The right-of-way must be a minimum of 17 feet from the edge-of-pavement, and the total width must be evenly divisible by ten feet with a variable width taper.

- C. **Standard cul-de-sac.** The right-of-way radius must be evenly divisible by ten feet.
- D. **Roundabouts.** The right-of-way must extend to a minimum 80-foot radius measured from the center of the roundabout, or a minimum of 13 feet behind the back of curb, whichever is greater, and the total width must be evenly divisible by ten feet.

the option of removing the median without notification.

9.3.21. Design Standards for Streets

- A. **Design standards.** The design standards for all streets are as listed in Table 9.3.3.

9.3.18. Structures Over Street

Structures over the street are not permitted unless otherwise approved by the County Board of Commissioners.

9.3.19. Planting Materials

Plants and shrubbery must be low maintenance, disease-resistant materials with branching habits such that plants do not interfere with vehicular movement. Trees planted in medians, island cul-de-sacs, and street rights-of-way must be approved by Hall County Engineering prior to installation. Hall County may remove median plantings at any time in the future if the plantings pose a traffic or safety problem.

9.3.20. Maintenance of Medians

Maintenance of any medians is the responsibility of the subdivider or a homeowners' association. The completed covenants for the subdivision and any documents establishing a property owners' association must be submitted for review. These documents must include a provision that would ensure maintenance of the median and must be recorded simultaneously with the final plat. In addition to the submission of covenants detailing the maintenance of medians, a note must be placed on the final plat indicating the party responsible for maintenance, if said responsibility is an entity other than the county. If the median ceases to be maintained for any reason, the county has

Table 9.3.3. Street Design Standards

Requirement	Residential (See Note 3)	Nonresidential
Minimum right-of-way width (feet), curbed street	50	60
Minimum right-of-way width (feet), non-curbed street	60	--
Minimum pavement width	14(one-way) 20 (two-way)	16 (one-way) 24 (two-way)
Maximum grade (percent)	15	10
Maximum grade turnaround (percent)	5	3
Maximum grade intersection (feet, measured 50 feet from edge of pavement of intersecting road)	3	3 (2 if the intersection contains a crosswalk)
Minimum grade (percent), curbed street	1	1
Minimum grade (percent), non-curbed street	1.5	--
Minimum curve radius (feet, at centerline)	125	200
Minimum length, vertical curves (feet), (see Note 1)	120	150
Minimum length, tangents between reverse curves (feet)	50	100
Minimum intersection sight distance (feet)	See Sec. 9.3.9.	See Sec. 9.3.9.
Standard turnaround right-of-way diameter (feet)	120	120
Standard turnaround pavement diameter (feet) (Note: 84 feet or 104 feet back of curb to back of curb)	80	100
Minimum cul-de-sac length (feet) (centerline of main road to center of turnaround)	150	150
Minimum pavement edge radius (feet)	30	40

Minimum design speed (mph)	30	See Note 2
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Table Notes:

1. Sag vertical curves located at stop condition intersections may be as short as 65 feet with Hall County Engineering approval for the purpose of minimizing cut. The K values of crest vertical curves must meet AASHTO design criteria.
2. Nonresidential design speed is to be determined by Hall County Traffic Engineering.
3. The residential design information pertains to minor residential streets. Non-curbed streets are not permitted for multi-family developments in any zoning district.

B. Roundabouts. Roundabout designs are acceptable, with approval from Hall County Engineering and Traffic Engineering. Sufficient data must be provided to Hall County to show that all vehicular traffic up to and including design vehicle WB-67. Hall County will also review drainage, sight distance, and other engineering aspects of the roundabout prior to permitting.

the power, telephone, fiber optic, and cable lines.

C. Width of Easements Along Rear or Side Lot Lines

Utility easements for sewage lines, water lines, or other such utilities located along rear lot lines or side lot lines or passing through a lot must be at least 20 feet wide, ten feet on each lot, and more if necessary. Easements for storm sewers must be the width as indicated in Table 9.3.4.

9.3.22. Utilities

A. General Requirements

Applicants must locate all utility facilities underground throughout the subdivision unless topographical challenges necessitate aerial utilities, as approved by the Director. All existing and proposed utility easements outside of road rights-of-way must be shown on the preliminary and final plats.

B. Location

All utilities must be located in accordance with the standard detail drawing for utility location within the right-of-way of subdivisions as shown on Plates 4, 4A, 4B, and 4C of the Hall County Standard Details and must be shown on the typical roadway section of the preliminary plans. Hall County strongly encourages the utilization of a joint trench for

Table 9.3.4 Easement Width for Stormwater Infrastructure

Pipe Size (Inches)	Maximum Pipe Invert Depth (Ft)												
-	4	5	6	7	8	9	10	11	12	13	14	15	16
15	20	20	20	20	20	25	25	30	30	30	35	35	40
18	20	20	20	20	20	25	25	30	30	30	35	35	40
24	20	20	20	20	20	25	25	30	30	30	35	35	40
30	20	20	20	20	25	25	25	30	30	35	35	35	40
36	20	20	20	20	25	25	25	30	30	35	35	35	40
42		20	20	20	25	25	30	30	30	35	35	40	40
48		20	20	20	25	25	30	30	30	35	35	40	40
54			20	25	25	25	30	30	35	35	35	40	40
60			20	25	25	25	30	30	35	35	35	40	40
66					25	30	30	30	35	35	40	40	40
72					25	30	30	30	35	35	40	40	40

9.3.23. Streets to Connect to Publicly Maintained Road

All subdivision streets must connect to a city, state or county-maintained public road.

9.3.24. Dams

The following regulations apply to dams and streets constructed on or near dams:

- A. The county will not accept into the county road maintenance system any part of the entire street in which a section of the street crosses over a dam.
- B. No street may be designed or constructed below any dam within the breach floodway of the dam.
- C. All dam design plans must be approved by the Director of Engineering and the Department of Natural Resources in accordance with the Safe Dam Act.

9.3.25. One-Way Streets

- A. One-way streets are allowed provided the centerline length is no greater than 400 feet and curve radii are no less than 82 feet. The one-way street must be constructed as a loop road that commences and terminates on the same road.
 1. Plate 10 of the Hall County Standard Details depicts an acceptable example of a one-way loop road. Plates 1B and 4B show proper typical sections and utility locations of one-way loop roads, respectively. Other designs are acceptable with approval from Hall County Engineering and Hall County Traffic Engineering.
- B. Islands inside the perimeter of the one-way loop road may contain appropriate plantings, landscape berms, and sidewalks, provided all are shown on the preliminary subdivision plans for

approval. Stormwater management facilities, such as constructed wetlands or ponds, may be located on the islands, provided the facility offers an aesthetic or recreational benefit to the community. No structures may be located on the island without prior approval by Hall County Engineering.

1. Sanitary sewer structures may be located on the islands, provided that the sanitary sewer does not conflict with either a stormwater management facility or its required easement.
- C. The maintenance of the land inside the one-way loop road (other than stormwater management facilities that have been accepted by Hall County) is the responsibility of the subdivider, homeowner's association, or property owners.

9.3.26. Property Monuments

All property monuments along the street right-of-way shall be set with a tolerance of 1.0 foot from the constructed street center line.

9.3.27. Utility Easement Required Along Certain Streets

A five-foot perpetual utility easement must be provided on both sides of residential streets and turnarounds where the right-of-way is 50 feet per Hall County Standard Detail TE-2 through TE-4.

9.3.28. Deceleration Lanes and Left-Turn Lanes

A. Deceleration Lanes

1. Residential subdivisions with greater than 24 lots must have a deceleration lane constructed in accordance with current Hall County Engineering and Traffic Engineering specifications. The Hall County Traffic Engineer may

waive or require the installation of a deceleration lane for subdivisions regardless of lot number based upon traffic and safety considerations.

2. Non-residential and multifamily subdivisions must have a deceleration lane constructed in accordance with current Hall County Engineering and Traffic Engineering specifications according to Table 9.3.5. The Hall County Traffic Engineer may waive or require the installation of a deceleration lane for subdivisions regardless of the number of right turn volume based upon traffic and safety considerations.

2. For phased residential developments, construction of the turn lane is required prior to platting 100 lots or more.
3. Additional right-of-way or easements necessary for the installation of deceleration or left-turn lanes will be acquired by and will be the financial responsibility of the subdivider.
4. A signed and recorded frontage, radius encroachment agreement, or right-of-way agreement with applicable property owners will be required if any portion of the access extends beyond the development's road frontage.

Table 9.3.5. Deceleration Lane Requirements for Nonresidential and Multifamily Developments

Posted Speed	2 Lane Routes	More than 2 Lanes on Main Road
35 MPH or Less	100 RTV a day	100 RTV a day
40-50 MPH	75 RTV a day	75 RTV a day
>= 55 MPH	50 RTV a day	50 RTV a day

B. Left-Turn Lanes

Left-turn lanes, where required, must be constructed in accordance with current Hall County Engineering and Traffic Engineering specifications according to Table 9.3.6.

1. The Hall County Traffic Engineer may waive or require the installation of a left-turn lane, regardless of average daily traffic (ADT), number of lots, or left turn volume based upon traffic and safety considerations.

Table 9.3.6. Left-Turn Lane Requirements

Posted Speed Limit (mph)	Two Lane Routes		More Than Two Lanes on Main Road	
	ADT < 6,000	ADT > 6,000	ADT < 10,000	ADT > 10,000
Residential Developments				
Below 35	120 lots	75 lots	160 lots	120 lots
36 to 50	100 lots	65 lots	130 lots	100 lots
Greater than 50	75 lots	55 lots	100 lots	75 lots
Multi-family Residential Developments				
Below 35	175 units	110 units	245 units	175 units
36 to 50	145 units	95 units	195 units	145 units
Greater than 50	110 units	75 units	145 units	110 units
Nonresidential Developments (see table notes)				
Below 35	30 LTV/hour	20 LTV/hour	40 LTV/hour	30 LTV/hour
36 to 50	25 LTV/hour	20 LTV/hour	35 LTV/hour	25 LTV/hour
Greater than 50	20 LTV/hour	15 LTV/hour	25 LTV/hour	20 LTV/hour

Table Notes:

1. LTV = Left turning vehicles entering the development during peak hours.
2. Assumptions:
 - a. Peak Hour Factor (K) = 10%
 - b. 50% of all entering traffic is turning left into the development.
3. The developer is required to provide a trip generation analysis of the traffic volume for the proposed nonresidential development. This analysis will be determined using the latest edition of Trip Generation by the Institute of Transportation Engineers.

Sec. 9.4. Street Construction Requirements

9.4.1. Minimum Construction Standards

The subdivision regulations and mobile home and travel trailer park regulations require that all streets be built to minimum standards of material and construction. Several optional materials and types of construction may be used, as set out in this section. For the specific cross section design, see the Hall County Standard Details.

A. Clearing and Grubbing Operations

Clearing and grubbing operations must remove all vegetative materials within the construction limits, unless otherwise noted on the construction plans.

B. Subsurface Drainage Installations

Subsurface drainage installations may be required by the County Engineer to provide a stable subsurface and base for fills and base course construction over wet weather springs, soft spots, swamps and other unsuitable soils. The County Engineer may request the owner to have a soil analysis and drainage design performed by an engineering firm.

C. Street Grading

Street grading must be accomplished according to Sec. 9.4.1.F. The County Engineer may vary the required slope. Cut and fills may be extended beyond the right-of-way as required. If grading activities extend beyond the right-of-way, the subdivider must obtain a slope easement or a temporary construction easement from the owner of the property being encroached upon.

D. Drainage

Drainage must be accomplished according to sections 9.4.18. through 9.4.22. The

minimum cross drain must be at least 15 inches in diameter.

E. Subbase Stabilization

Subbase stabilization may be required by the County Engineer, according to Sec. 9.4.4., if necessary to allow convenient access of construction vehicles and equipment.

F. Shaping and Backfilling of Shoulders, Ditches and Slopes

Shaping and backfilling of shoulders, ditches and slopes must be accomplished to final grade lines following the installation of underground utilities by the owner. Care must be taken to fill settled or eroded areas.

G. Vegetative Cover

Grassing of all cleared portions of the shoulders and slopes must be accomplished immediately following the achievement of final grade lines. If limitations require the application of temporary vegetative cover, the owner must make contractual provisions for re-grassing with permanent cover. Requirements for grass species, mixture, fertilizer and application methods in each individual subdivision must be in accordance with the Soil and Water Conservation District standards for critical areas. Bermuda grass is required from May through September.

H. Concrete Curbs and Gutters

Concrete curb and gutter is required in accordance with the designs set out in section 9.4.6.

I. Application of Base Course

The base course consisting of graded aggregate must be applied according to Sec. 9.4.4.

J. Base Course Shaping

The base course must be shaped and compacted as set out in Sec. 9.4.4.

K. Paving

Paving must be bituminous plant mix. Alternative paving may be utilized with approval from the County Engineer.

L. Backfilling of Shoulders

Shoulders must be sloped and backfilled as necessary following paving and curb and gutter installation as required by the County Engineer. All curbs and gutters must be backfilled according to the design in this section. All eroded areas must be reconstructed to the original final grade.

M. Replanting

Re-grassing is required for bare spots, areas of insufficient stand, and reconstructed areas.

N. Street Sign Installation

Except as provided for under the provisions for custom sign poles, sign installation will be accomplished by the county. When required, sign payment by the subdivider must be made in advance.

O. Conformance to State Standards

All materials and construction must conform to or exceed the current Georgia Department of Transportation (GDOT) specifications.

9.4.2. Cuts, Fills, and Subgrade

Cuts, fills, and subgrades are subject to the approval of the County Engineer. The County Engineer must specify any improvements which he or she feels necessary to protect community assets and to reduce the potential

undue deterioration of street improvements. The subdivider will be guided by the following general requirements:

- A. Slope maximums must be at a ratio of two feet horizontal distance to one foot rise;
- B. All slopes must be adequately planted with approved vegetation. A suitable mulch of straw, hay, etc., must be used;
- C. The subdivider is responsible for any erosion that might occur until the streets are accepted into the county road maintenance system;
- D. Compaction must be 98 percent by Proctor Density Test;
- E. Trees that have one foot of fill or less on the critical root zone and are off the county right-of-way may remain until the 45-day inspection. At the time of the 45-day inspection, trees that show signs of distress will need to be removed at the discretion of Hall County Engineering. All other organic materials must be removed from cuts, fills, and subgrade.
- F. Backfill behind curbs must be free of organic material, stone, broken concrete, etc.

9.4.3. Culverts and Storm Sewers

A. Materials

All culverts and storm sewers must be constructed of the following materials and meet Georgia Department of Transportation (GDOT) specifications. These specifications are also required of those culvert and storm sewer installations that are connected to the county storm sewer system:

1. Reinforced concrete pipe (RCP), GDOT approved Class III or better. RCP is required in dams;
2. Corrugated metal pipe is prohibited in applications under streets, within the

county right-of-way, and in all live stream applications;

3. High density polyethylene (HDPE) pipe, GDOT approved, class II;
4. Other alternative culvert and storm sewer materials, such as PVC, aluminum, and bottomless designs. with approval from the County Engineer; and
5. Storm sewer manhole covers must be locking and be engraved with the phrase "Hall County Storm Sewer". Manhole cover designs must meet County Engineer's approval.
6. Hall County will only be responsible for the maintenance of pipes installed in accordance with numbers 1, 2, and 3 above when such materials are located inside county owned right-of-way.

B. Pipe Sizes

All pipe sizes must be approved by the County Engineer to meet the drainage requirements of the watershed and area of the potential runoff. The minimum cross drain diameter is 18 inches. Minimum cover must be 12 inches below the bottom of pavement base section or 12 inches below the finished grade outside of pavement. The flow velocity must be no less than 2.5 feet per second for the 25-year, 24-hour design storm. The pipe slope must be no less than 0.5 percent. There must be a minimum horizontal separation of 10 feet from water and sanitary sewer pipes and a vertical separation of 18 inches from all utilities.

C. Pipe Construction

The gauge or class of pipe used must be determined by acceptable methods using H-20 highway loading and must meet GDOT specifications. The Engineering

Department may inspect the pipe before installation to ensure that it is free of cracks or damage. All damaged or used pipe will be refused.

D. Endwalls

All culverts 24 inches in diameter or larger must have endwalls or flared end sections constructed in accordance with GDOT specifications.

E. Catch Basins

All catch basins must be designed and constructed in accordance with GDOT specifications and must be GDOT Standard 1033D, 1034D, or 1019. The use of a Standard 1019 is excluded from turnarounds and the low point of sag vertical curves draining more than 300 feet of gutter. The use of Standards 1033D and 1034D may only apply along curbed streets. Drainage calculations and design data are required.

9.4.4. Base Course Construction

The base course must consist of graded aggregate of a minimum compacted thickness of eight inches placed on a stabilized subbase in accordance with these specifications and in conformity with the lines, grade, and typical section as shown on the drawings approved by the county.

A. Materials

All materials shall be secured from the Georgia Department of Transportation approved sources:

1. Graded aggregate must consist of hard, durable particles of fragments of stone, and stone mortar, and must be graded as indicated on Table 9.4.1.

Table 9.4.1. Aggregate Grade

Sieve Size Designation	Percent by Weight
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	Passing Square Mesh
2 inches	100
1½ inches	95—100
¾ inches	60—100
No. 10	30—50
No. 60	10-35
No. 200	7-15
Sand	20 (of material passing No 10)

B. Preparation of Subgrade

All boulders, organic material, soft clay, spongy material and any other objectionable material must be removed and replaced with approved material. The subgrade must be properly shaped, rolled and uniformly compacted to conform with the lines, grades and typical sections as shown on the drawings approved by the county.

C. Placing and Rolling Aggregate

All base course material must be deposited and spread by means of spreader boxes, or approved mechanical equipment, or from moving vehicles equipped to distribute the material in a uniform layer. Each layer may be no more than two inches in thickness after compaction and must be constructed as follows:

1. Immediately following the spreading of the coarse aggregate, all material placed must be compacted to the full width by rolling with a smooth wheel power roller weighing seven to ten tons, or an equivalent sheepsfootpacker. Rolling must progress gradually from the sides to the center, parallel with the centerline of the street and lapping uniformly

each preceding track by one-half the width of such track, and must continue until all the surface has been rolled and has been thoroughly keyed, and the interstices of the stone reduced to a minimum, and until it ceases to creep or wave ahead of the roller.

2. Any irregularities or depressions that develop under such rolling must be corrected by loosening the material at these places and adding or removing material until the surface is smooth and uniform.
3. After the coarse aggregate has been thoroughly keyed and set by the rolling described above, screenings in an amount that will completely fill the interstices must be applied gradually over the surface and rolling must be continued while the screenings are being spread, so that the jarring effect of the roller will cause the screenings to settle into the voids of the coarse aggregate.
4. The screenings must not be dumped in piles on the coarse aggregate but spread in thin layers, either by spreading motion with hand shovels, by mechanical spreading or directly from trucks.
5. In no case may the screening be applied so fast or thickly as to cake or bridge on the surface in such manner as to prevent the filling of all voids or prevent the direct bearing of the roller on the coarse aggregate.
6. Hand brooms must be used to sweep the screenings into unfilled voids and to distribute the stone where needed. The spreading, sweeping and rolling must continue until no more screenings can be forced into the void.

7. Shaping and rolling must be performed alternately as required to maintain a uniform compacted base until a surface or treatment has been applied to the base.
8. Along curbs, headers and walls and at all places not accessible to the roller, the base course material must be tamped thoroughly with mechanical tampers or approved hand tampers.

D. Seasonal Limits on Construction

No base material may be deposited or shaped when the subgrade is frozen or thawing or during unfavorable weather conditions.

9.4.5. Bituminous Plant Mix Paving

A. Streets

The binder layer of asphalt on streets must be placed before final platting. The final topping will be placed up to one year after plat approval or at 75 percent build-out.

B. Turn Lanes and Deceleration Lanes

Bituminous plant mix paving must consist of a minimum of one and one-quarter inch asphaltic concrete (Type II 9.5mm Superpave) placed on top of a minimum of four-inch asphaltic concrete binder (19mm Superpave). The binder and the topping layer of asphalt on residential turn lanes and deceleration lanes must be placed before final platting.

9.4.6. Curb and Gutter Requirements

- A. All new street construction within permitted subdivisions must have curb and gutter. For details, see the Hall County Standard Details.
- B. Existing non-curb and gutter streets that are utilized for proposed subdivisions may be required to be upgraded to a curb and gutter section at the discretion of the Hall

County Board of Commissioners as conditions of zoning.

- C. Construction must be of 3,000 P.S.I. Class A concrete and 24 inches wide in accordance with the Hall County Standard Details. The curb and gutter must be constructed to present a smooth, even line both vertically and horizontally, in accordance with the GDOT standards. There must be one-half inch expansion joints placed every 50 feet and at the interface with other structures, materials, and protrusions. Preformed contraction joints must be placed every ten feet along the curb and gutter.

9.4.7. Installation of Utilities

- A. Underground utilities, including sewer services, all water lines and any cable conduits under the pavement, shall be placed in the ground before the base material is in place.
- B. All trenches shall be thoroughly compacted in six-inch layers with mechanical compacting equipment.
- C. All fire hydrants, utility poles, streetlights, transformer boxes and pedestals shall be set at a distance not less than six feet from the back of the curb.
- D. The subgrade shall be scarified to a minimum depth of six inches and compacted to at least 98 percent maximum dry density immediately prior to the placing of the base material.

9.4.8. Sidewalk Installation

The following sidewalk installation standards apply to all residential subdivisions.

- A. Subdividers are required to construct sidewalks in accordance with one of the following three subsections and in

compliance with the final plat review requirements found in Sec. 9.8.

- B. Sidewalks must be constructed to the standards detailed in Sec. 8.4.3.
- C. Sidewalks are required to be installed along both sides of the street unless granted a waiver in accordance with Sec. 8.4.5.
- D. All sidewalks may be installed as a unit prior to final platting of the subdivision.
 - 1. Subdividers choosing this option must complete the installation of the entire sidewalk system in the subdivision prior to final plat approval. The sidewalks must be constructed as one unit.
 - 2. All sidewalk inspections in subdivisions choosing this option must be performed by the Hall County Engineering Division. Subdividers utilizing this option must notify the Hall County Engineering Division prior to pouring in order to allow the County Engineers to inspect formwork and subgrade, and must also notify the Hall County Engineering Division after pouring and finishing of the sidewalks to allow for re-inspection by the county if the county deems it necessary.
 - 3. If a subdivider utilizes this option, the following items must be clearly shown on the final plat of each such subdivision:
 - a. The construction details of sidewalks as shown in Plate 3A of the Hall County Standard Details.
 - b. The typical road section for residential streets with sidewalks as shown on the plates as set forth in the Hall County Standard Details. Plate 1A must be utilized

for the final plat in subdivisions that will have sidewalks on both sides of the street. Plate 1C must be utilized for the final plat in subdivisions that will have sidewalks on a single side of the street.

- c. A note that reads as follow:

"This development will utilize a sidewalk system throughout the project. The sidewalk system will be installed as a unit prior to final plat approval. Said sidewalks shall comply with the Hall County Subdivision Regulations. The entire sidewalk system must be completed prior to release of any maintenance bond, prior to the release of any maintenance agreement, and prior to final platting."
- E. All sidewalks may be installed on a lot-by-lot basis after final platting based upon the following criteria.
 - 1. Subdividers choosing this option must construct sidewalks in concurrence with the development of each lot and pour the sidewalks in conjunction with the pouring of the driveway for each lot.
 - 2. If the proposed subdivision has 35 or fewer lots, subdividers choosing this option must build sidewalks on a lot-by-lot basis within two years of final plat approval, provided that within two years all sidewalks are required to be installed. Any incomplete areas of the sidewalk system must be constructed as one unit before two years expire from the final plat approval.
 - 3. If the proposed subdivision has more than 35 lots but less than 150 lots,

subdividers choosing this option must build sidewalks on a lot-by-lot basis within three years of final plat approval or until 90 percent of platted lots have received certificates of occupancy (whichever is less), provided that within three years all sidewalks are required to be installed. Any incomplete areas of the sidewalk system must be constructed as one unit within three years of the final plat approval.

4. If the proposed subdivision has more than 150 lots, subdividers choosing this option must build sidewalks on a lot-by-lot basis within four years of final plat approval or until 90 percent of platted lots have received certificates of occupancy (whichever is less), provided that within four years all sidewalks are required to be installed. Any incomplete areas of the sidewalk system must be constructed as one unit before four years expire from the final plat approval.
5. Sidewalks poured on a lot-by-lot basis will be inspected by the county Building Inspection Department in conjunction with other inspections. Certificates of occupancy will not be issued for any lot until a properly constructed sidewalk is in place on that lot.
6. The Hall County Engineering Division will perform all inspections of sidewalks poured as one unit under this option at the end of the two, three, or four-year period after final platting. Developers utilizing this option will be required to notify County Engineering prior to pouring to allow the County Engineers to inspect formwork and subgrade, and must also notify County Engineering after pouring and

finishing of the sidewalks to allow for re-inspection by the county if the county deems it necessary.

7. If a developer utilizes this option, the following items must be clearly shown on the final plat of each such subdivision:
 - a. The construction details of sidewalks as shown in Plate 3A of the Hall County Standard Details.
 - b. The typical road section for residential streets with sidewalks as shown on the plates as set forth in the Hall County Standard Details. Plate 1A must be utilized for the final plat in subdivisions that will have sidewalks on both sides of the street. Plate 1C must be utilized for the final plat in subdivisions that will have sidewalks on a single side of the street.
 - c. A note that reads as follows:

"This development will utilize a sidewalk system throughout the project. The sidewalks will be installed on a lot-by-lot basis. Therefore, property owners of parcels shown on this plat are required to construct sidewalks along the road frontage of their property. Said sidewalks shall comply with the Hall County Subdivision Regulations. The entire sidewalk system must be completed prior to release of the maintenance bond, prior to the release of any maintenance agreement, and prior to the elapsing of the number of years required for the completion of the sidewalk system under Hall County Unified Development Code

- Section 9.4.8.E. based upon the number of lots in the subdivision."
- F.** All sidewalks may be installed as a unit within two years after final platting based upon the following criteria.
1. Upon the elapsing of two years after final platting the entire sidewalk system must be constructed as one unit.
 2. All sidewalk inspections in subdivisions choosing this option will be performed by the Hall County Engineering Division. Subdividers utilizing this option will be required to notify the Hall County Engineering Division prior to pouring in order to allow the county's engineers to inspect formwork and subgrade, and shall also notify the Hall County Engineering Division after pouring and finishing of the sidewalks to allow for re-inspection by the county if the county deems it necessary.
 3. If a subdivider utilizes this option, the following items must be clearly shown on the final plat of each such subdivision:
 - a. The construction details of sidewalks as shown in Plate 3A of the Hall County Standard Details.
 - b. The typical road section for residential streets with sidewalks as shown on the plates as set forth in the Hall County Standard Details. Plate 1A must be utilized for the final plat in subdivisions that will have sidewalks on both sides of the street. Plate 1C must be utilized for the final plat in subdivisions that will have sidewalks on a single side of the street.

- c. A note that reads as follow:

"This development will utilize a sidewalk system throughout the project. The sidewalk system will be installed within two years after final plat approval. Said sidewalks shall comply with the Hall County Subdivision Regulations. The entire sidewalk system must be completed prior to release of the maintenance bond, prior to the release of any maintenance agreement, and prior to the elapsing of two years after final platting."

9.4.9. Sidewalk Construction Requirements

In addition to the requirements of Sec. 8.4., the following sidewalk construction requirements apply to all in new residential subdivisions:

- A.** The preliminary engineering plans for sidewalk subdivisions must depict the necessary cross-section, shoulder width, and right-of-way to accommodate the sidewalks.
- B.** For sidewalk installation after final platting, the subdivider is responsible for ensuring that driveways and yards have the necessary slope to accommodate the approved sidewalk cross-section. Driveways poured incorrectly will need to be demolished and reconstructed. Yards that have been graded as to not permit the proper construction of the sidewalk cross-section must be regraded.
- C.** Upon receiving the 45-day punch-list letter, the subdivider is required to complete the construction of the sidewalks and correct any problems with the sidewalks as noted within said notice letter.

- D. The sidewalk system must be completed prior to release of performance bond.
- E. All sidewalks must comply with the Americans with Disabilities Act and the Georgia Accessibility Code.
- F. Once sidewalks are started in a development, sidewalks must be continued throughout the development.
- G. Sidewalks may be constructed on one or both sides of the street.
- H. When new sidewalks are placed next to existing sidewalks, a smooth transition is required.
- I. Expansion joints must be placed between existing and new sidewalks.
- J. Sidewalks may not be used as part of the driveway.
- K. Disturbed areas resulting from sidewalk construction must be back-filled, grassed, and mulched.
- L. Overhead obstructions must be removed prior to completion of sidewalk construction.
- M. ADA compliant ramps must be installed by the subdivider during curb and gutter installation prior to final plat approval.
- N. For specific construction requirements and utility locations for streets with sidewalks please see the plates as set forth in the Hall County Standard Details.

Sec. 9.5. Water and Sanitary Sewer System Requirements

9.5.1. Water Systems

Water systems in subdivisions must meet the following requirements.

A. Public Water Systems

All water systems must be designed and built in accordance with the rules and regulations of the territory service provider.

B. Single-Family Residential Subdivision Water Systems

1. All main lines of a community system must be a minimum of 8 inches in diameter. Individual connection must be made to each lot, and pipe sizes for service lines may be no less than three-fourths of an inch in diameter.
2. Systems constructed in subdivisions must have an average pressure of 30 pounds per square inch at each lot and must meet the requirements of table 9.5.1., Sec. 9.5.2., and the "Standard Construction Practices for Water and Wastewater Systems, Hall County, Georgia."
3. The system must be designed by an engineer licensed in the State of Georgia.

Table 9.5.1. Instantaneous Water Demands for Single-family Residential Subdivision Water Systems

Total Number of Lots Served	GPM per Lot
5	8.0
10	5.0
20	4.3
30	3.8
40	3.4
50	3.0
60	2.7
70	2.5
80	2.2
90	2.1
100	2.0
150	1.6
200	1.3
300	1.2
400	0.9
500	0.8
750	0.7
1,000	0.6

Source: Ameen, Joseph S., Community Water Systems Source Book, p. 50, Technical Proceeding, High Point, N.C., 1965.

9.5.2. Fire Hydrants and Valves

Fire hydrants are required for all subdivisions with water systems. Fire hydrants within residential developments must be located no more than 450 feet apart and at least six feet behind the curb or ditch line. To eliminate future street openings, all underground utilities for fire hydrants, together with the fire hydrants themselves and all other water supply improvements, must be installed before any base course application of a street shown on the subdivision plat. All fire hydrants must be set plumb with outlets 18 inches above finished grade or 12 inches above a finished concrete surface. No valves may be located within the pavement or curb area.

9.5.3. Sanitary Sewer Systems

Sanitary sewer systems in subdivisions must meet the following requirements.

A. Public Sanitary Sewer Systems

Sanitary sewer systems must be designed in accordance with the "Development Guidelines for Sanitary Sewer Systems Hall County Public Works and Utilities Department", latest edition.

B. Community Sanitary Sewer Systems

1. Community sanitary sewer systems must be designed in accordance with the county "Standard Construction Practices for Water and Wastewater Systems" manual and approved by the

County Engineer prior to obtaining approval from the Department of Natural Resources.

2. All connections to residences, mobile homes and commercial and industrial buildings must be approved by the county health department. The home of the resident manager, recreational facilities (such as a clubhouse, swimming pool, etc.) and sanitary facilities in recreational developments must be approved by the county health department. No connection may be made to any structure other than those listed above without prior approval of the county health department.
3. Any sanitary sewer system must be designed by an engineer licensed in the State of Georgia.

9.5.4. Water and Sanitary Sewer System Design Approval

All water and sanitary sewer system design plans must be approved by the Georgia Department of Public Health. A letter of approval from the Department of Public Health must be submitted with the final plat. The County Engineer is responsible for approving the construction of all systems. No part of this section may be construed to abrogate any existing law or regulation of the Georgia Department of Public Health or of the county health department. In cases of conflict, the stricter rule or regulation applies.

Sec. 9.6. Street Lighting

9.6.1. Special Tax District for Street Light Program

A. Ratification of existing district

The governing authority of Hall County, Georgia, does hereby ratify its action creating a special taxing district for the installation (if applicable), operation, maintenance, and repair of street lights and for collection of fees. The taxing district incorporates all of unincorporated Hall County, as shown by the records in the office of the Hall County Traffic Engineer, to which reference is hereby made for a full and complete description of the district created.

B. Existing subdivisions that currently have street lights and are in an individual special taxing district

All subdivisions currently in an individual special taxing district must be included in the countywide special tax district for street light operation, maintenance, and repair. The Hall County Traffic Engineer may determine the appropriate boundaries of the designated area to be included within the street light special taxing district.

C. Addition to the special taxing district for operation, maintenance, and repair of street lights in subdivisions

All applicable subdivisions are added to the special tax district for street light operation, maintenance, and repair. The Hall County Traffic Engineer may determine the appropriate boundaries of the designated area of the street light special taxing district. Notwithstanding, the subdivider(s) or property owner(s) may petition the Hall County Traffic Engineer to be excluded from the special taxing district. This petition must be

presented prior to or concurrently with the final platting of the subdivision.

D. Petition for addition to the special taxing district for existing or desired street lights in subdivisions

Any lot owner in an unincorporated area of Hall County may present a request to be added to the special taxing district to the Hall County Traffic Engineer. Upon receipt of the request, the Hall County Traffic Engineer must determine the appropriate boundaries for addition to the street light special taxing district that will serve the lot owner presenting the request and neighboring lot owners. The Hall County Traffic Engineer must then prepare a plat showing this area for addition to the street light special taxing district, and a petition for the addition to the special taxing district must then be circulated among the lot owners in the proposed district. The completed petition must be returned to the Hall County Traffic Engineer, and application fees must be paid at that time. If 51 percent of the lot owners in the proposed district sign the petition in affirmation for the addition to the street light special taxing district for existing street lights, the petition must be presented to the Board of Commissioners. If 75 percent of the lot owners in the proposed district sign the petition in affirmation for the addition to the street light special taxing district for new street lights, the petition must be presented to the Board of Commissioners. The Board of Commissioners shall conduct a public hearing for the purpose of determining whether to add the proposed area to the street light special taxing district. Safety and economic factors must be the prime consideration in making such determination. The public hearings must

be advertised one time in the official organ of Hall County, Georgia, giving notice of the hearing, at least 30 days before the public hearing. The Hall County Traffic Engineer will verify the signatures on the petition prior to advertising the public hearing.

E. Addition to district under special conditions

In areas where special conditions as to safety, security, land topography, economic and other factors may be involved, the Board of Commissioners may make additions to the special taxing district for street lights and provide for special street lighting under such terms and conditions as may be determined by the Board of Commissioners, any other provisions of this section to the contrary notwithstanding; provided, however, that in such instances, a public hearing must be held by the Board of Commissioners after advertisement in the official organ of the county one time at least 30 days before conducting such public hearing.

F. Removal from the special taxing district

Any lot owner in an unincorporated area of Hall County may present a request to be removed from the special taxing district to the Hall County Traffic Engineer. Upon receipt of the request, the Hall County Traffic Engineer must determine the appropriate boundaries for removal from the street light special taxing district. The Hall County Traffic Engineer must then prepare a plat showing this area for removal from the street light special taxing district, and a petition for the removal from the special taxing district must then be circulated among the lot owners in the affected area. The completed petition must be returned to the Hall County Traffic Engineer. If 75 percent of the lot owners in the proposed district sign the petition in

affirmation for removal from the street light special taxing district, the petition must be presented to the Board of Commissioners. The Board of Commissioners must conduct a public hearing for the purpose of determining whether or not to remove the area from the street light special taxing district. The public hearing must be advertised one time in the official organ of Hall County, Georgia, giving notice of the hearing, at least 30 days before the public hearing. The Hall County Traffic Engineer will verify the signatures on the petition prior to advertising the public hearings.

9.6.2. Costs and Fees

- A.** The cost of providing and maintaining street light service in the existing street light district, and in the areas hereinafter designated as a part of the street light district, will be borne by the residents, lot owners, and property owners receiving that service. The charge therefore will be a one-time application fee plus a pro-rata share of service costs charged to Hall County plus the retirement of any construction cost plus an annual fee for administrative costs. The application fee charged is established in the Hall County Plan Review and Inspection Fee Schedule. From time to time, upon the recommendation of the County Engineer, and approval of the Board of Commissioners, said schedule may be revised as deemed necessary. In the event of excessive vandalism to street lights within the district which results in Hall County being billed for repairs, Hall County may prorate those repair bills and add a pro-rata share of those bills to the charge.
- B.** In those districts in existence upon the effective date hereof, or which may

hereafter be created in which there are construction costs, the same may be retired as per agreement or contract with the public utility or other person to whom the indebtedness is owed and will be billed accordingly per "tax lot or parcel."

- C. In areas zoned for purposes other than single-family residential, different criteria may be adopted by the Board of Commissioners for the payment of energy costs, application and administrative fees, and retirement of construction costs.
- D. The due date for the payment of street lighting assessment charges must be the same date of each year as tax bills are due to the Hall County Tax Commissioner. Failure to pay may subject the responsible party to the same liens and penalties provided for failure to pay other real estate taxes and will result in the delinquency of the entire account and not be deemed paid until all real estate taxes are paid in full.
- E. The billing, accounting, collecting, and receiving of the moneys herein provided for is hereby declared to be the responsibility of the finance and Hall County Tax Commissioners.

9.6.3. Conformance by Subdivider; Acceptance of Public Ways

- A. The owner, subdivider, or other person developing a subdivision will be required to conform to all the standards herein.
- B. The Hall County Board of Commissioners may not accept any public streets or roads proposed to be dedicated until such time as the provisions of this UDC have been met.

9.6.4. Procedures for Subdivisions

Street lights are required to be provided by the subdivider of all new subdivisions involving new streets, unless waived by the Hall County Traffic Engineer. Unless waived, the subdivider must, at the time of submission of the preliminary plat of the subdivision, present a street light layout prepared by the utility company which will provide the street light service in the subdivision. At the time of and as a requirement of the submission of the final plat, unless granted a waiver as herein provided, the developer must:

- A. Submit a final street light layout approved by the utility company which will provide the lighting service showing exact location of street lights within the subdivision. This drawing must be approved by the Hall County Traffic Engineer prior to obtaining any building permit within that subdivision. Said layout may be shown on the final plat. Fixtures and standards/poles installed or used must be approved by both the utility company responsible for the maintenance of the facilities and Hall County. The fixtures must be mounted at least 16 feet above the ground and must be appropriately designed to place the majority of the light output over the street. One light must be located at each street intersection, and one light must be located in each cul-de-sac within the subdivision.
- B. Pay all costs for standards/poles, fixtures, and any other related items or materials necessary for the installation.
- C. Submit proof of payment for complete installation to the Hall County Traffic Engineer.
- D. Submit a copy of an executed agreement with the utility company for complete maintenance of all installations.

9.6.5. Subdivisions with Underground Electric

In subdivisions utilizing underground cable for electrical service, the subdivider is required to accomplish the same items listed in Sec. 9.6.4.

9.6.6. Lighting in Districts Other than Single-Family Residential

- A. Street lighting in districts other than single-family residential may be permitted as follows:
 1. With the approval of the Hall County Traffic Engineer subject to the safety, economic and other factors involved; and
 2. Upon final approval by the Board of Commissioners of Hall County; and
 3. Upon compliance with the standards this UDC.

9.6.7. Installation and Operation Standards

In order to ensure adequate illumination of public rights-of-way and promote safety and security, the "American National Standard Practice for Design and Maintenance of Roadway and Parking Facility Lighting", by the Illuminating Engineering Society, as approved by the American National Standards Institute in 2019, as amended, is hereby adopted as the standard for the installation and operation of lighting in the unincorporated areas of Hall County, and in addition thereto:

- A. Lighting fixtures installed within the public rights-of-way to be operated for the purpose of street illumination must comply with these standards. The minimum average horizontal footcandle illumination level by roadway classification is as listed in Table 9.6.1.

Table 9.6.1. Horizontal Footcandle Illumination Level

Roadway Classification	Commercial Area	Intermediate Area	Residential Area
Arterial	1.2	0.9	0.6
Collector	0.8	0.6	0.4
Local, minor, or residential	0.6	0.5	0.3

- B. The uniformity of illumination must be such that the point of lowest illumination will have at least one-third of the average horizontal footcandle required illumination level, except that on local or residential streets it may not be less than one-sixth of this average. In no case, unless extenuating circumstances exist, may fixtures for residential street lighting be required to be closer than 150 feet together, nor fixtures for all other roadways be closer than 100-foot spacing.
- C. Any party requesting permission to install or operate lighting fixtures within public rights-of-way must furnish plans and specifications to the Hall County Traffic Engineer for approval showing how the proposed lighting meets the standards, and no lighting may be installed or operated without this approval. Should the Hall County Traffic Engineer disapprove the request to install or operate lighting fixtures within any public right-of-way, they must communicate the disapproval in writing to the party requesting approval. The written communication must include the specific reasons for disapproval. Any disapproval of a light or lighting system by the Hall County Traffic Engineer may be appealed to the Board of Commissioners. If

any party desires to appeal an adverse decision by the Hall County Traffic Engineer within 30 days from the date following the written notice of disapproval, it will be the responsibility of the Hall County Traffic Engineer to provide to the Board of Commissioners all papers and allied documents constituting the record upon which the action appealed from was taken, and to ensure that the appeal is promptly placed upon the agenda of the Board of Commissioners for its determination. The Board of Commissioners may reverse or affirm, wholly or partly, or may modify, the order, requirement, decision or determination appealed.

- D. Roadway or street lighting luminaries or fixtures installed within the public rights-of-way as "security lights" or for the purpose of lighting areas other than the public streets must be mounted on the side of the pole opposite from the street, and must be oriented in such a manner to ensure that the lateral light distribution pattern is parallel to the street and the vertical light distribution, at the initial light source, is perpendicular to the street, so as to protect the users of the street from objectionable glare.
- E. Other lighting fixtures to be installed within or outside of public rights-of-way for whatever purpose must be installed and operated in such a manner to prevent glare from being a hazard to or interfering with the normal use of the public rights-of-way.

9.6.8. Authority to Contract with Public Utilities

The Board of Commissioners may contract with public utilities for the purpose of carrying out the terms of this section.

9.6.9. Exceptions

The Board of Commissioners may grant exceptions to the terms of this section where special conditions or hardships exist.

9.6.10. Conflict with Federal or State Laws

If any provision of this section is in conflict with any state or federal law, or with any rule, regulation or order of any state or federal agency having jurisdiction of the subject matter of this section, it is hereby deemed to be the intention of the Board of Commissioners that the state or federal laws or rule, regulation or order, as the case may be, prevail so that the remaining portions of this section maybe deemed to be in full force and effect.

9.6.11. Right of Appeal

Any person or agency dissatisfied with any decision or action of the Hall County Traffic Engineer has the right to appeal the decision to the Board of Commissioners of Hall County within 30 days from the date of such decision or action.

9.6.12. Availability of Provisions

A copy of this section must be spread upon the official minutes of the Board of Commissioners of Hall County, Georgia, and the Hall County Traffic Engineer is hereby required to post a copy of the same in the office of the Hall County Traffic Engineer, and to provide copies thereof for persons desiring the same.

Sec. 9.7. Required Improvements

9.7.1. Preliminary Plat Approval

No improvements may be made before the construction plans are accepted and approved by the Hall County in the form of a preliminary plat. All improvements must meet the minimum standards set forth in this article.

9.7.2. Street Improvements Standards

- A. Specific standards for street construction are contained in Sec. 9.4.
- B. **On-Site Inspection.** All construction may be tested following on-site inspection as determined necessary by the County Engineer, should the County Engineer determine that laboratory analysis and/or testing procedures are required to evaluate the quality and/or quantity of a particular improvement. The County Engineer may be authorized to employ a recognized consultant or a recognized testing laboratory or testing service to conduct any necessary examinations. All reports must be made in writing to the County Engineer and a copy provided to the subdivider. Following the collection of samples, the owner must repair all damage.
- C. **Inspection Costs.** The subdivider will bear all expense of all testing or examination of street improvements.

9.7.3. Delay of Installation of Paving

Paving must be completed under one of the following two options:

- A. Application of the bituminous plant mix surface may be completed before the filing of a final plat.
- B. Application of the bituminous plant mix surface may be delayed because of unsuitable weather until no later than June

1 of the year following the filing of the final plat if the final plat is submitted for approval after October 1 of the first year; provided that all other required improvements, including grassing, must be completed prior to approval of the final plat. In such case, the subdivider must present to the County Engineer an improvement guarantee in the form of a signed contract with a known contractor for paving and a surety or escrow agreement payable to the county for the cost of the paving, not less in amount than the average county contract price for the paving established by the Georgia Department of Transportation or the contract price, whichever is greater. The County Engineer may approve the amount and may increase the amount for increases due to normal inflation. The County Engineer may require that paving be completed at the first instance of suitable weather and availability of paving materials.

9.7.4. Water and Sewer Improvements

- A. **Completion.** All work on water and sanitary sewer systems except final individual service connections must be completed prior to the filing of the final plat. All installations under the proposed pavement surface must be completed prior to the application of the base course.
- B. **Certification for Community Systems.** Certification from the Department of Natural Resources, State of Georgia, in the form of an operator's permit, must be filed with the final plat for each community water or sanitary sewer system.

9.7.5. Notification of Utility Owners Prior to Completion of Street Grading

All utility service must be determined by the subdivider prior to the completion of street grading. The subdivider must notify each affected utility owner of his or her contracted agreement so that the utility owners may coordinate their development schedules.

9.7.6. Lot Specifications

All lots shall conform to the provisions of the Hall County Unified Development Code, specifically those provisions governing minimum area, frontage, and setbacks. The lot arrangement must be such that there will be no foreseeable difficulties, for reasons of topography or other conditions, in securing building permits to build on all lots in compliance with county regulations and in providing driveway access to buildings on such lots from an approved street.

A. Lot Dimensions

Lot dimensions must comply with the minimum standards of this Unified Development Code. In addition, the following standards apply:

1. All lots approved under these regulations must front on a publicly dedicated road.
2. Where lots are more than double the minimum required area for the zoning district, the county may require that such lots be arranged to allow further subdivision and the opening of future streets where they would be necessary to serve such potential lots, all in compliance with these regulations.
3. In general, side lot lines must be at right angles to street lines or radial to curving street lines unless a

variation from this rule gives a better street or lot plan.

4. Dimensions of corner lots must be large enough to allow for construction of buildings, observing the minimum front-yard setback from both streets.
5. Depth and width of properties reserved or laid out for business, commercial, or industrial purposes must be adequate to provide for the off-street parking and loading facilities required for the type of use and development contemplated, as established in Sec. 8.1.

B. Flag Lots

The minimum required lot frontage as established by this Unified Development Code must be maintained as the minimum lot width for that portion of the lot between the front property line and the actual building site on the lot, even if the building site is a greater distance from the front property line than the minimum required front setback.

C. Double-Frontage Lots

Double-frontage lots are prohibited except where necessary to provide separation of residential development from arterial thoroughfares or to overcome specific disadvantages of topography and orientation. Double-frontage lots which are necessary must have a no-access easement across them, preventing access to arterial or collector streets.

9.7.7. Burying Debris and Waste Under Roadway or Right-of-Way

No cut trees, timbers, debris, rocks, stones, junk, rubbish, or other waste materials of any

kind may be buried in any area of the right-of-way or under any roadway fill sections.

9.7.8. Preservation of Natural Features, Historic Sites and Other Amenities

Existing features which would add value to a development or to the county as a whole, such as watercourses and falls, historic sites, and similar irreplaceable assets, must be preserved in the design of the subdivision. If eligible, historic sites must be listed on the National Historic Register.

9.7.9. Nonresidential Subdivisions and Planned Developments

- A. If a proposed subdivision includes land that is zoned for commercial or industrial purposes or is a planned development, the layout of the subdivision must conform to these regulations.
- B. A nonresidential subdivision or planned development may also be subject to all the requirements of site plan approval set forth in Sec. 11.2.5. Site plan approval and nonresidential subdivision plat approval may proceed simultaneously at the discretion of the Board of Commissioners. A nonresidential subdivision is subject to all the requirements of these regulations, as well as such additional standards required by the Board of Commissioners and must conform to the standards established in Sec. 11.2.5.

C. Specific Standards

In addition to the principles and standards in these regulations, which are appropriate to the planning of all subdivisions, the applicant must demonstrate to the satisfaction of the Board of Commissioners that the street, parcel, and block pattern proposed is specifically adapted to the uses anticipated and takes into account other uses in the

vicinity. The following principles and standards must be observed:

1. A preliminary plat of a planned development must conform in all respects with the approved master development plan for the project and any conditions associated with the planned development zoning.
2. Proposed industrial parcels must be suitable in area and dimensions to the types of industrial development anticipated.
3. Street rights-of-way and pavement must be adequate to accommodate the type and volume of traffic anticipated to be generated thereupon.
4. Special requirements may be imposed by the county with respect to street, curb, gutter, and sidewalk design and construction.
5. Special requirements may be imposed by the county with respect to the installation of public utilities, including water, sanitary sewer, and stormwater drainage.
6. Every effort must be made to protect adjacent residential areas from potential nuisance from a proposed commercial or industrial subdivision, including the provision of extra depth in parcels backing up on existing or potential residential development and provisions for a permanently landscaped buffer strip as established in Sec. 8.2.
7. Streets carrying nonresidential traffic, especially truck traffic, may not normally be extended to the boundaries of adjacent existing or potential residential areas. The extension of streets must be approved

at the discretion of the Board of Commissioners.

Sec. 9.8. Construction Schedule

9.8.1. Prerequisites for Beginning Construction

No construction activity of any kind, including grading, installation of improvements, or building, may begin on any land subject to these regulations without prior approval of the preliminary plat or construction plans. Also, a preconstruction meeting is required between the county and the subdivider after preliminary plat or construction plan approval and prior to any construction activity.

9.8.2. Grading

Grading or land disturbing activities may commence only after the NPDES Construction Storm Water General Permit is approved.

9.8.3. Utilities

Utility installation may not occur until the Engineering Department has approved the rough grade of the street and shoulder preparation in accordance with Sec. 11.2.5.

9.8.4. Inspections

Periodic inspection during the installation of the required improvements in a subdivision may be made by the Engineering Department to ensure conformity with the approved plans and specifications. The subdivider must notify the Engineering Department when each phase

of the installation is completed and ready for inspection (see Sec. 11.2.5).

9.8.5. Recording of Final Plat Required Prior to Sale or Transfer of Lots

No lot or parcel of land may be sold or transferred until the final plat, of which said lot or parcel is a part, has been approved and recorded as provided for in these regulations.

9.8.6. Recording of Final Plat Required Prior to Issuance of Building Permits

The county building inspection department may not issue any permit for the construction of any building or structure located in any subdivision until a plat has been approved and recorded as provided for in these regulations.

9.8.7. Completion of Improvements Required Prior to Occupancy

Within each phase of development, no building may be occupied for dwelling or other purposes, nor may an occupancy permit be issued for any building, until all streets and required utility installations, including the water supply and sanitary sewer systems, have been completed to the satisfaction of the County Engineer and the county Building Inspection Department.

Sec. 9.9. Custom Support Signage

9.9.1. Purpose

The purpose of this section is to allow a duly constituted maintaining authority the privilege to install and maintain custom support traffic sign assemblies within the maintaining authority's designated subdivision. Permission must be granted by the Hall County Public Works and Utilities Department.

9.9.2. Designation of Maintaining Authority

During residential subdivision construction and prior to the legal formation of a homeowners association, the subdivider will be the maintaining authority.

9.9.3. Responsibilities of Maintaining Authority

The maintaining authority will assume all costs associated with the installation and maintenance of custom support traffic sign assemblies within the maintaining authority's jurisdiction.

9.9.4. Liability

The maintaining authority willfully accepts any and all liability that may arise from the use of custom support traffic sign assemblies. The maintaining authority also agrees to hold harmless Hall County, Hall County Public Works and Utilities Department, and duly authorized representatives from any and all liability that may be incurred from the use of custom traffic sign assemblies.

9.9.5. Regulations for the Installation of Custom Support Traffic Sign Assemblies

A. The restrictive covenants of the development must express the

maintaining authority's responsibilities associated with the installation and maintenance of custom support traffic sign assemblies.

- B. The final plat of the subdivision must contain a provision signed by the subdivider which notifies all property owners of their responsibility for the installation and maintenance of custom support traffic sign assemblies.
- C. Street name signs must utilize the standard vane height of 6 $\frac{3}{4}$ inches and be of fixed length with a maximum of 48 inches. Street name signs may be installed on top of the appropriate intersection traffic control signage. The $\frac{3}{8}$ inch white reflective stripe on top and on bottom must remain visible.
- D. Sign poles or posts must be of "breakaway" or other design which meets the requirements of Section 7 of the American Association of State Highway and Transportation Officials (AASHTO), "Standard Specifications for Structural Supports Highway Signs, Luminaries, and Traffic Signals." A list of supports which meet these standards can be obtained by contacting the Atlanta office of the Federal Highway Administration. It is the responsibility of the maintaining authority to provide documentation to the Hall County Public Works and Utilities Department of the Federal Highway Administration's approval of the proposed signage supports.
- E. A detailed plan for each sign assembly depicting typical installation, pole or post type, sign type and size, and FHWA approval must be provided to and approved by the Hall County Public Works and Utilities Department, Traffic Engineering Division, prior to installation.

- F. All signs must meet the requirements outlined for construction and installation in the current edition of the Manual on Uniform Traffic Control Devices.
- G. Prior to the installation of any signage assemblies, the locations must be marked by the maintaining authority and reviewed by the Hall County Public Works and Utilities, Traffic Engineering Division. Failure to have locations reviewed may result in signage relocation at the maintaining authority's expense.

9.9.6. Regulations for the Maintenance of Custom Support Traffic Sign Assemblies

- A. The maintaining authority understands that periodically signs are damaged, vandalized, stolen, or deteriorate. The following maintenance schedule must be followed:
 1. Stop signs must be replaced within one day.
 2. Other regulatory signs and warning signs must be replaced within one week.
 3. All other signs must be replaced within three weeks.
- B. It is recommended by the Hall County Public Works and Utilities Department, Traffic Engineering Division, that the maintaining authority stock a supply of all utilized signs, especially "Stop" signs, and poles or posts to facilitate timely maintenance.

9.9.7. Inspections

Hall County will make periodic inspections for substandard signage assemblies. If found, the maintaining authority will be notified. If the maintaining authority fails to replace the defective signs or supports within the time

constraints outlined in Section 9.9.6.A., Hall County will install county standard sign assemblies and bill the maintaining authority for materials and labor.

9.9.8. Failure to Adequately Maintain the Signage Assemblies

If the maintaining authority fails to adequately maintain the signage assemblies within its jurisdiction, Hall County may revoke the permit and assume maintenance of all affected signage. Once the permit has been revoked and Hall County has assumed maintenance, all custom support signage assemblies will be removed and replaced with standard signage assemblies. The cost for this process will be assessed to the maintaining authority.

9.9.9. Request to Relinquish Maintenance of Custom Supports and Signage Assemblies

If the maintaining authority wishes to relinquish maintenance of custom supports and signage assemblies, a written request with a petition signed by 70 percent of the maintaining authority's membership shall be provided to the Director of the Hall County Public Works and Utilities Department. The request will be evaluated and along with a recommendation forwarded to the Hall County Board of Commissioners for consideration. If approved, Hall County will remove all custom signage support assemblies and install Hall County standard signage assemblies. The cost for this process will be assessed to the maintaining authority.

9.9.10. Authorization to Remove Signage

Any signage that has been installed by Hall County may not be removed and/or replaced by the maintaining authority without authorization from the Hall County Traffic Engineer.

9.9.11. Responsible Government Agencies

The responsible government agencies and their locations are as follows:

A. Hall County Public Works and Utilities Department

Attn. Director

P.O. Box 1435

Gainesville, GA 30503

B. Hall County Public Works and Utilities Department

Traffic Engineering Division

Attn. Traffic Engineer

P.O. Box 1435

Gainesville, GA 30503

C. Physical Address for the Public Works and Utilities Department:

2875 Browns Bridge Road, 3rd Floor

Gainesville, GA 30504

Sec. 9.10. Modification of Standards

9.10.1. Permitted Modifications

Where the Board of Commissioners finds that extraordinary hardships or practical difficulties may result from strict compliance with these regulations or the purposes of these regulations may be served to a greater extent by an alternative proposal, it may recommend modifications to these subdivision regulations so that substantial justice may be done and the public interest secured. The modification(s) will not have the effect of nullifying the intent and purpose of these regulations. The Board of Commissioners may not recommend modifications unless based upon the evidence presented to it in each specific case that:

- A. The granting of the modification will not be detrimental to the public safety, health, or welfare or injurious to other property;
- B. The conditions upon which the request for a modification is based are unique to the property for which the modification is sought and are not applicable generally to other property;
- C. Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations were carried out;
- D. The modifications will not in any manner vary the provisions of the zoning regulations.

9.10.2. Approval with Conditions

In approving modifications, the Board of Commissioners may require such conditions as will, in its judgment, secure substantially

the objectives of the standards or requirements of these regulations.

9.10.3. Petition for Modification

A petition for any such modification must be submitted in writing by the subdivider at the time when the preliminary plat is filed for the consideration of the Board of Commissioners. The petition must state fully the grounds for the application and all the facts relied upon by the petitioner and be accompanied by a plat or plan showing the proposed modification.

9.10.4. Review by Planning and Zoning Director

The Planning and Zoning Director must review the proposed modification and may request the review of any applicable agency.

9.10.5. Action by Board of Commissioners

The Board of Commissioners must act upon the application in regular meeting, must enter its action into its records and must notify the applicant in writing.

Article 10. Environmental Protection

Table of Contents

<p>Sec. 10.1. Erosion, Sedimentation, and Sedimentation Control 10-3</p> <p> 10.1.1. Definitions..... 10-3</p> <p> 10.1.2. Exemptions..... 10-6</p> <p> 10.1.3. Minimum Requirements for Erosion and Sedimentation Control Using Best Management Practices 10-9</p> <p> 10.1.4. Application, Permits Process, Generally10-17</p> <p> 10.1.5. Inspection and Enforcement.....10-23</p> <p> 10.1.6. General Offenses.....10-25</p> <p> 10.1.7. Penalties and Incentives10-25</p> <p> 10.1.8. Education and Certification10-27</p> <p> 10.1.9. Administrative Appeal Judicial Review.....10-27</p> <p> 10.1.10. Liability.....10-27</p> <p>Sec. 10.2. Flood Protection.....10-29</p> <p> 10.2.1. General Provisions10-29</p> <p> 10.2.2. Definitions.....10-30</p> <p> 10.2.3. Permit Procedures and Requirements.....10-35</p> <p> 10.2.4. Standards for Development.....10-37</p> <p> 10.2.5. Provisions for Flood Hazard Reduction.....10-40</p> <p> 10.2.6. Variance Procedures.....10-46</p> <p> 10.2.7. Violations, Enforcement and Penalties10-48</p> <p>Sec. 10.3. Illicit Discharge and Illegal Connection10-50</p> <p> 10.3.1. General Provisions10-50</p> <p> 10.3.2. Definitions.....10-50</p> <p> 10.3.3. Prohibitions.....10-52</p> <p> 10.3.4. Industrial or Construction Activity Discharges10-53</p> <p> 10.3.5. Access and Inspection of Properties and Facilities.....10-53</p> <p> 10.3.6. Notification of Accidental Discharges and Spills10-54</p> <p> 10.3.7. Violations, Enforcement and Penalties10-54</p>	<p>Sec. 10.4. Stream Buffer Protection Ordinance10-57</p> <p> 10.4.1. General Provisions..... 10-57</p> <p> 10.4.2. Findings and Purposes 10-57</p> <p> 10.4.3. Definitions 10-57</p> <p> 10.4.4. Applicability..... 10-58</p> <p> 10.4.5. Grandfather Provisions..... 10-58</p> <p> 10.4.6. Exemptions 10-59</p> <p> 10.4.7. Stream Buffer and Setback Requirements 10-60</p> <p> 10.4.8. Buffer and Setback Variance Procedures..... 10-60</p> <p> 10.4.9. Compatibility with Other Buffer Regulations and Requirements 10-62</p> <p> 10.4.10. Additional Information Requirements for Development on Buffer Zone Properties 10-62</p> <p> 10.4.11. Responsibility..... 10-63</p> <p> 10.4.12. Inspection 10-63</p> <p> 10.4.13. Violations, Enforcement and Penalties..... 10-63</p> <p> 10.4.14. Administrative Appeal and Judicial Review 10-65</p> <p> 10.4.15. Severability..... 10-65</p> <p>Sec. 10.5. Post-Construction Stormwater Management..... 10-66</p> <p> 10.5.1. General Provisions..... 10-66</p> <p> 10.5.2. Purpose and Intent 10-66</p> <p> 10.5.3. Definitions 10-66</p> <p> 10.5.4. Adoption and Implementation of the GSMM; Conflicts and Inconsistencies .. 10-69</p> <p> 10.5.5. Designation of Administrator... 10-69</p> <p> 10.5.6. Applicability Criteria for Stormwater Management Standards..... 10-70</p> <p> 10.5.7. Exemptions from Stormwater Management Standards..... 10-70</p> <p> 10.5.8. Stormwater Management Standards..... 10-71</p>
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10.5.9. Pre-Submittal Meeting, Stormwater Concept Plan, and Stormwater Management Plan Requirements.....10-75
10.5.10. Application Fee.....10-76
10.5.11. Application Procedures10-76
10.5.12. Compliance with the Approved Stormwater Management Plan10-77
10.5.13. Inspections to Ensure Plan Compliance During Construction.....10-77
10.5.14. Final Inspection; As-Built Drawings; Delivery of Inspection and Maintenance Agreement.....10-77
10.5.15. Special Tax District for Public Residential Stormwater Management Facilities.....10-78

10.5.16. Special Tax District for Nonresidential and Private Residential Stormwater Management Facilities 10-79
10.5.17. Violations and Enforcement... 10-80
10.5.18. Maintenance by Owner of Stormwater Management Systems Predating Current GSMM..... 10-80
10.5.19. Inspection and Maintenance Agreements..... 10-80
10.5.20. Right of Entry for Maintenance Inspections..... 10-81
10.5.21. Owner's Failure to Maintain the Stormwater Management System..... 10-81

Sec. 10.1. Erosion, Sedimentation, and Sedimentation Control

10.1.1. Definitions

The following definitions apply in the interpretation and enforcement of this Sec. 10.1, unless otherwise specifically stated:

Best management practices (BMPs). The schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent and minimize erosion and resultant sedimentation, which are consistent with, and no less stringent than, those practices contained in the “Manual for Erosion and Sediment Control in Georgia” (Manual) published by the Georgia Soil and Water Conservation Commission as of January 1 of the year in which the land-disturbing activity was permitted to prevent or reduce the pollution of waters of Georgia. BMPs also include treatment requirements, operating procedures, and practices to control site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

Board. The Board of Natural Resources.

Buffer. The area of land immediately adjacent to the banks of State waters in its natural state of vegetation, which facilitates the protection of water quality and aquatic habitat.

Certified personnel. A person who has successfully completed the appropriate certification course approved by the Georgia Soil and Water Conservation Commission.

Coastal marshlands. shall have the same meaning as in O.C.G.A. § 12-5-282.

Commission. The Georgia Soil and Water Conservation Commission (GSWCC).

CPESC. A Certified Professional in Erosion and Sediment Control with current certification by EnviroCert, Inc.

Cut. A portion of land surface or area from which earth has been removed or will be removed by excavation; the depth below

original ground surface to excavated surface. Also known as "excavation."

Department. The Department of Natural Resources of the State of Georgia.

Design professional. A professional licensed by the State of Georgia in the field of: engineering, architecture, landscape architecture, forestry, geology, or land surveying; or a person that is a Certified Professional in Erosion and Sediment Control (CPESC) with a current certification by EnviroCert International, Inc. Design Professionals must practice in a manner that complies with applicable Georgia law governing professional licensure.

Director. The Director of the Environmental Protection Division of the Department of Natural Resources or an authorized representative.

District. The Hall County Soil and Water Conservation District.

Division. The Environmental Protection Division of the Department of Natural Resources.

Drainage structure. A device composed of a virtually nonerodible material such as concrete, steel, plastic, or other such material that conveys water from one place to another by intercepting the flow and carrying it to a release point for stormwater management, drainage control, or flood control purposes.

Erosion. The process by which land surface is worn away by the action of wind, water, ice or gravity.

Erosion, Sedimentation and Pollution Control Plan. A plan for the control of soil erosion and sediment resulting from a land disturbing activity.

Fill. A portion of land surface to which soil or other solid material has been added; the depth above the original ground surface or an excavation.

Final stabilization. All soil disturbing activities at the site have been completed, and that for unpaved areas and areas not covered by permanent structures and areas located outside the waste disposal limits of a landfill cell that has been certified by EPD for waste disposal, 100 percent of the soil surface is uniformly covered in permanent vegetation with a density of 70 percent or greater, or landscaped according to the plan (uniformly covered with landscaping materials in planned landscape areas), or equivalent permanent stabilization measures as defined in the manual (excluding a crop of annual vegetation and seeding of target crop perennials appropriate for the region).

Finished grade. The final elevation and contour of the ground after cutting and/or filling and conforming to the proposed design.

Grading. Altering the shape of ground surfaces to a predetermined condition. This includes stripping, cutting, filling, stockpiling, and shaping or any combination thereof, and includes the land in its cut or filled condition.

Ground elevation. The elevation of the ground surface.

Land-disturbing activity. Any activity which may result in soil erosion and the movement of sediments into State waters or onto lands within the state, including, but not limited to, clearing, dredging, grading, excavating, transporting, and filling of land, but not including agricultural practices as described in Sec. 10.1.2.A.5.

Larger common plan of development or sale. A contiguous area where multiple separate and distinct construction activities are occurring under one plan of development or sale. For purposes of this paragraph, "plan" means an announcement, piece of documentation such as a sign, public notice or hearing, sales pitch, advertisement, drawing, permit application, zoning request, or computer design; or physical demarcation such as boundary signs, lot stakes, or surveyor markings, indicating that construction activities may occur on a specific plot.

Local Issuing Authority. The governing authority of any county or municipality which is certified pursuant to O.C.G.A. § 12-7-8(a).

Maintenance. Actions necessary or appropriate for retaining or restoring a currently serviceable improvement to the specified operable condition to achieve its maximum useful life. Maintenance includes emergency reconstruction of recently damaged parts of a currently serviceable structure so long as it occurs within a reasonable period of time after damage occurs. Maintenance does not include any modification that changes the character, scope, or size of the original design.

Manual for Erosion and Sediment Control in Georgia. The Manual for Erosion and Sediment Control in Georgia, (2016 Edition) as amended through July 1, 2016, published by the Georgia Soil and Water Conservation Commission.

Metropolitan River Protection Act (MRPA). A state law referenced as O.C.G.A. § 12-5-440, which addresses environmental and developmental matters in certain metropolitan river corridors and their drainage basins.

Natural ground surface. The ground surface in its original state before any grading, excavation, or filling.

Nephelometric turbidity units (NTU). Numerical units of measure based upon photometric analytical techniques for measuring the light scattered by finely particles of a substance in suspension. This technique is used to estimate the extent of turbidity in water in which colloiddally dispersed or suspended particles are present.

NOI. A notice of intent form provided by EPD for coverage under the state general permit.

NOT. A notice of termination form provided by EPD to terminate coverage under the state general permit.

Operator. The party or parties that have: (A) operational control of construction project plans and specifications, including the ability

to make modifications to those plans and specifications; or (B) day-to-day operational control of those activities that are necessary to ensure compliance with an erosion, sedimentation and pollution control plan for the site or other permit conditions, such as a person authorized to direct workers at a site to carry out activities required by the erosion, sedimentation and pollution control plan or to comply with other permit conditions.

Outfall. The location where stormwater in a discernible, confined and discrete conveyance, leaves a facility or construction site or, if there is a receiving water on site, becomes a point source discharging into that receiving water.

Permit. The authorization necessary to conduct a land disturbing activity under the provisions of these rules and regulations.

Person. Any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, State agency, municipality or other political subdivision of this State, any interstate body or any other legal entity.

Phase or phased. A reference to sub-parts or segments of construction projects where the sub-part or segment is constructed and stabilized prior to completing construction activities on the entire construction site.

Project. The entire area of the proposed development site, regardless of the size of the area to be disturbed.

Properly designed. Designed in accordance with the design requirements and specifications contained in the "Manual for Erosion and Sediment Control in Georgia" (manual) published by the Georgia Soil and Water Conservation Commission as of January 1 of the year in which the land-disturbing activity was permitted and amendments to the Manual as approved by the GSWCC up until the date of NOI submittal.

Receiving Water(s). All perennial and intermittent waters of the State into which the runoff of stormwater from a construction

activity will discharge, either directly or indirectly.

Roadway drainage structure. A device such as a bridge, culvert, or ditch, composed of a virtually nonerodable material such as concrete, steel, plastic, or other such material that conveys water under a roadway by intercepting the flow on one side of a traveled way consisting of one or more defined lanes, with or without shoulder areas, and carrying water to a release point on the other side.

Sediment. Solid material, both organic and inorganic, that is in suspension, is being transported, or has been moved from its site of origin by wind, water, ice, or gravity as a product of erosion.

Sedimentation. The action or process of forming or depositing sediment.

Soil and Water Conservation District Approved Plan. An erosion, sedimentation and pollution control plan approved in writing by the Hall County Soil and Water Conservation District.

Stabilization. The process of establishing an enduring soil cover of vegetation and/or mulch or other ground cover and/or installing temporary or permanent structures for the purpose of reducing to a minimum the erosion process and the resultant transport of sediment by wind, water, ice or gravity.

State General Permit. The National Pollutant Discharge Elimination System (NPDES) general permit or permits for stormwater runoff from construction activities as is now in effect or as may be amended or reissued in the future pursuant to the State's authority to implement the same through federal delegation under the Federal Water Pollution Control Act, as amended, 33 U.S.C. 1251 et seq., and subsection (f) of Code section 12-5-30.

State Waters. Any and all rivers, streams, creeks, branches, lakes, reservoirs, ponds, drainage systems, springs, wells, and other bodies of surface or subsurface water, natural or artificial, lying within or forming a part of the boundaries of the State which are not entirely confined and retained completely

upon the property of a single individual, partnership or corporation.

Structural Erosion and Sediment Control Practices. Measures for the stabilization of erodible or sediment producing areas by utilizing the mechanical properties of matter for the purpose of either changing the surface of the land or storing, regulating or disposing of runoff to prevent excessive sediment loss. Examples of structural erosion and sediment control practices are riprap, sediment basins, dikes, level spreaders, waterways or outlets, diversions, grade stabilization structures, sediment traps, and land grading, etc. Such measures can be found in the publication Manual for Erosion and Sediment Control in Georgia.

Trout streams. All streams or portions of streams within the watershed as designated by the Division under the provisions of the Georgia Water Quality Control Act, O.C.G.A. 12-5-20 et seq. Streams designated as primary trout waters are defined as water supporting a self-sustaining population of rainbow, brown or brook trout. Streams designated as secondary trout waters are those in which there is no evidence of natural trout reproduction, but are capable of supporting trout throughout the year. First order trout streams are streams into which no other streams flow except springs.

Vegetative erosion and sediment control measures. Measures for the stabilization of erodible or sediment producing area by covering the soil with:

1. Permanent seeding, sprigging or planting, producing long-term vegetative cover; or
2. Temporary seeding, producing short term vegetative cover; or
3. Sodding, covering areas with a turf of perennial sod-forming grass. Such practices can be found in the publication Manual for Erosion and Sediment Control in Georgia.

Watercourse. Any natural or artificial waterway, stream, river, creek, channel, ditch, canal, conduit, culvert, drain, waterway, gully, ravine, or wash in which water flows either continuously or intermittently and which has a definite channel, bed and banks, and including any area adjacent thereto subject to inundation by reason of overflow or floodwater.

Wetlands. Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

10.1.2. Exemptions

- A. This section does not apply to the following activities:
1. Surface mining as defined in O.C.G.A. § 12-4-72, "The Georgia Surface Mining Act of 1968".
 2. Granite quarrying and land clearing for such quarrying.
 3. Such minor land-disturbing activities as home gardens and individual home landscaping, repairs, maintenance work, fences, and other related activities, which result in minor soil erosion.
 4. The construction of single-family residences, except that a building permit must be acquired prior to any land-disturbing activity beginning on a site, when such construction disturbs less than one acre and is not a part of a larger common plan of development or sale with a planned disturbance equal to or greater than one acre and not otherwise exempted under this paragraph; provided, however, that construction of any such residence must conform to the minimum

requirements as set forth in Sec. 10.1.3. For single-family residence construction covered by the provisions of this paragraph, there must be a buffer zone between the residence and any state waters classified as trout streams pursuant to Article 2 of Chapter 5, of the Georgia Water Quality Control Act. In any such buffer zone, no land-disturbing activity may be constructed between the residence and the point where vegetation has been wrested by normal stream flow or wave action from the banks of the trout waters. For primary trout waters, the buffer zone must be at least 50 horizontal feet, and no variance to a smaller buffer may be granted. For secondary trout waters, the buffer zone must be at least 50 horizontal feet, but the Director may grant variances to no less than 25 feet. Regardless of whether a trout stream is primary or secondary, for first order trout waters as defined by this section, the buffer must be at least 25 feet and no variance to a smaller buffer may be granted. The minimum requirements of Sec. 10.1.3 and the buffer zones provided by this paragraph shall be enforced by the local issuing authority.

5. Agricultural operations as defined in O.C.G.A. § 1-3-3, "definitions", to include those practices involving the establishment, cultivation, or harvesting of products of the field or orchard; the preparation and planting of pasture land; farm ponds; dairy operations; livestock and poultry management practices; and the construction of farm buildings.
6. Forestry land management practices, including harvesting, provided, however, that when such exempt forestry practices cause or result in

land-disturbing or other activities otherwise prohibited in a buffer, as established in paragraphs 19 and 20 of Sec. 10.1.3.C., no other land-disturbing activities, except for normal forest management practices, may be allowed on the entire property upon which the forestry practices were conducted for a period of three years after completion of such forestry practices.

7. Any project carried out under the technical supervision of the Natural Resources Conservation Service (NRCS) of the United States Department of Agriculture.
8. Any noncommercial project involving less than one acre of disturbed area that is not otherwise exempt under Sec. 10.1.2.A.1. through A.7. and A.9. through A.11. is exempt from general land-disturbing permit plan requirements, but is required to have a minor land-disturbing permit and must meet the minimum requirements of Sec. 10.1.3.B., 10.1.3.C. and 10.1.4.A. Commercial projects of any size are not exempt from any provision of this section; provided, however, that the county engineer may specifically exempt certain projects from erosion, sedimentation, and pollution control plan requirements in cases where minimal land disturbance is to occur. These exemptions from erosion, sedimentation, and pollution control plan requirements do not apply to any land-disturbing activity within a larger common plan of development or sale with a planned disturbance of equal to or greater than one acre or within 200 feet of the bank of any state waters. For purposes of this paragraph, "State waters" excludes channels and drainage ways which have water in

them only during and immediately after rainfall events and intermittent streams which do not have water in them year-round; provided, however, that any person responsible for a project which involves less than one-acre, which involves land-disturbing activity, and which is within 200 feet of any such excluded channel or drainage way, must prevent sediment from moving beyond the boundaries of the property on which such project is located and provided, further, that nothing contained in this section may prevent a city or county which is a local issuing authority from regulating any such project which is not specifically exempted by paragraphs 1, 2, 3, 4, 5, 6, 7, 9 or 10 of this Sec. 10.1.2.A.

9. Construction or maintenance projects, or both, undertaken or financed in whole or in part, or both, by the Department of Transportation, the Georgia Highway Authority, or the State Road and Tollway Authority; or any road construction or maintenance project, or both, undertaken by any county or municipality; provided, however, that construction or maintenance projects of Department of Transportation or State Road and Tollway Authority which disturb one or more contiguous acres of land are subject to the provisions of O.C.G.A. § 12-7-7.1; except where the Department of Transportation, the Georgia Highway Authority, or the State Road and Tollway Authority is a secondary permittee for a project located within a larger common plan of development or sale under the state general permit, in which case a copy of a notice of intent under the state general permit must be submitted to

the local issuing authority, the local issuing authority may enforce compliance with the minimum requirements set forth in O.C.G.A. § 12-7-6 as if a permit had been issued, and violations may be subject to the same penalties as violations by permit holders.

10. Any land-disturbing activities conducted by any electric membership corporation or municipal electrical system or any public utility under the regulatory jurisdiction of the Public Service Commission, any utility under the regulatory jurisdiction of the Federal Energy Regulatory Commission, any cable television system as defined in O.C.G.A. § 36-18-1, or any agency or instrumentality of the United States engaged in the generation, transmission, or distribution of power; except where an electric membership corporation or municipal electrical system or any public utility under the regulatory jurisdiction of the Public Service Commission, any utility under the regulatory jurisdiction of the Federal Energy Regulatory Commission, any cable television system as defined in O.C.G.A. § 36-18-1, or any agency or instrumentality of the United States engaged in the generation, transmission, or distribution of power is a secondary permittee for a project located within a larger common plan of development or sale under the state general permit, in which case the local issuing authority may enforce compliance with the minimum requirements set forth in O.C.G.A. § 12-7-6 as if a permit had been issued, and violations may be subject to the same penalties as violations by permit holders.

11. Public water system reservoirs.

- B. Where this section requires compliance with the minimum requirements set forth in Sec. 10.1.3.B. and 10.1.3.C., the local issuing authority may enforce compliance with the minimum requirements as if a permit had been issued and violations may be subject to the same penalties as violations by permit holders.

10.1.3. Minimum Requirements for Erosion and Sedimentation Control Using Best Management Practices

A. General provisions.

Excessive soil erosion and resulting sedimentation can take place during land-disturbing activities if the requirements of this section and the NPDES permit are not met. Therefore, plans for those land-disturbing activities which are not exempted by this section must contain provisions for application of erosion, sedimentation and pollution control measures and practices. The provisions must be incorporated into the erosion, sedimentation and pollution control plans. Erosion, sedimentation and pollution control measures and practices must conform to the minimum requirements of Sec. 10.1.3.B. and 10.1.3.C. The application of measures and practices applies to all features of the site, including street and utility installations, drainage facilities and other temporary and permanent improvements. Measures must be installed to prevent or control erosion, sedimentation and pollution during all stages of any land-disturbing activity in accordance with the requirements of this section and the NPDES general permit.

B. Minimum requirements/BMPs.

1. Best management practices as set forth in Sec. 10.1.3.B. and 10.1.3.C. are

required for all land-disturbing activities. Proper design, installation, and maintenance of best management practices may constitute a complete defense to any action by the Director or to any other allegation of noncompliance with this section or any substantially similar terms contained in a permit for the discharge of stormwater issued pursuant to subsection (f) of O.C.G.A. § 12-5-30.

2. A discharge of stormwater runoff from disturbed areas where best management practices have not been properly designed, installed, and maintained may constitute a separate violation of any land-disturbing permit issued by the local issuing authority or of any state general permit issued by the division pursuant to subsection (f) of O.C.G.A. § 12-5-30, for each day on which such discharge results in the turbidity of receiving waters being increased by more than 25 nephelometric turbidity units for waters supporting warm water fisheries or by more than ten nephelometric turbidity units for waters classified as trout waters. The turbidity of the receiving waters must be measured in accordance with guidelines to be issued by the Director. This paragraph does not apply to any land disturbance associated with the construction of single-family homes which are not part of a larger common plan of development or sale unless the planned disturbance for such construction is equal to or greater than five acres.
3. Failure to properly design, install, or maintain best management practices may constitute a violation of any land-disturbing permit issued by a local issuing authority or of any state general permit issued by the division pursuant to subsection (f) of O.C.G.A. §

12-5-30 for each day on which such failure occurs.

4. The Director may require, in accordance with regulations adopted by the board, reasonable and prudent monitoring of the turbidity level of receiving waters into which discharges from land-disturbing activities occur.
 5. The local issuing authority may set more stringent buffer requirements than stated in Sec. 10.1.3.C.19, 10.1.3.C.20, and 10.1.3.C.21, in light of O.C.G.A. § 12-7-6(c).
 6. All soil, erosion, and sedimentation control measures will be checked daily by the operator and any deficiencies noted will be corrected by the end of each day. Additional soil, erosion, and sediment control measures must be installed if deemed necessary by the local issuing authority after an on-site inspection.
 7. If, at any time, any reasonably notable and visible quantity of sediment leaves the property lot lines, impacts other property or any stream buffer zone, additional and appropriate soil erosion and sedimentation control measures shall be added immediately to prevent future violations.
- C. The rules and regulations, ordinances, or resolutions adopted pursuant to this section for the purpose of governing land-disturbing activities require, as a minimum, protections at least as stringent as the state general permit. Best management practices, including sound conservation and engineering practices to prevent and minimize erosion and resultant sedimentation, must be consistent with, and no less stringent than, those practices contained in the “Manual for Erosion and Sediment Control in Georgia”, published by the Georgia Soil

and Water Conservation Commission as of January 1 of the year in which the land-disturbing activity was permitted, as well as the following:

1. A construction exit designed in accordance with the “Manual for Erosion and Sediment Control in Georgia” must be the first element developed on a construction site. The construction exit must be maintained in such a way as to prevent any mud from being tracked onto public roads.
2. Stripping of vegetation, regrading and other development activities must be conducted in a manner to minimize erosion.
3. Cut-fill operations must be kept to a minimum.
4. Development plans must conform to topography and soil type, so as to create the lowest practical erosion potential.
5. Whenever feasible, natural vegetation shall be retained, protected, and supplemented.
6. The disturbed area and the duration of exposure to erosive elements must be kept to a practicable minimum.
 - a. Projects with proposed disturbed areas of more than 20 acres will need to be graded in phases or comply with Hall County's Additional Best Management Practices for Large Developments list included in this section. If the project is going to be phased, a proposed phasing plan and schedule will need to be shown on the approved erosion, sedimentation, and pollution control plans. Mulch or temporary grassing must be applied immediately to all exposed soil areas that have been inactive for 14 days. The mulch or temporary

- grassing coverage must be maintained to a depth of two inches and must have a continuous 90 percent soil surface coverage, or greater until final stabilization has occurred.
- b. For development projects that disturb more than 20 acres and less than 50 acres, the approved erosion, sedimentation, and pollution control plans must include at least two of the additional BMP's from the Hall County's Additional Best Management Practices for Large Developments list.
 - c. For development projects that disturb more than or equal to 50 acres, the approved erosion, sedimentation, and pollution control plans must include at least four of the additional BMP's from the Hall County's Additional Best Management Practices for Large Development list.
7. Hall County's Additional Best Management Practices for Large Development list include the following:
- a. Increase all temporary sediment basins and retrofitted storm water management basins to provide sediment storage of at least 3600 cubic feet (134 cubic yards) per acre drained.
 - b. Use baffles in all temporary sediment basins and retrofitted stormwater management basins to at least double the conventional flow path length to the outlet structure.
 - c. Use flocculants or coagulants and/or mulch to stabilize areas left disturbed for more than seven calendar days in accordance with Section III. D.1. of the current NPDES Permit.
- d. Conduct turbidity sampling after every rain event of 0.5 inch or greater within any 24-hour period, recognizing the exceptions specified in Section IV.D.6.d. of the current NPDES Permits.
 - e. Comply with the applicable end-of-pipe turbidity effluent limit, without the "BMP defense" as provided for in O.C.G.A. § 12-7-6(a)(1).
 - f. Reduce the total planned site disturbance to less than 50 percent impervious surfaces (excluding any state-mandated buffer areas from such calculations). All calculations must be included on the plan.
 - g. Limit the amount of disturbed area at any one time to no greater than 25 acres or 50 percent of the total planned site, whichever is less. All calculations must be included on the plan.
 - h. Use mulch filter berms, in addition to a silt fence, on the site perimeter wherever construction storm water (including sheet flow) may be discharged. Mulch filter berms cannot be placed in waterways or areas of concentrated flow.
 - i. Use appropriate erosion control slope stabilization instead of concrete in all construction storm water ditches and storm drainages designed for a 25-year, 24-hour rainfall event.
 - j. Use flocculants or coagulants under a passive dosing method (e.g., flocculant blocks) within construction storm water ditches and storm drainages that feed into temporary sediment basins and retrofitted management basins.

- k. Certified personnel for primary permittees shall conduct inspections at least twice every seven calendar days and within 24 hours of the end of the storm that is 0.5 inches rainfall or greater in accordance with Section IV.D.4.a.(3)(a) - (c); secondary permittees, Section IV.D.4.b.(3)(a)-(c); and tertiary permittees, Section IV.D.4.c.(3)(a)-(c).
 - l. Limit the total planned site disturbance to less than 15 percent impervious surfaces (excluding any state mandated buffer areas from such calculations). All calculations must be included in the plan.
 - m. Conduct inspections during the intermediate grading and drainage BMP phase and during the final BMP phase of the project by the design professional who prepared the plan in accordance with Section IV.A.5 of the permit.
 - n. Install Post Construction BMPs (e.g., runoff reduction BMPs) which remove 80 percent TSS as outlined in the Georgia Stormwater Management Manual known as the Blue Book or an equivalent or stringent design manual.
8. Disturbed soil shall be stabilized as quickly as practicable.
 9. Temporary vegetation or mulching shall be employed to protect exposed critical areas during development.
 10. Permanent vegetation and structural erosion control measures shall be installed as soon as practicable.
 11. To the extent necessary, sediment in run-off water must be trapped using debris basins, sediment basins, silt traps, sediment barriers (silt fences, hay bales, rock dams, etc.) or similar measures until the disturbed area is stabilized. Silt fences shall incorporate Georgia Department of Transportation approved fabrics and utilize posts and proper post spacing in conformance to the "Manual for Erosion and Sediment Control in Georgia". As used in this paragraph, a disturbed area is stabilized when it is brought to a condition of continuous compliance with the requirements of O.C.G.A. § 12-7-1 et seq. and meets the definition of final stabilization as defined in this section.
 12. Any land disturbance within 200 feet of stream buffers, wetlands, or other critical areas designated by the Hall County Engineering Department shall require two rows of Type "C" silt fence, or one row of Type "C" silt fence backed by hay bales, appropriately installed, as per the "Manual for Erosion and Sediment Control in Georgia".

In addition, for projects that disturb greater than 20.0 acres, any required double rows of silt fence shall be fortified by hay bales below the lower row of silt fence.

Furthermore, any site development adjacent to Lake Lanier Boundary shall require double row silt fence with supplemental hay bales for drainage areas directly flowing to the lake.
 13. Adequate provisions must be provided to minimize damage from surface water to the cut face of excavations or the sloping surface of fills.
 14. Cuts and fills may not endanger adjoining property.
 15. Cuts and fills may be no steeper than a ratio of two units horizontal to one unit vertical, unless a slope stabilization technique, such as a retaining wall, is used with written

- approval from the local issuing authority.
16. Fills may not encroach upon natural watercourses or constructed channels in a manner so as to adversely affect other property owners.
 17. Grading equipment must cross flowing streams by means of bridges or culverts, except when such methods are not feasible, provided, in any case, that such crossings are kept to a minimum.
 18. Erosion, sedimentation, and pollution control plans shall include provisions for treatment to control any source of sediments and adequate sedimentation control facilities to retain sediments on site or preclude sedimentation of adjacent streams beyond the levels specified in 10.1.3.B.2. of this section.
 19. Adequate erosion and sedimentation control measures which are approved by the "Manual for Erosion and Sediment Control in Georgia" shall be installed prior to, or concurrently with, any grubbing or grading activity, and be maintained until 'final stabilization' has been achieved.
 20. There is established a 25-foot buffer along the banks of all state waters, as measured horizontally from the point where vegetation has been wrested by normal stream flow or wave action, except:
 - a. As provided in paragraphs 20 and 21 of this subsection.
 - b. Where the Director determines to allow a variance that is at least as protective of natural resources and the environment.
 - c. Where otherwise allowed by the Director pursuant to O.C.G.A. § 12-2-8.
- d. Where a drainage structure or roadway drainage structure must be constructed, provided that adequate erosion control measures are incorporated in the project plans and specifications, and are implemented.
 - e. Along any ephemeral stream. As used in this provision, the term "ephemeral stream" means a stream:
 - i. That under normal circumstances has water flowing only during and for a short duration after precipitation events;
 - ii. That has the channel located above the ground-water table year round;
 - iii. For which ground water is not a source of water; and
 - iv. For which runoff from precipitation is the primary source of water flow.
 - f. Where shoreline stabilization is installed; provided, however, that this exception shall be limited to the construction of bulkheads and sea walls only to the extent required to prevent the erosion of the shoreline. This exception shall be limited to Lake Oconee and Lake Sinclair and shall be limited to the duration of such construction.
 - g. Unless exempted under division (v) of this subparagraph, buffers of at least 25 feet established pursuant to part 6 of Article 5, Chapter 5 of Title 12, O.C.G.A. the "Georgia Water Quality Control Act," shall remain in force unless a variance is granted by the Director as provided in this paragraph.

- h. No land-disturbing activities shall be conducted within any such buffer; and a buffer shall remain in its natural, undisturbed state of vegetation until all land-disturbing activities on the construction site are completed, except as otherwise provided by this paragraph. Once the final stabilization of the site is achieved, a buffer may be thinned or trimmed of vegetation as long as a protective vegetative cover remains to protect water quality and aquatic habitat and a natural canopy is left in sufficient quantity to keep shade on the stream bed; provided, however, that any person constructing a single-family residence, when such residence is constructed by or under contract with the owner for his or her own occupancy, may thin or trim vegetation in a buffer at any time as long as protective vegetative cover remains to protect water quality and aquatic habitat and a natural canopy is left in sufficient quantity to keep shade on the stream bed.
 - i. The buffer shall not apply to the following land-disturbing activities, provided that they occur at an angle, as measured from the point of crossing, within 25 degrees of perpendicular to the stream; cause a width of disturbance of not more than 50 feet within the buffer; and adequate erosion control measures are incorporated into the project plans and specifications and are implemented:
 - i. Stream crossings for water lines;
 - ii. Stream crossings for sewer lines; or
 - iii. Permitted uses specified in Sec. 10.4.6.D.; and
 - j. All requirements of Sec. 10.4.6. shall also be complied with.
21. There is established a 50-foot buffer, as measured horizontally from the point where vegetation has been wrested by normal stream flow or wave action, along the banks of any state waters classified as "trout streams" pursuant to O.C.G.A. tit. 12, ch. 5, art. 2, the "Georgia Water Quality Control Act," except where a roadway drainage structure must be constructed, provided however, that small springs and streams classified as trout streams which discharge an average annual flow of 25 gallons per minute or less shall have a 25-foot buffer or they may be piped, at the discretion of the landowner, pursuant to the terms of a rule providing for a general variance promulgated by the board providing for notice to the division or local issuing authority of the location and extent of the piping and prescribed methodology for minimizing the impact of such piping and for measuring the volume of water discharged by the stream. As any such pipe must stop short of the downstream landowner's property, and the landowner must comply with the buffer requirement for any adjacent trout streams. The Director may grant a variance from such buffer to allow land-disturbing activity, provided that adequate erosion control measures are incorporated in the project plans and specifications and are implemented. The following requirements shall apply to such buffer:
- a. No land-disturbing activities shall be conducted within a buffer and a buffer shall remain in its natural, undisturbed state of vegetation until all land-disturbing activities

- on the construction site are completed. Once the final stabilization of the site is achieved, a buffer may be thinned or trimmed of vegetation as long as a protective vegetative cover remains to protect water quality and aquatic habitat and a natural canopy is left in sufficient quantity to keep shade on the stream bed; provided, however, that any person constructing a single-family residence, when such residence is constructed by or under contract with the owner for his or her own occupancy, may thin or trim vegetation in a buffer at any time as long as protective vegetative cover remains to protect water quality and aquatic habitat and a natural canopy is left in sufficient quantity to keep shade on the stream bed;
- b. The buffer shall not apply to the following land-disturbing activities, provided that they occur at an angle, as measured from the point of crossing, within 25 degrees of perpendicular to the stream; they cause a width of disturbance of not more than 50 feet within the buffer; and adequate erosion control measures are incorporated into the project plans and specifications and are implemented:
 - i. Stream crossings for water lines;
 - ii. Stream crossings for sewer lines; or
 - iii. Permitted uses specified in subsection **8.170.060 D**.; and
 - c. All requirements of Official Code of Hall County, Georgia, Section **8.170.060** shall also be complied with.
22. There is established a 25-foot buffer along coastal marshlands, as measured horizontally from the coastal marshland-upland interface, as determined in accordance with O.C.G.A. tit. 12, ch. 5, the "Coastal Marshlands Protection Act of 1970," and the rules and regulations promulgated thereunder, except:
 - a. Where the Director determines to allow a variance that is at least as protective of natural resources and the environment;
 - b. Where otherwise allowed by the Director pursuant to O.C.G.A. § 12-2-8;
 - c. Where an alteration within the buffer area has been authorized pursuant to O.C.G.A. § 12-5-286;
 - d. For maintenance of any currently serviceable structure, landscaping, or hardscaping, including bridges, roads, parking lots, golf courses, golf cart paths, retaining walls, bulkheads, and patios; provided, however, that if such maintenance requires any land-disturbing activity, adequate erosion control measures are incorporated into the project plans and specifications and such measures are fully implemented;
 - e. Where a drainage structure or roadway drainage structure is constructed or maintained; provided, however, that if such maintenance requires any land-disturbing activity, adequate erosion control measures are incorporated into the project plans and specifications and such measures are fully implemented;

- f. On the landward side of any currently serviceable shoreline stabilization structure; and
- g. For the maintenance of any manmade stormwater detention basin, golf course pond, or impoundment that is located entirely within the property of a single individual, partnership, or corporation; provided, however, that adequate erosion control measures are incorporated into the project plans and specifications and such measures are fully implemented.
- h. No land-disturbing activities shall be conducted within a buffer and a buffer shall remain in its natural, undisturbed, state of vegetation until all land-disturbing activities on the construction site are completed, except as otherwise provided by this paragraph. Once the final stabilization of the site is achieved, a buffer may be thinned or trimmed of vegetation as long as a protective vegetative cover remains to protect water quality and aquatic habitat; provided, however, that any person constructing a single-family residence, when such residence is constructed by or under contract with the owner for his or her own occupancy, may thin or trim vegetation in a buffer at any time as long as protective vegetative cover remains to protect water quality and aquatic habitat.
- i. The buffer shall not apply to crossings for utility lines that cause a width of disturbance of not more than 50 feet within the buffer, provided, however, that adequate erosion control measures are incorporated into the project plans and specifications and such measures are fully implemented.
- j. The buffer shall not apply to:
 - i. Any land-disturbing activity conducted pursuant to and in compliance with a valid and effective land-disturbing permit issued subsequent to April 22, 2014, and prior to December 31, 2015; provided, however, that adequate erosion control measures are incorporated into the project plans and specifications and such measures are fully implemented; or
 - ii. Any lot for which the preliminary plat has been approved prior to December 31, 2015, if roadways, bridges, or water and sewer lines have been extended to such lot prior to the effective date of this Act and if the requirement to maintain a 25-foot buffer would consume at least 18 percent of the high ground of the platted lot otherwise available for development; provided, however, that adequate erosion control measures are incorporated into the project plans and specifications and such measures are fully implemented.
- k. Activities where the area within the buffer is not more than 500 square feet or that have a "minor buffer impact" as defined in section 391-3-7-.01(r) of the Rules of the Department of Natural

- Resources, provided that the total area of buffer impacts is less than 5,000 square feet, are deemed to have an approved buffer variance by rule. Bank stabilization structures are not eligible for coverage under the variance by rule and notification shall be made to the division at least 14 days prior to the commencement of land disturbing activities.
- D. The board shall promulgate rules and regulations that contain specific criteria for the approval or denial by the Director of requests for variances for road construction and maintenance projects undertaken by the Department of Transportation when:
1. An alteration within the buffer area has been authorized pursuant to a permit issued by the United States Army Corps of Engineers under Section 404 of the Federal Water Pollution Control Act of 1972, as amended, or Section 10 of the Rivers and Harbors Act of 1899; provided, however, that adequate erosion control measures are incorporated into the project plans and specifications and such measures are fully implemented; or
 2. The land-disturbing activity is not eligible for a permit issued by the United States Army Corps of Engineers under Section 404 of the Federal Water Pollution Control Act of 1972, as amended, and involves the piping, filling, or rerouting of waters that are not jurisdictional waters of the United States regardless as to whether or not such waters have been classified as primary or secondary trout waters.
- E. Nothing contained in this section shall prevent any local issuing authority from adopting rules and regulations, ordinances, or resolutions which contain

stream buffer requirements that exceed the minimum requirements in Sec. 10.1.3.B. and 10.1.3.C.

- F. The fact that land-disturbing activity for which a permit has been issued results in injury to the property of another shall neither constitute proof of nor create a presumption of a violation of the standards provided for in this section or the terms of the permit.

10.1.4. Application, Permits Process, Generally

There are three types of land-disturbing permits: minor land disturbing, new home construction grading, and general land disturbing.

- A. **Minor land disturbing permit.** Where required pursuant to Sec. 10.1.2.A.8, no person shall conduct any land-disturbing activity within the unincorporated area of Hall County without first obtaining a minor land-disturbing permit from Hall County Development Services to perform such activity. Additionally, a minor land disturbing permit shall be required for the construction of secondary driveways. The application for a minor land-disturbing permit must contain a current plat or drawing of the property containing the project which indicates all easements, streams, buffer zones, wetlands, and roadways. Said application must be submitted to Hall County Development Services. A fee as established in the Hall County Plan Review and Inspection Fee Schedule will be charged for each application. From time to time, upon the recommendation of the county engineer and approval of the board of commissioners of Hall County, Georgia, said schedule may be revised as deemed necessary. The permit will expire six months from the date of issuance.

Additionally, where a minor land-disturbing permit is required Sec. 10.1.4.C.4.f shall apply.

B. Residential grading permit. The residential grading permit will apply where land disturbance activities (i.e. grading) are to be performed on residential properties but prior to issuance of a building permit. The total disturbed area for this permit shall not exceed one acre on single or adjoining properties. The application for a residential permit must contain a current plat or drawing of the property containing the project which indicates all easements, streams, buffer zones, wetlands, and roadways. Said application must be submitted to Hall County Planning and Development. A fee as established in the Hall County Plan Review and Inspection Fee Schedule will be charged for each application. From time to time, upon the recommendation of the county engineer and approval of the board of commissioners of Hall County, Georgia, said schedule may be revised as deemed necessary. The permit will expire six months from date of issuance. Additionally, where new home construction grading permit is required Sec. 10.1.4.C.4.f shall apply.

C. General land-disturbing permit. All other required land-disturbing sites not fitting the minor land-disturbing requirement.

1. General. The property owner, developer, and designated planners and engineers shall review the general development plans and detailed plans of the local issuing authority that affect the tract to be developed and the area surrounding it. They shall review the zoning regulations, watershed protection regulations, subdivision regulations, flood damage prevention regulations, this section, and the other provisions of the Hall County Unified

Development Code, and the laws of the State of Georgia which regulate the development of land within the jurisdictional boundaries of the local issuing authority. However, the operator is the only party who may obtain a permit.

2. Application requirements.

a. No person shall conduct any land-disturbing activity within the unincorporated area of Hall County without first obtaining an appropriate permit from Hall County Planning and Development to perform such activity and providing a copy of notice of intent submitted to the EPD if applicable.

b. The application for a permit shall be submitted to the local issuing authority and must include the applicant's erosion, sedimentation, and pollution control plan with supporting data, as necessary. The plans shall include, as a minimum, the data specified in Sec. 10.1.4.C.3. of this section. Erosion, sedimentation, and pollution control plans shall conform to the provisions of Sec. 10.1.3.B and 10.1.3.C. Applications for a permit will not be accepted unless accompanied by the appropriate number of copies of the applicant's erosion, sedimentation, and pollution control plans. All applications shall contain a certification stating that the plan preparer or the designee thereof visited the site prior to creation of the plan or that such a visit was not required in accordance with rules and regulation established by the board. Upon plan approval, one reduced size set of plans shall be submitted to Hall County Development Review Division.

- c. A fee established in the Hall County Plan Review and Inspection Fee Schedule shall be charged for each application. This application fee allows for an initial review of plans and a second review of plans to ensure that redlined comments are addressed as well as an additional fee for plans that require third and subsequent reviews. After plans have been permitted, a fee shall be charged for each revision submitted to the county for review, as established in the Hall County Plan Review and Inspection Fee Schedule. From time to time, upon the recommendation of the county engineer and approval of the board of commissioners of Hall County, Georgia, the fee schedule may be revised as deemed necessary.
- d. In addition to the local permitting fees, fees will also be assessed pursuant to O.C.G.A. § 12-5-23(a)(5), in the amount of \$80.00 per acre, or fraction of acres to the nearest one-tenth acre, of land-disturbing activity, and these fees shall be calculated and be paid by the primary permittee as defined in the state general permit for each are of land-disturbing activity included in the planned development or each phase of development. All applicable fees shall be paid prior to issuance of the land disturbance permit. Out of the \$80.00 per disturbed acre collected, \$40.00 shall be submitted to the division; and any and all fees due from an entity which is required to give notice pursuant to O.C.G.A. § 12-7-17(9) or (10) shall be submitted in full to the division.
- e. Soil erosion and sediment control permits shall terminate 12 months from the date of issuance. If the land-disturbing activity has not commenced within said 12 months from the date of issuance, the person or entity in whose name the permit was issued shall make a new application and pay a reapplication fee as established in the Hall County Plan Review and Inspection Fee Schedule to obtain a new permit pursuant to these regulations before commencing such land-disturbing activity. However, if the land-disturbing activity has commenced but not completed and inspections have been made by the local issuing authority within said 12 months from the date of issuance, the person or entity in whose name the permit was issued shall make a new application and pay a reapplication fee as established in the Hall County Plan Review and Inspection Fee Schedule to obtain a new permit pursuant to this section before commencing such land-disturbing activity. Should the permit expire and the person or entity in whose name the permit was issued fail to make a new application within 12 months from the original date of issuance, the permit will be deemed terminated, and the person or entity will be required to permit the site from start by following subsections 10.1.4.C.2c(a)—(c) above. The foregoing notwithstanding, once the land-disturbing activity has commenced, it shall be completed within six months of the date of commencement. The reapplication fee for noncommercial sites meeting the criteria as set forth in subsection 10.1.2.A.8. shall be that fee established in the Hall County

- Plan Review and Inspection Fee Schedule regardless of whether or not land-disturbing activity has commenced in the past year. Termination of the permit shall not relieve the property owner of the responsibility for fulfilling the soil erosion and sediment control requirements of the permit, or of this section. From time to time, upon the recommendation of the county engineer and approval of the board of commissioners of Hall County, Georgia, the above fee schedule may be revised as deemed necessary.
- f. Immediately upon receipt of an application and plan for a permit, the local issuing authority shall refer the application and plan to the district for its review and approval or disapproval concerning the adequacy of the erosion, sedimentation and pollution control plan. The district shall approve or disapprove a plan within 35 days of receipt. Failure of a district to act within 35 days shall be considered an approval of the pending plan. The results of the district review shall be forwarded to the local issuing authority. No permit will be issued unless the plan has been approved by the district, and any variances required by Sec. 10.1.3.C.19., 20., and 21. and bonding, if required as per subsection 10.1.4.C.2.g(2), have been obtained. Such review will not be required if the local issuing authority and the district have entered into an agreement which allows the local issuing authority to conduct such review and approval of the plan without referring the application and plan to the district.
- g. If a permit applicant has had two or more violations of previous permits, this section, or the Erosion and Sedimentation Act of the State of Georgia, as amended, within three years prior to the date of the filing of the application under consideration, the local issuing authority may deny the permit application.
- The local issuing authority may require the permit applicant to post a bond in the form of government security, cash, irrevocable letter of credit, or any combination thereof, up to but not exceeding \$3,000.00 per acre or fraction thereof of the proposed land-disturbing activity prior to issuing the permit. If the applicant does not comply with this section or with the conditions of the permit after issuance, the local issuing authority may call the bond or any part thereof to be forfeited and may use the proceeds to hire a contractor to stabilize the site of the land-disturbing activity and bring it into compliance. This subsection shall not apply unless there is in effect an ordinance or statute specifically providing for hearing and judicial review of any determination or order of the local issuing authority with respect to alleged permit violations.
3. Plan requirements.
- a. Plans must be prepared to meet the minimum requirements as contained in Sec. 10.1.3.B and 10.1.3.C. Conformance with the minimum requirements may be attained through the use of design criteria in the current issue of the Manual for Erosion and Sediment Control in Georgia, published by the Georgia Soil and Water Conservation Commission as a

- guide; or through the use of more stringent, alternate design criteria which conform to sound conservation and engineering practices. The Manual for Erosion and Sediment Control in Georgia, published by the Georgia Soil and Water Conservation Commission, is hereby incorporated by reference into this section. The plan for the land-disturbing activity shall consider the interrelationship of the soil types, geological, and hydrological characteristics, topography, watershed, vegetation, proposed permanent structures including roadways constructed waterway, sediment control and storm water management facilities, Hall County ordinances and state laws. Maps, drawings and supportive computations shall bear the signature and seal of the certified design professional. Persons involved in land development design, review, permitting, construction, monitoring, or inspections of any land-disturbing activity shall meet the education and training certification requirements, dependent on his or her level of involvement with the process, as developed by the commission and in consultation with the division and the stakeholder advisory board created pursuant to O.C.G.A § 12-7-20.
- b. Data required for site plan shall include all the information required from the appropriate erosion, sedimentation and pollution control plan review checklist established by the Georgia Soil and Water Conservation Commission as of January 1 of the year in which the land-disturbing activity was permitted. Erosion, sedimentation and pollution control plans shall include:
- i. Narrative or notes, and other information. Notes or narrative to be located on the site plan in general notes or in erosion and sediment control notes.
 - ii. Description of existing land use at project site and description of proposed project.
 - iii. Name, address, and phone number of the property owner.
 - iv. Name, phone number, and email address of 24-hour local contact that is responsible for erosion and sedimentation controls.
 - v. Size of project, or phase under construction, in acres.
 - vi. Activity schedule including anticipated starting and completion dates for the project. Include the statement in bold letters, that “the installation of erosion and sediment control measures and practices shall occur prior to or concurrent with land-disturbing activities.”
 - vii. Stormwater and sedimentation management systems, storage capacity, hydrologic study, calculations, including off-site draining areas and other information as may be needed to satisfy the

- requirements of Sec. Sec. 10.1 and Sec. 10.4.
- viii. Location of erosion and sediment control measures and practices using coding symbols from the Manual for Erosion and Sediment Control in Georgia, and meeting the requirements of this section. Practices may include, but are not limited to:
 - i. Construction exit.
 - ii. Sediment barrier.
 - iii. Sediment basin.
 - iv. Grassed waterway (open swale).
 - v. Storm drain outlet protection.
 - vi. A plan for temporary and permanent vegetative and structural erosion and sediment control measures.
 - ix. Vegetative plan for all temporary and permanent vegetative practices, including species, planting dates, and seeding, fertilizer, lime and mulching rates. The vegetative plan should show options for year-round seeding.
 - x. Detail drawings for all structural practices. Specifications shall follow guidelines set forth in the Manual for Erosion and Sediment Control in Georgia.
 - xi. A maintenance statement shall be printed on the plan as follows: "Erosion and sedimentation control measures will be maintained at all times. Additional erosion and sedimentation control measures and practices will be installed if deemed necessary by on-site inspection."
 - xii. A description of the sedimentation control program and sedimentation control practices.
 - xiii. An adequate description of general topographic and soil conditions of the tract as available from the Hall County Soil and Water Conservation District.
 - xiv. A description of the maintenance program for sediment control facilities including inspection programs, vegetative establishment of exposed soils, method and frequency of removal and disposal of solid waste material removed from control facilities and disposition of temporary structural measures.
 - xv. Any additional requirement established by the commission.
4. Permits.
- a. Permits shall be issued or denied as soon as practicable but, in any event, not later than 45 days after receipt by the local issuing authority of a completed application, providing variance and bonding are obtained, where necessary and all applicable fees

- have been paid prior to permit issuance. The permit shall include conditions under which the activity may be undertaken.
- b. No permit shall be issued by the local issuing authority unless the erosion, sedimentation and pollution control plan has been approved by the district, and the local issuing authority has affirmatively determined that the plan is in compliance with this section, any variances required by subsections 10.1.3 C.16. and 17. are obtained, bonding requirements, if necessary, as per subsection 10.1.4. C.2.g.(2) are met and all ordinances and rules and regulations in effect within the unincorporated area of the county are met. If Hall County is the local issuing authority, then no permit shall be issued without the written approval of the Hall County Engineering Division and the Hall County Department of Planning and Zoning. If the permit is denied, the reason for denial shall be furnished to the applicant. No permit will be issued unless the plan has been approved by the district and the Department of Planning and Zoning.
 - c. Any land-disturbing activities by a local issuing authority shall be subject to the same requirements of this section, and any other ordinances related to land development, as are applied to private persons, and the division shall enforce such requirements upon the local issuing authority.
 - d. If the tract is to be developed in phases, then a separate permit shall be required for each phase.
 - e. The permit may be suspended, revoked, or modified by the local issuing authority, as to all or any portion of the land affected by the plan, upon finding that the holder or that person's successor in the title is not in compliance with the approved erosion, sedimentation and pollution control plan or that the holder or his successor in title is in violation of this section. A holder of a permit shall notify any successor in title to him or her as to all or any portion of the land affected by the approved plan of the conditions contained in the permit.
 - f. The local issuing authority may reject a permit application if the applicant has had two or more violations of previous permits or the Erosion and Sedimentation Act permit requirements within three years prior to the date of the application, in light of O.C.G.A. § 12-7-7(f)(1).
 - g. No permit may be issued unless the applicant has secured necessary permits from other governing agencies, such as, but not limited to: U.S. Army Corps of Engineer Permits and Georgia Department of Transportation.
 - h. The development or land-disturbing activity permit must be posted in clear view on the site.

10.1.5. Inspection and Enforcement

- A. The local issuing authority will periodically inspect the sites of land-disturbing activities for which permits have been issued to determine if the activities are being conducted in accordance with the plan and if the measures and practices required in the plan are effective in controlling erosion and sedimentation. Also, the local issuing authority shall regulate both primary and

secondary as such terms are defined in the state general permit. Primary permittees shall be responsible for installation and maintenance of best management practices where the primary permittee is conducting land-disturbing activities. Secondary permittees shall be responsible for installation and maintenance of best management practices where the secondary permittee is conducting land-disturbing activities. A local issuing authority must review, revise, or amend its ordinances within 12 months of any amendment to O.C.G.A. § 12-7-8(a)(2). If, through inspection, it is deemed that a person engaged in land-disturbing activities as defined herein has failed to comply with the approved plan, with permit conditions, or with the provisions of this section, a written or verbal notice to comply shall be served upon that person. The notice shall set forth the measures necessary to achieve compliance and shall state the time within which such measures must be completed. If the person engaged in the land-disturbing activity fails to comply within the time specified, that person shall be deemed in violation of this section. If there is any reasonably notable and visible quantity of sediment leaving or that has left the property lot lines, impacting other property or any stream buffer zone, no verbal or written notice shall be required, and the person engaged in land-disturbing activities shall be deemed in violation of this section.

- B. The local issuing authority shall have the power to conduct such investigations as it may reasonably deem necessary to carry out duties as prescribed in this section, and for this purpose to enter at reasonable times upon any property, public or private, for the purpose of investigation and inspecting the sites of land-disturbing activities.
- C. Once a verbal or written warning or a citation has been issued for a violation of this section, no additional warning will need to be given for any violation on that site for enforcement action relating to this section.
- D. No person shall refuse entry or access to any authorized representative or agent of the local issuing authority, the commission, the district, or division who requests entry for the purposes of inspection, and who presents appropriate credentials, nor shall any person obstruct, hamper, or interfere with any such representative while in the process of carrying out his official duties.
- E. The district or the commission or both shall semi-annually review the actions of counties and municipalities which have been certified as local issuing authorities pursuant to O.C.G.A. § 12-7-8(a). The district or the commission or both may provide technical assistance to any county or municipality for the purpose of improving the effectiveness of the jurisdictions erosion and sedimentation control program. The district or the commission shall notify the division and request investigation by the division if any deficient or ineffective local program is found.
- F. The division may periodically review the actions of counties and municipalities which have been certified as local issuing authorities pursuant to code section 12-7-8(a). Such review may include, but shall not be limited to, review of the administration and enforcement of and compliance with the applicable ordinances and regulations and review of conformance with an agreement, if any, between the district and the local issuing authority. If such review indicates that the governing authority of any county or

municipality certified pursuant to O.C.G.A. § 12-7-8(a) has not administered, enforced, or complied with its ordinances or regulations or has not conducted the program in accordance with any agreement entered into pursuant to O.C.G.A. § 12-7-7(e), the division shall notify the governing authority of the county or municipality in writing. The governing authority of any county or municipality so notified shall have 90 days within which to take the necessary corrective action to retain certification as a local issuing authority. If the county or municipality does not take necessary correction action within 90 days after notification by the division, the division may revoke the certification of the county or municipality as a local issuing authority.

10.1.6. General Offenses

- A. No person shall remove, deface, obstruct or move any postings, notices, stickers, stop-work orders, or other material left on-site by the local issuing authority unless by the local issuing authority or its agent.
- B. It shall be unlawful for any person to dump, deposit, or cause any reasonably notable and visible quantity of sedimentation, mud, or related debris to come onto any public highway, road, street, alley, or thoroughfare.
- C. With the exception of land-disturbing activity exempted under this section, it shall be unlawful for any person to cause any mud or sediment to impact any other property or any stream buffer as a result of any land-disturbing activity where best management practices are not properly designed, installed, and maintained.

10.1.7. Penalties and Incentives

- A. **Failure to obtain a permit for land-disturbing activity.** If any person commences any land-disturbing activity requiring a land-disturbing permit as prescribed in this section without first obtaining said permit, the person shall be subject to double permit fees at the time the permit is obtained and/or revocation of his business license, work permit, or other authorization for the conduct of a business and associated work activities within the jurisdictional boundaries of the local issuing authority. It is the responsibility of the property owner to ensure that the proper permit is obtained.
- B. **Stop-work orders.**
 1. For the first and second violations of the provisions of this section, the Director or the local issuing authority shall issue a written warning to the violator. The violator shall have five days to correct the violation. If the violation is not corrected within five days, the Director or local issuing authority shall issue a stop-work order requiring that land-disturbing activities be stopped until necessary corrective action or mitigation has occurred; provided, however, that, if the violation presents an imminent threat to public health or waters of the state, the Director or local issuing authority shall issue an immediate stop-work order in lieu of a warning;
 2. For a third and each subsequent violation, the Director or local issuing authority shall issue an immediate stop-work order; and
 3. All stop-work orders shall be effective immediately upon issuance and shall be in effect until the necessary corrective action or mitigation has occurred.

4. When a violation in the form of taking action without a permit, failure to maintain a stream buffer, or significant amounts of sediment, as determined by the local issuing authority or by the Director or their designee, have been or are being discharged into state waters and where best management practices have not been properly designed, installed, and maintained, a stop-work order shall be issued by the local issuing authority or by the Director or their designee. All such stop-work orders shall be effective immediately upon issuance and shall be in effect until the necessary corrective action or mitigation has occurred. All such stop-work orders shall apply to all land-disturbing activity on the site with the exception of the installation and maintenance of temporary or permanent erosion and sediment controls.
 5. While a stop-work order is in effect, the Building Inspection Department shall conduct no inspection on the property except for soil erosion inspections, and all work on the site, except that work necessary to achieve compliance with this section, shall cease until compliance is achieved.
- C. Bond forfeiture.** If, through inspection, it is determined that a person engaged in land-disturbing activities has failed to comply with the approved plan, a written notice to comply shall be served upon that person. The notice shall set forth the measures necessary to achieve compliance with the plan and shall state the time within which such measures must be completed. If the person engaged in the land-disturbing activity fails to comply within the time specified, he or she shall be deemed in violation of this section and, in addition to other penalties, shall be deemed to have forfeited his or her performance bond, if required to post one under the provisions
- Sec. 10.1.4.C.2.g. The local issuing authority may call the bond or any part thereof to be forfeited and may use the proceeds to hire a contractor to stabilize the site of the land-disturbing activity and bring it into compliance.
- D. Civil penalties.** Any person who violates any provisions of this section, the rules and regulations adopted pursuant to this section, or any permit condition or limitation established pursuant to this section, or who negligently or intentionally fails or refuses to comply with any final or emergency order of the county issued as provided in this section shall be liable for a civil penalty not to exceed \$2,500.00 per day. For the purpose of enforcing the provisions of this section, notwithstanding any provisions of the Official Code of Hall County, the Magistrate Court of Hall County shall be authorized to impose a penalty not to exceed \$2,500.00 for each violation. Notwithstanding any limitation of law as to penalties which can be assessed for violations of county ordinances, any other court of competent jurisdiction trying cases brought as violations of this section likewise shall be authorized to impose penalties for such violations not to exceed \$2,500.00 for each violation. Each day during which a violation or failure or refusal to comply continues shall be a separate violation.
- E. Penalty.** Any person, firm, corporation, association or partnership violating any provision of this section as the same exists or as it may hereinafter be amended, or shall fail to do anything required by this section as the same exists or as it may hereinafter be amended, shall be guilty of a misdemeanor, amenable to the process of the Magistrate or State Court of Hall County, and upon conviction, shall be punished as provided in the Official Code

of Hall County, Georgia for each violation in the discretion of the Court.

10.1.8. Education and Certification

- A. Persons involved in land development design, review, permitting, construction, monitoring, or inspection of any land-disturbing activity shall meet the education and training certification requirements, dependent on their level of involvement with the process, as developed by the commission in accordance with this section and in consultation with the division and the Stakeholder Advisory Board created pursuant to O.C.G.A. § 12-7-20.
- B. For each site on which land-disturbing activity occurs, each entity or person acting as either a primary, secondary, or tertiary permittee, as defined in the state general permit, shall have as a minimum one person who is in responsible charge of erosion and sedimentation control activities on behalf of said entity or person and meets the applicable education or training certification requirements developed by the commission present on site whenever land-disturbing activities are conducted on that site. A project site shall herein be defined as any land-disturbance site or multiple sites within a larger common plan of development or sale permitted by an owner or operator for compliance with the state general permit.
- C. Persons or entities involved in projects not requiring a state general permit but otherwise requiring certified personnel on site may contract with certified persons to meet the requirements of this section.
- D. If a state general permittee who has operational control of land-disturbing activities for a site has met the certification requirements of paragraph (1) of subsection (b) of O.C.G.A. § 12-7-19, then

any person or entity involved in land-disturbing activity at that site and operating in a subcontractor capacity for such permittee shall meet those educational requirements specified in paragraph (4) of subsection (b) of O.C.G.A. § 12-7-19 and shall not be required to meet any educational requirements that exceed those specified in said paragraph.

10.1.9. Administrative Appeal Judicial Review

- A. **Administrative remedies.** The suspension, revocation, modification, or grant with condition of a permit by the local issuing authority upon finding that the holder is not in compliance with the approved erosion, sedimentation and pollution control plan; or that the holder is in violation of permit conditions; or that the holder is in violation of any ordinance; shall entitle the person submitting the plan or holding the permit to a hearing before the Board of Commissioners of Hall County within 30 days after receipt by the local issuing authority of written notice of appeal.
- B. **Judicial review.** Any person, aggrieved by a decision or order of the local issuing authority, after exhausting his administrative remedies, shall have the right to appeal de novo to the Superior Court of Hall County.

10.1.10. Liability

- A. Neither the approval of a plan under the provisions of this section, nor the compliance with provisions of this section shall relieve any person from the responsibility for damage to any person or property otherwise imposed by law nor impose any liability upon the local issuing authority or district for damage to any person or property.

- B. The fact that land-disturbing activity for which a permit has been issued results in injury to the property of another shall neither constitute proof of nor create a presumption of a violation of the standards provided for in this section or the terms of the permit.
- C. No provision of this section shall permit any persons to violate the Georgia Erosion and Sedimentation Act of 1975, the Georgia Water Quality Control Act, or the rules and regulations promulgated and approved thereunder or pollute any waters of the state as defined thereby.

Sec. 10.2. Flood Protection

10.2.1. General Provisions

A. Purpose and Intent

The purpose of this section is to protect, maintain and enhance the public health, safety, environment and general welfare and to minimize public and private losses due to flood conditions in flood hazard areas, as well as to protect the beneficial uses of floodplain areas for water quality protection, stream bank and stream corridor protection, wetlands preservation and ecological and environmental protection by provisions designed to:

1. Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
2. Restrict or prohibit uses which are dangerous to health, safety and property due to flooding or erosion hazards, or which increase flood heights, velocities, or erosion;
3. Control filling, grading, dredging and other development which may increase flood damage or erosion;
4. Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands;
5. Limit the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of flood waters; and,
6. Protect the stormwater management, water quality, stream bank protection, stream corridor protection, wetland preservation, and ecological functions of natural floodplain areas.

B. Applicability

This section shall be applicable to all areas of special flood hazard within Hall County.

C. Designation of Section Administrator

The Hall County Engineer or their designee is hereby appointed to administer and implement the provisions of this section.

D. Basis for Establishing Areas of Special Flood Hazard, Areas of Future-Conditions Flood Hazard and Associated Floodplain Characteristics – Flood Area Maps and Studies

For the purposes of defining and determining "areas of special flood hazard," "areas of future-conditions flood hazard," "areas of shallow flooding," "base flood elevations," "floodplains," "floodways," "future-conditions flood elevations," "future-conditions floodplains," potential flood hazard or risk categories as shown on FIRM maps, and other terms used in this section, the following documents and sources may be used for such purposes and are adopted by reference thereto:

1. The flood insurance study (FIS) dated September 29, 2006, with accompanying maps and other supporting data and any revision thereto.
2. Other studies which may be relied upon for the establishment of the base flood elevation or delineation of the base or one percent (100-year) floodplain and flood prone areas, including:
 - a. Any flood or flood-related study conducted by the United States Army Corps of Engineers, the United States Geological Survey or

any other local, state or federal agency applicable to Hall County; and

- b. Any base flood study conducted by a licensed professional engineer which has been prepared by utilizing FEMA approved methodology and approved by the Hall County Engineer.
3. Other studies, which may be relied upon for the establishment of the future-conditions flood elevation or delineation of the future-conditions floodplain and flood prone areas, including:
- a. Any flood or flood-related study conducted by the United States Army Corps of Engineers, the United States Geological Survey, or any other local, state or federal agency applicable to Hall County; and
 - b. Any future-conditions flood study conducted by a licensed professional engineer which has been prepared utilizing FEMA approved methodology approved by the Hall County Engineer.
4. The repository for public inspection of the FIS, accompanying maps and other supporting data is located at the Hall County Engineering Office.

E. Compatibility with Other Regulations

This section is not intended to modify or repeal any other ordinance, rule, regulation, statute, easement, covenant, deed restriction or other provision of law. The requirements of this section are in addition to the requirements of any other ordinance, rule, regulation or other provision of law, and where any provision of this section imposes restrictions different from those imposed by any other ordinance, rule, regulation or other provision of law, whichever provision is

more restrictive or imposes higher protective standards for human health or the environment shall control.

F. Severability

If the provisions of any section, subsection, paragraph, subdivision or clause of this section shall be adjudged invalid by a court of competent jurisdiction, such judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision or clause of this Sec. 10.2.

G. Warning and Disclaimer of Liability

The degree of flood protection required by this section is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur; flood heights may be increased by manmade or natural causes. This section does not imply that land outside the areas of special flood hazard or uses permitted within such areas will be free from flooding or flood damages. This section shall not create liability on the part of Hall County or any officer or employee thereof for any flood damages that result from reliance on this section or any administrative decision lawfully made thereunder.

10.2.2. Definitions

The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Addition. Any walled and roofed expansion to the perimeter or height of a building.

Adjacent. Areas located within the defined horizontal distance from the future-conditions floodplain boundary that are at or lower in elevation than either three feet above the base flood elevation or one foot above the future-conditions flood elevation, whichever is

higher, unless the area is hydraulically independent, (meaning absolutely no connection to the flooding source such as through pipes, sewer laterals, down drains, foundation drains, ground seepage, overland flow, gated or valved pipes, excavated and backfilled trenches, etc., with no fill or other manmade barriers creating the separation).

Appeal. A request for a review of the Hall County Engineer's interpretation of any provision of this section.

Area of future-conditions flood hazard. The land area that would be inundated by the one percent annual chance flood based on future-conditions hydrology (100-year future-conditions flood).

Area of shallow flooding. A designated AO or AH Zone on a community's flood insurance rate map (FIRM) with a one percent or greater chance of flooding to an average depth of one to three feet, where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

Area of special flood hazard. The land area subject to a one percent or greater chance of flooding in any given year. This includes all floodplain and areas at or below the base flood elevation designated as Zones A, A1-30, A-99, AE, AO, AH, and AR on a community's flood insurance rate map (FIRM).

Accessory structure or facility. A structure which is on the same parcel of property as the principal structure and the use of which is incidental to the use of the primary structure.

Base flood. The flood having a one percent chance of being equaled or exceeded in any given year, also known as the 100-year flood.

Base flood elevation. The highest water surface elevation anticipated at any given location during the base flood.

Basement. Any area of a building having its floor subgrade below ground level on all sides.

Building. The same meaning as "structure."

Development. Any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, tilling, clearing, grubbing, grading, paving, any other installation of impervious cover, excavation or drilling operations or storage of equipment or materials.

Elevated building. A non-basement building which has its lowest elevated floor raised above the ground level by foundation walls, shear walls, post, piers, pilings or columns.

Existing construction. Any structure for which the "start of construction" commenced before the effective date of the initial FIRM, November 2, 1983.

Existing manufactured home park or subdivision. A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the initial FIRM, November 2, 1983.

Expansion to an existing manufactured home park or subdivision. The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed, including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads.

FEMA. The Federal Emergency Management Agency.

Flood or flooding. A general and temporary condition of partial or complete inundation of normally dry land areas from:

1. The overflow of inland or tidal waters;
2. The unusual and rapid accumulation or runoff of surface waters from any source.

Flood insurance rate map or FIRM. An official map of a community, issued by FEMA, delineating the areas of special flood hazard and/or risk premium zones applicable to the community.

Flood insurance study or FIS. The official report by FEMA providing an examination, evaluation and determination of flood hazards and corresponding flood profiles and water surface elevations of the base flood.

Floodplain or flood prone area. Any land area susceptible to flooding.

Floodproofing. Any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

Floodway or regulatory floodway. The channel of a stream, river, or other watercourse and the adjacent areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

Functionally dependent use. A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

Future-conditions flood. The flood having a one percent chance of being equaled or exceeded in any given year based on future-conditions hydrology. Also known as the 100-year future-conditions flood.

Future-conditions flood elevation. The highest water surface elevation anticipated at any given location during the future-conditions flood.

Future-conditions floodplain. Any land area susceptible to flooding by the future-conditions flood.

Future-conditions hydrology. The flood discharges associated with projected land use conditions based on a community's zoning maps, comprehensive land use plans, and/or watershed study projections, and without consideration of projected future construction of stormwater management (flood detention) structures or projected future hydraulic modifications within a stream or other waterway, such as bridge and culvert construction, fill, and excavation.

Highest adjacent grade. The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

Historic structure. Any structure that is:

1. Listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary of the Interior to qualify as a registered historic district;
3. Individually listed on a state inventory of historic places by states with historic preservation programs which

have been approved by the Secretary of the Interior; or

4. Individually listed on a local inventory of historic places by communities with historic preservation programs that have been certified either:
 - a. By an approved state program as determined by the Secretary of the Interior, or
 - b. Directly by the Secretary of the Interior in states without approved programs.

Lowest floor. The lowest floor of the lowest enclosed area, including basement. An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access, or storage, in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of other provisions of this section.

Manufactured home. A structure, transportable in one or more sections, which is built on a permanent chassis and is designed to be used with or without a permanent foundation when attached to the required utilities. The term includes any structure commonly referred to as a "mobile home" regardless of the date of manufacture. The term also includes parked trailers, travel trailers and similar transportable structures placed on a site for 180 consecutive days or longer and intended to be improved property. The term does not include a "recreational vehicle."

Mean sea level. The datum to which base flood elevations shown on a community's flood insurance rate map (FIRM) are referenced. For purposes of this section, the term is synonymous with National Geodetic Vertical Datum (NGVD) of 1929 or the North American Vertical Datum (NAVD) of 1988.

New construction. Any structure for which the "start of construction" commenced on or after the effective date of the initial FIRM, November 2, 1983, and includes any subsequent improvements to the structure.

New manufactured home park or subdivision. A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of the initial FIRM, November 2, 1983.

Owner. The legal or beneficial owner of a site, including, but not limited to, a mortgagee or vendee in possession, receiver, executor, trustee, lessee or other person, firm or corporation in control of the site.

Permit. The permit issued by Hall County to the applicant which is required prior to undertaking any development activity.

Recreational vehicle. A vehicle which is:

1. Built on a single chassis;
2. Four hundred square feet or less when measured at the largest horizontal projection;
3. Designed to be self-propelled or permanently towable by light duty truck; and,
4. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Repetitive loss. Flood-related damage sustained by a structure on two separate occasions during a ten-year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds

25 percent of the market value of the structure before the damage occurred.

Site. The parcel of land being developed, or the portion thereof on which the development project is located.

Start of construction. Includes “substantial improvement”, and means the date the permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of the structure on a site such as the pouring of slabs or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation, or the placement of a manufactured home on a foundation. Permanent construction does not include initial land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings such as garages or sheds not occupied as dwelling units or part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Structure. A walled and roofed building (including a gas or liquid storage tank) that is principally above ground, or a manufactured home.

Subdivision. The division of a tract or parcel of land resulting in one or more new lots or building sites for the purpose, whether immediately or in the future, of sale, other transfer of ownership or land development, and includes divisions of land resulting from

or made in connection with the layout or development of a new street or roadway or a change in an existing street or roadway.

Substantial damage. Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Substantial improvement. Any reconstruction, rehabilitation, addition, or other improvement to a structure taking place during a ten-year period, in which the cumulative cost equals or exceeds 50 percent of the market value of the structure prior to the improvement. The market value of the building means (1) the appraised value of the structure prior to the start of the initial repair or improvement, or (2) in the case of damage, the value of the structure prior to the damage occurring. This term includes structures which have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however, include those improvements of a structure required to comply with existing state or local health, sanitary, or safety code specifications which are the minimum necessary to assure safe living conditions, which have been identified by the Hall County Building Official or Hall County Enforcement Officer. The term also does not include any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure.

Substantially improved existing manufactured home park or subdivision. The repair, reconstruction, rehabilitation or improvement of the streets, utilities and pads equals or exceeds 50 percent of the value of the streets, utilities and pads before the repair, reconstruction or improvement commenced.

Variance. A grant of relief from the requirements of this section.

Violation. The failure of a structure or other development to be fully compliant with the requirements of this section. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in this section is presumed to be in violation until such time as that documentation is provided.

10.2.3. Permit Procedures and Requirements

A. Permit Application Requirements

No owner or developer shall perform any development activities on a site where an area of special flood hazard or area of future-conditions flood hazard is located without first meeting the requirements of this section prior to commencing the proposed activity.

1. Unless specifically excluded by this section, any landowner or developer desiring a permit for a development activity shall submit to Hall County Development Services a permit application on a form provided by Hall County Development Services for that purpose.
2. No permit will be approved for any development activities that do not meet the requirements, restrictions and criteria of this section.

B. Floodplain Management Plan Requirements

An application for a development project with any area of special flood hazard or area of future-conditions flood hazard located on the site shall include a floodplain management/flood damage prevention plan. This plan shall include the following items:

1. Site plan drawn to scale, which includes but is not limited to:

- a. Existing and proposed elevations of the area in question and the nature, location and dimensions of existing and/or proposed structures, earthen fill placement, amount and location of excavation material, and storage of materials or equipment;
 - b. For all proposed structures, spot ground elevations at building corners and 20-foot or smaller intervals along the foundation footprint, or one-foot contour elevations throughout the building site;
 - c. Proposed locations of water supply, sanitary sewer, and utilities;
 - d. Proposed locations of drainage and stormwater management facilities;
 - e. Proposed grading plan;
 - f. Base flood elevations and future-conditions flood elevations;
 - g. Boundaries of the base flood floodplain and future-conditions floodplain;
 - h. If applicable, the location of the floodway; and
 - i. Certification of the above by a licensed professional engineer or surveyor.
2. Building and foundation design detail, including but not limited to:
 - a. Elevation in relation to mean sea level (or highest adjacent grade) of the lowest floor, including basement, of all proposed structures;
 - b. Elevation in relation to mean sea level to which any nonresidential structure will be floodproofed;
 - c. Certification that any proposed nonresidential floodproofed

structure meets the criteria in Sec. 10.2.5.B.2;

- d. For enclosures below the base flood elevation, location and total net area of flood openings as required in Sec. 10.2.5.A.5; and
 - e. Design plans certified by a licensed professional engineer or architect for all proposed structure(s);
3. Description of the extent to which any watercourse will be altered or relocated as a result of the proposed development;
 4. Hard copies and digital files of computer models, if any, copies of work maps, comparison of pre- and post-development conditions base flood elevations, future-conditions flood elevations, flood protection elevations, special flood hazard areas and regulatory floodways, flood profiles and all other computations and other information similar to that presented in the FIS;
 5. Copies of all applicable state and federal permits necessary for proposed development, including but not limited to permits required by Section 404 of the Federal Water Pollution Control Act, Amendments of 1972, 33 U.S.C. 1334; and
 6. All appropriate certifications required under this section.

The approved floodplain management/flood damage prevention plan shall contain certification by the applicant that all development activities will be done according to the plan or previously approved revisions. Any and all development permits and/or use and occupancy certificates or permits may be revoked at any time if the construction and development activities are not in strict accordance with approved plans.

C. Construction Stage Submittal Requirements

1. For all new construction and substantial improvements on sites with a floodplain management/flood damage prevention plan, the permit holder shall provide the Hall County Engineer a certified as-built elevation certificate or floodproofing certificate for nonresidential construction, including the lowest floor elevation or floodproofing level immediately after the lowest floor or floodproofing is completed. A final elevation certificate shall be provided after completion of construction including final grading of the site. Any lowest floor certification made relative to mean sea level shall be prepared by or under the direct supervision of a licensed land surveyor or professional engineer and certified by same. When floodproofing is utilized for nonresidential structures, said certification shall be prepared by or under the direct supervision of a licensed professional engineer or architect and certified by same using the FEMA floodproofing certificate. This certification shall also include the design and operation/maintenance plan to assure continued viability of the floodproofing measures.
2. Any work undertaken prior to approval of these certifications shall be at the permit holder's risk. The Hall County Engineer shall review the above referenced certification data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to further work being allowed to proceed. Failure to submit certification or failure to make the corrections required hereby shall be cause to issue a stop work order for the project.

D. Duties and Responsibilities of the Administrator

Duties of the Hall County Engineer shall include, but shall not be limited to:

1. Review all development applications and permits to assure that the requirements of this section have been satisfied and to determine whether proposed building sites will be reasonably safe from flooding;
2. Review proposed development to assure that all necessary permits have been received from those governmental agencies from which approval is required by Federal or State law, including but not limited to Section 404 of the Federal Water Pollution Control Act, Amendments of 1972, 33 U.S.C. 1334;
3. When base flood elevation data or floodway data have not been provided, then the Hall County Engineer shall require the applicant to obtain, review and reasonably utilize any base flood elevation and floodway data available from a federal, state or other sources in order to meet the provisions of Sec. 10.2.4 and Sec. 10.2.5. of the Official Code of Hall County, Georgia
4. Review and record the actual elevation in relation to mean sea level (or highest adjacent grade) of the lowest floor, including basement, of all new and substantially improved structures;
5. Review and record the actual elevation, in relation to mean sea level to which any substantially improved structures have been floodproofed;
6. When floodproofing is utilized for a nonresidential structure, the Hall County Engineer shall review the design and operation/maintenance plan and obtain certification from a licensed professional engineer or architect;
7. Notify affected adjacent communities and the Georgia Department of Natural Resources (GA DNR) prior to any alteration or relocation of a watercourse and submit evidence of such notification to the Federal Emergency Management Agency (FEMA);
8. Where interpretation is needed as to the exact location of boundaries of the areas of special flood hazard (e.g., where there appears to be a conflict between a mapped boundary and actual field conditions), the Hall County Engineer shall make the necessary interpretation. Any person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this section. Where floodplain elevations have been defined, the floodplain shall be determined based on flood elevations rather than the area graphically delineated on the floodplain maps;
9. All records pertaining to the provisions of this section shall be maintained in the office of the Hall County Engineer and shall be open for public inspection;
10. Coordinate all FIRM revision with the GA DNR and FEMA; and
11. Review variance applications and make recommendations to the Planning Commission.

10.2.4. Standards for Development

A. Definition of Floodplain Boundaries

1. Studied "A" zones, as identified in the FIS, shall be used to establish base flood elevations whenever available.
2. For all streams with a drainage area of 100 acres or greater, the future-conditions flood elevations shall be provided by the Hall County Engineer.

If future-conditions elevation data is not available from the Hall County Engineer, then it shall be determined by a licensed professional engineer using a method approved by FEMA and the Hall County Engineer.

B. Definition of Floodway Boundaries

The width of a floodway shall be determined from the FIS or FEMA-approved flood study. For all streams with a drainage area of 100 acres or greater, the regulatory floodway shall be provided by the Hall County Engineer. If floodway data is not available from the Hall County Engineer, then it shall be determined by a licensed professional engineer using a method approved by FEMA and the Hall County Engineer.

C. General Standards

1. No development shall be allowed within any area of special flood hazard or area of future-conditions flood hazard that could result in any of the following:

- a. Raising the base flood elevation or future-conditions flood elevation equal to or more than 0.01 foot;
- b. Reducing the base flood or future-conditions flood storage capacity;
- c. Changing the flow characteristics as to the depth and velocity of the waters of the base flood or future-conditions flood as they pass both the upstream and the downstream boundaries of the development area; or
- d. Creating hazardous or erosion-producing velocities, or resulting in excessive sedimentation.

2. Any development within any area of special flood hazard or area of future-conditions flood hazard allowed under Sec. 10.2.4.C.1. shall also meet the following conditions:

- a. Compensation for storage capacity shall occur between the average ground water table elevation and the base flood elevation for the base flood, and between the average ground water table elevation and the future-condition flood elevation for the future-conditions flood, and lie either within the boundaries of ownership of the property being developed and shall be within the immediate vicinity of the location of the encroachment. Acceptable means of providing required compensation include lowering of natural ground elevations within the floodplain, or lowering of adjoining land areas to create additional floodplain storage. In no case shall any required compensation be provided via bottom storage or by excavating below the elevation of the natural (pre-development) stream channel unless such excavation results from the widening or relocation of the stream channel;
- b. Cut areas shall be stabilized and graded to a slope of no less than 2.0 percent;
- c. Effective transitions shall be provided such that flow velocities occurring on both upstream and downstream properties are not increased or decreased;
- d. Verification of no-rise conditions (0.01 foot or less), flood storage volumes, and flow characteristics shall be provided via a step-backwater analysis meeting the requirements of Sec. 10.2.4.D;
- e. Public utilities and facilities, such as water, sanitary sewer, gas, and electrical systems, shall be located and constructed to minimize or eliminate infiltration or

contamination from flood waters;
and

- f. Any significant physical changes to the base flood floodplain shall be submitted as a conditional letter of map revision (CLOMR) or conditional letter of map amendment (CLOMA), whichever is applicable. The CLOMR submittal shall be subject to approval by the Hall County Engineer using the FEMA community concurrence forms before forwarding the submittal package to FEMA for final approval. The responsibility for forwarding the CLOMR to FEMA and for obtaining the CLOMR approval shall be the responsibility of the applicant. Within six months of the completion of development, the applicant shall submit as-built surveys and plans for a final letter of map revision (LOMR).

D. Engineering Study Requirements for Floodplain Encroachments

An engineering study is required, as appropriate to the proposed development activities on the site, whenever a development proposes to disturb any land within the future-conditions floodplain, except for a residential single-lot development on streams without established base flood elevations and floodways. This study shall be prepared by a licensed professional engineer and made a part of the application for a permit. This information shall be submitted to and approved by the Hall County Engineer prior to the approval of any permit which would authorize the disturbance of land located within the future-conditions floodplain. Such study shall include:

1. Description of the extent to which any watercourse or floodplain will be

altered or relocated as a result of the proposed development;

2. Step-backwater analysis, using a FEMA-approved methodology approved by the Hall County Engineer. Cross-sections (which may be supplemented by the applicant) and flow information will be obtained whenever available. Computations will be shown duplicating FIS results and will then be rerun with the proposed modifications to determine the new base flood profiles, and future-conditions flood profiles;
3. Floodplain storage calculations based on cross-sections (at least one every 100 feet) showing existing and proposed floodplain conditions to show that base flood floodplain and future-conditions floodplain storage capacity would not be diminished by the development; and
4. The study shall include a preliminary plat, grading plan, or site plan, as appropriate, which shall clearly define all future-conditions floodplain encroachments.

E. Floodway Encroachments

Located within areas of special flood hazard are areas designated as floodway. A floodway may be an extremely hazardous area due to velocity flood waters, debris or erosion potential. In addition, floodways must remain free of encroachment in order to allow for the discharge of the base flood without increased flood heights. Therefore, the following provisions shall apply:

1. Encroachments are prohibited, including earthen fill, new construction, substantial improvements or other development within the regulatory floodway, except for activities specifically allowed in Sec. 10.2.4.E.2 below;

2. Encroachments for bridges, culverts, roadways and utilities within the regulatory floodway may be permitted provided it is demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the encroachment will not result in any increase to the pre-project base flood elevations, floodway elevations, or floodway widths during the base flood discharge. A licensed professional engineer must provide supporting technical data and certification thereof; and
3. If the applicant proposes to revise the floodway boundaries, no permit authorizing the encroachment into or an alteration of the floodway shall be issued by the Hall County Engineer until an affirmative conditional letter of map revision (CLOMR) is issued by FEMA or a no-rise certification is approved by the Hall County Engineer.

F. Maintenance Requirements

The property owner shall be responsible for continuing maintenance as may be needed within an altered or relocated portion of a floodplain on the property so that the flood-carrying or flood storage capacity is maintained. The Hall County Engineer may direct the property owner (at no cost to Hall County) to restore the flood-carrying or flood storage capacity of the floodplain if the owner has not performed maintenance as required by the approved floodplain management plan on file with the Hall County Engineer.

10.2.5. Provisions for Flood Hazard Reduction

In all areas of special flood hazard and areas of future-conditions flood hazard, the following provisions apply:

A. General Standards

1. New construction and substantial improvements of structures (residential or nonresidential), including manufactured homes, shall not be allowed within the limits of the future-conditions floodplain, unless all requirements of Sec. 10.2.4.C., 10.2.4.D., and 10.2.4.E. have been met;
2. New construction and substantial improvements shall be anchored to prevent flotation, collapse and lateral movement of the structure;
3. New construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage;
4. New construction and substantial improvements shall be constructed by methods and practices that minimize flood damage;
5. Elevated buildings: All new construction and substantial improvements that include any fully enclosed area located below the lowest floor formed by foundation and other exterior walls shall be designed so as to be an unfinished or flood-resistant enclosure. The enclosure shall be designed to equalize hydrostatic flood forces on exterior walls by allowing for the automatic entry and exit of floodwater.
 - a. Designs for complying with this requirement must either be certified by a licensed professional engineer or architect to meet or exceed the following minimum criteria:
 - i. Provide a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;

- ii. The bottom of all openings shall be no higher than one foot above grade; and
 - iii. Openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic flow of floodwater in both directions;
 - b. So as not to violate the "lowest floor" criteria of this section, the unfinished and flood-resistant enclosure shall solely be used for parking of vehicles, limited storage of maintenance equipment used in connection with the premises, or entry to the elevated area;
 - c. The interior portion of such enclosed area shall not be finished or partitioned into separate rooms;
6. All heating and air conditioning equipment and components (including ductwork), all electrical, ventilation, plumbing, and other service facilities shall be designed and/or located three feet above the base flood elevation or one foot above the future-conditions flood elevation, whichever is higher, so as to prevent water from entering or accumulating within the components during conditions of flooding;
 7. Manufactured homes shall be anchored to prevent flotation, collapse, and lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This standard shall be in addition to and consistent with applicable state requirements for resisting wind forces;
 8. All proposed development shall include adequate drainage and stormwater management facilities per the requirements of Hall County to reduce exposure to flood hazards;
 9. New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system
 10. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters;
 11. On-site waste disposal systems shall be located and constructed to avoid impairment to, or contamination from, such systems during flooding;
 12. Other public utilities such as gas and electric systems shall be located and constructed to avoid impairment to them, or public safety hazard from them, during flooding;
 13. Any alteration, repair, reconstruction or improvement to a structure which is not compliant with the provisions of this section shall be undertaken only if the nonconformity is not furthered, extended or replaced;
 14. If the proposed development is located in multiple flood zones, or multiple base flood elevations cross the proposed site, the higher or more restrictive base flood elevation or future condition elevation and development standards shall take precedence;
 15. When only a portion of a proposed structure is located within a flood zone or the future conditions floodplain, the entire structure shall meet the requirements of this section; and
 16. Subdivision proposals and other proposed new development, including manufactured home parks or

subdivisions, shall be reasonably safe from flooding:

- a. All such proposals shall be consistent with the need to minimize flood damage within the flood prone area;
- b. All public utilities and facilities, such as sewer, gas, electrical, and water systems, shall be located and constructed to minimize or eliminate flood damage; and
- c. Adequate drainage shall be provided to reduce exposure to flood hazards.

B. Building Standards for Structures and Buildings Within the Future-Conditions Floodplain

1. Residential Buildings.

- a. *New construction.* New construction of principal residential structures shall not be allowed within the limits of the future-conditions floodplain unless all requirements of Sec. 10.2.4.C., 10.2.4.D., and 10.2.4.E. have been met. If all of the requirements of Sec. 10.2.4.C., 10.2.4.D., and 10.2.4.E. have been met, all new construction shall have the lowest floor, including basement, elevated no lower than three feet above the base flood elevation or one foot above the future-conditions flood elevation, whichever is higher. Should solid foundation perimeter walls be used to elevate the structure, openings sufficient to automatically equalize the hydrostatic flood forces on exterior walls shall be provided in accordance with standards of Sec. 10.2.5.A.5.
- b. *Substantial improvements.* Substantial improvement of any principal residential structure

shall have the lowest floor, including basement, elevated no lower than three feet above the base flood elevation or one foot above the future-conditions flood elevation, whichever is higher. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to automatically equalize the hydrostatic flood forces on exterior walls shall be provided in accordance with standards of Sec. 10.2.5.A.5.

2. Nonresidential Buildings.

- a. *New construction.* New construction of principal nonresidential structures shall not be allowed within the limits of the future-conditions floodplain unless all requirements of Sec. 10.2.4.C., 10.2.4.D., and 10.2.4.E. have been met. If all requirements of sections Sec. 10.2.4.C., 10.2.4.D., and 10.2.4.E. have been met, all new construction shall have the lowest floor, including basement, elevated no lower than one foot above the base flood elevation or at least as high as the future-conditions flood elevation, whichever is higher. Should solid foundation perimeter walls be used to elevate the structure, openings sufficient to automatically equalize the hydrostatic flood forces on exterior walls shall be provided in accordance with standards of Sec. 10.2.5.A.5. New construction that has met all of the requirements of Sec. 10.2.4.C., 10.2.4.D., and 10.2.4.E. may be floodproofed in lieu of elevation. The structure, together with attendant utility and sanitary facilities, must be designed to be watertight to one foot above the base flood

- elevation, or at least as high as the future-conditions flood elevation, whichever is higher, with walls substantially impermeable to the passage of water and structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A licensed professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions above, and shall provide such certification to the Hall County Engineer using the FEMA floodproofing certificate along with the design and operation/maintenance plan.
- b. *Substantial improvements.* Substantial improvement of any principal nonresidential structure located in A1-30, AE, or AH zones may be authorized by the Hall County Engineer to be elevated or floodproofed. Substantial improvements shall have the lowest floor, including basement, elevated no lower than one foot above the base flood elevation or at least as high as the future-conditions flood elevation, whichever is higher. Should solid foundation perimeter walls be used to elevate the structure, openings sufficient to automatically equalize the hydrostatic flood forces on exterior walls shall be provided in accordance with standards of Sec. 10.2.5.A.5. Substantial improvements may be floodproofed in lieu of elevation. The structure, together with attendant utility and sanitary facilities, must be designed to be watertight to one foot above the base flood elevation, or at least as high as the future-conditions flood elevation, whichever is higher, with walls substantially impermeable to the passage of water and structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A licensed professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions above, and shall provide such certification to the Hall County Engineer using the FEMA floodproofing certificate along with the design and operation/maintenance plan.
3. *Accessory Structures and Facilities.* Accessory structures and facilities (i.e., barns, sheds, gazebos, detached garages, recreational facilities and other similar non-habitable structures and facilities) which meet the requirements of Sec. 10.2.4.C., 10.2.4.D., and 10.2.4.E. and are permitted to be located within the limits of the future-conditions floodplain shall be constructed of flood-resistant materials and designed to provide adequate flood openings in accordance with Sec. 10.2.5.A.5. and be anchored to prevent flotation, collapse and lateral movement of the structure.
4. *Standards for Recreational Vehicles.* All recreational vehicles placed on sites must either:
- a. Be on the site for fewer than 180 consecutive days and be fully licensed and ready for highway use (a recreational vehicle is ready for highway use if it is licensed, on its wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices, and has no

- permanently attached structures or additions); or
- b. Meet all the requirements for Residential buildings—substantial improvements (Sec. 10.2.5.B.1.b), including the anchoring and elevation requirements.
5. *Standards for Manufactured Homes.*
- a. New manufactured homes shall not be allowed to be placed within the limits of the future-conditions floodplain unless all requirements of Sec. 10.2.4.C., 10.2.4.D., and 10.2.4.E. have been met. If all of the requirements of Sec. 10.2.4.C., 10.2.4.D., and 10.2.4.E. have been met, all new construction and substantial improvement shall have the lowest floor, including basement, elevated no lower than three feet above the base flood elevation or one foot above the future-conditions flood elevation, whichever is higher. Should solid foundation perimeter walls be used to elevate the structure, openings sufficient to automatically equalize the hydrostatic flood forces on exterior walls shall be provided in accordance with standards of Sec. 10.2.5.A.5.
 - b. Manufactured homes placed and/or substantially improved in an existing manufactured home park or subdivision shall be elevated so that either:
 - i. The lowest floor of the manufactured home is elevated no lower than three feet above the level of the base flood elevation, or one foot above the future-conditions flood elevation, whichever is higher; or
 - ii. The manufactured home chassis is elevated and supported by reinforced piers (or other foundation elements of at least an equivalent strength) of no less than 36 inches in height above grade.
 - b. All manufactured homes must be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement in accordance with standards of Sec. 10.2.5.A.7.
- C. Building Standards for Structures and Buildings Authorized Adjacent to the Future-Conditions Floodplain**
1. *Residential buildings.* For new construction and substantial improvement of any principal residential building or manufactured home, the elevation of the lowest floor, including basement and access to the building, shall be at least three feet above the base flood elevation or one foot above the future-conditions flood elevation, whichever is higher. Should solid foundation perimeter walls be used to elevate the structure, openings sufficient to automatically equalize the hydrostatic flood forces on exterior walls shall be provided in accordance with standards of Sec. 10.2.5.A.
 2. *Nonresidential buildings.* For new construction and substantial improvement of any principal nonresidential building, the elevation of the lowest floor, including basement and access to the building, shall be at least one foot above the level of the base flood elevation or at least as high as the future-conditions flood elevation, whichever is higher. Should solid foundation perimeter walls be used to elevate the structure, openings sufficient to automatically equalize the

hydrostatic flood forces on exterior walls shall be provided in accordance with standards of Sec. 10.2.5.A. Nonresidential buildings may be floodproofed in lieu of elevation.

D. Building Standards for Residential Single-lot Development on Streams without Established Based Flood Elevations and Floodway (A-zones)

For a residential single-lot development not part of a subdivision that has areas of special flood hazard, where streams exist but no base flood data have been provided (A-zones), the Hall County Engineer shall review and reasonably utilize any available scientific or historic flood elevation data, base flood elevation and floodway data, or future-conditions flood elevation data available from a federal, state, local or other source, in order to administer the provisions and standards of this section.

If data are not available from any of these sources, the following provisions shall apply:

1. No encroachments, including structures or fill material, shall be located within an area equal to twice the width of the stream or 50 feet from the top of the bank of the stream, whichever is greater.
2. In special flood hazard areas without base flood or future-conditions flood elevation data, new construction and substantial improvements shall have the lowest floor of the lowest enclosed area (including basement) elevated no less than three feet above the highest adjacent grade at the building site. Flood openings sufficient to facilitate automatic equalization of hydrostatic flood forces shall be provided for flood prone enclosures in accordance with Sec. 10.2.5.A.5.

E. Building Standards for Areas of Shallow Flooding (AO-zones)

Areas of special flood hazard may include designated "AO" shallow flooding areas. These areas have base flood depths of one to three feet above ground, with no clearly defined channel. In these areas, the following provisions apply:

1. All new construction and substantial improvements of residential and nonresidential structures shall have the lowest floor, including basement, elevated to no lower than one foot above the flood depth number in feet specified on the flood insurance rate map (FIRM), above the highest adjacent grade. If no flood depth number is specified, the lowest floor, including basement, shall be elevated at least three feet above the highest adjacent grade. Flood openings sufficient to facilitate the automatic equalization of hydrostatic flood forces shall be provided in accordance with standards of Sec. 10.2.5.A.5;
2. New construction and substantial improvement of a nonresidential structure may be floodproofed in lieu of elevation. The structure, together with attendant utility and sanitary facilities, must be designed to be water tight to the specified FIRM flood level plus one foot above the highest passage of water, and structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A licensed professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice and shall provide such certification to the Hall County Engineer using the FEMA floodproofing certificate along with the design and operation/maintenance plan; and

3. Drainage paths shall be provided to guide floodwater around and away from any proposed structure.

F. Standards for Subdivisions of Land

1. All subdivision proposals shall identify the areas of special flood hazard and areas of future-conditions flood hazard therein and provide base flood elevation data and future-conditions flood elevation data.
2. All residential lots in a subdivision proposal shall have sufficient buildable area outside of the future-conditions floodplain such that encroachments into the future-conditions floodplain for residential structures will not be required.
3. All subdivision plans will provide the elevations of proposed structures in accordance with Sec. 10.2.3.B.

10.2.6. Variance Procedures

The following variance and appeals procedures shall apply to an applicant who has been denied a permit for a development activity, or to an owner or developer who has not applied for a permit because it is clear that the proposed development activity would be inconsistent with the provisions of this section:

- A. Requests for variances from the requirements of this section shall be submitted to the Hall County Engineer. All such requests shall be heard and decided in accordance with procedures to be published in writing by the Hall County Engineer. At a minimum, such procedures shall include notice to all affected parties and the opportunity to be heard.
- B. Any person adversely affected by any decision of the Hall County Engineer may appeal said decision to the Hall County Planning Commission within 30 days from the Hall County Engineer's decision along

with the costs of appeal in accordance with Sec. 11.2. An appeal shall not be considered as filed until the required fee is paid. Pursuant to Sec. 11.2, said appeal shall be heard by the Hall County Planning Commission in accordance with the procedures set forth in Sec. 11.2. with the exception that:

1. All appeals shall be heard by the Planning Commission after notice to affected parties at the next scheduled public meeting that is 30 days or more from the filing of the appeal. The Planning Commission shall have 30 days from the date of its hearing within which to make its decision to affirm or reverse the decision of the Hall County Engineer. If the Planning Commission fails to make a decision within the specified period, it shall be deemed to have affirmed the decision of the Hall County Engineer.
- C. Any person aggrieved by the decision of the Hall County Planning Commission may appeal such decision to the Hall County Board of Commissioners in accordance with procedures set forth in Sec. 11.2. with the exception that:
1. Said appeal shall follow all the procedures in Sec. 11.2. as though it was a zoning decision or a use permitted subject to approval of the Planning Commission;
 2. The justification required should make specific reference to such relevant criteria for a variance as listed in Sec. 10.2.6.D—K; and
 3. The criteria for variances established pursuant to Sec. 10.2.6.D—K of this UDC shall be used instead of Sec. 11.2.6.F. for the relevant factors to be considered pursuant to Sec. 11.2.6.M.3.
- D. Variances may be issued for the repair or rehabilitation of historic structures upon a

determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure, and the variance issued shall be the minimum necessary to preserve the historic character and design of the structure.

- E. Variances may be issued for development necessary for the conduct of a functionally dependent use, provided the criteria of this section are met, no reasonable alternative exists, and the development is protected by methods that minimize flood damage during the base flood and create no additional threats to public safety.
- F. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
- G. In reviewing such requests, the Hall County Engineer, the Hall County Planning Commission and the Hall County Board of Commissioners shall consider all technical evaluations, relevant factors, and all standards specified in this and other sections of this UDC.
- H. Conditions for variances:
 - 1. A variance shall be issued only when there is:
 - a. A finding of good and sufficient cause;
 - b. A determination that failure to grant the variance would result in exceptional hardship; and
 - c. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, or the creation of a nuisance.
 - 2. The provisions of this section are minimum standards for flood loss reduction; therefore, any deviation

from the standards must be weighed carefully. Variances shall only be issued upon determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

- 3. Any person to whom a variance is granted shall be given written notice specifying the difference between the base flood elevation and the elevation of the proposed lowest floor and stating that the cost of flood insurance resulting from the lowest floor elevation being placed below the base flood elevation will be commensurate with the increased risk to life and property, and that such costs may be as high as \$25.00 for each \$100.00 of insurance coverage provided.
- 4. The Hall County Engineer shall maintain the records of all variance actions, both granted and denied, and report them to the Georgia Department of Natural Resources and the Federal Emergency Management Agency upon request.
- I. Any person requesting a variance shall, from the time of the request until the time the request is acted upon, submit such information and documentation as the Hall County Engineer and the Hall County Planning Commission shall deem necessary to the consideration of the request.
- J. Upon consideration of the factors listed above and the purposes of this section, the Hall County Engineer and the Hall County Planning Commission may attach such conditions to the granting of variances as they deem necessary or appropriate, consistent with the purposes of this section.
- K. Variances shall not be issued "after the fact."

10.2.7. Violations, Enforcement and Penalties

Any action or inaction which violates the provisions of this section or the requirements of an approved stormwater management plan or permit may be subject to the enforcement actions outlined in this section. Any such action or inaction which is continuous with respect to time is deemed to be a public nuisance and may be abated by injunctive or other equitable relief. The imposition of any of the penalties described below shall not prevent such equitable relief.

A. Notice of Violation

If Hall County determines that an applicant or other responsible person has failed to comply with the terms and conditions of a permit, an approved stormwater management plan or the provisions of this section, a notice of violation shall be written to such applicant or other responsible person. In the event that a person is engaged in activity covered by this section without having first secured a permit, the notice of violation shall be served on the owner or the responsible person in charge of the activity being conducted on the site.

The notice shall contain:

1. The name and address of the owner or the applicant or the responsible person;
2. The address or other description of the site upon which the violation is occurring;
3. A statement specifying the nature of the violation;
4. A description of the remedial measures necessary to bring the action or inaction into compliance with the permit, the stormwater management plan or this section and the date for the completion of such remedial action;

5. A statement of the penalty or penalties that may be assessed against the person to whom the notice of violation is directed; and
6. A statement that the determination of violation may be appealed to the Hall County Magistrate Court by filing a written notice of appeal within 30 days after the notice of violation.

B. Penalties

In the event the remedial measures described in the notice of violation have not been completed by the date set forth for such completion in the notice of violation, any one or more of the following actions or penalties may be taken or assessed against the person to whom the notice of violation was directed. Before taking any of the following actions or imposing any of the following penalties, Hall County shall first notify the applicant or other responsible person in writing of its intended action, and shall provide a reasonable opportunity, of not less than ten days (except that in the event the violation constitutes an immediate danger to public health or public safety, 24 hours' notice shall be sufficient) to cure such violation. In the event the applicant or other responsible person fails to cure such violation after such notice and cure period, Hall County may take any one or more of the following actions or impose any one or more of the following penalties:

1. *Stop work order.* Hall County may issue a stop work order, which shall be served on the applicant or other responsible person. The stop work order shall remain in effect until the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violation or violations described therein, provided the stop work order may be

withdrawn or modified to enable the applicant or other responsible person to take the necessary remedial measures to cure such violation or violations.

2. *Withhold certificate of occupancy.* Hall County may refuse to issue a certificate of occupancy for the building or other improvements constructed or being constructed on the site until the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described therein.
3. *Suspension, revocation or modification of permit.* Hall County may suspend, revoke or modify the permit authorizing the development project. A suspended, revoked or modified permit may be reinstated after the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described therein, provided such permit may be reinstated (upon such conditions as Hall County may deem necessary) to enable the applicant or other responsible person to take the necessary remedial measures to cure such violations.
4. *Civil penalties.* In the event the applicant or other responsible person fails to take the remedial measures set forth in the notice of violation or

otherwise fails to cure the violations described therein within ten days, or such greater period as Hall County shall deem appropriate (except that in the event the violation constitutes an immediate danger to public health or public safety, 24 hours' notice shall be sufficient) after Hall County has taken one or more of the actions described above, Hall County may impose a penalty not to exceed \$1,000.00 (depending on the severity of the violation) for each day the violation remains unremedied after receipt of the notice of violation.

5. *Criminal penalties.* For intentional and flagrant violations of this section, Hall County may issue a citation to the applicant or other responsible person. Any person, firm, corporation, association or partnership violating any provision of this section as the same exists or as it may hereinafter be amended, or shall fail to do anything required by this section as the same exists or as it may hereinafter be amended, shall be guilty of a misdemeanor, amenable to the process of the Magistrate or State Court of Hall County, and, upon conviction, shall be punished as provided in the Official Code of Hall County, Georgia section 1.50.020 for each violation in the discretion of the court. Each act of violation and each day upon which any violation shall occur shall constitute a separate offense.

Sec. 10.3. Illicit Discharge and Illegal Connection

10.3.1. General Provisions

A. Purpose and intent. The purpose of this ordinance is to protect the public health, safety, environment and general welfare through the regulation of non-stormwater discharges to the Hall County separate storm sewer system to the maximum extent practicable as required by federal law. This section establishes methods for controlling the introduction of pollutants into the Hall County separate storm sewer system in order to comply with requirements of the National Pollutant Discharge Elimination System (NPDES) permit process. The objectives of this ordinance are to:

1. Regulate the contribution of pollutants to the Hall County separate storm sewer system by any person;
2. Prohibit illicit discharges and illegal connections to the Hall County separate storm sewer system;
3. Prevent non-stormwater discharges, generated as a result of spills, inappropriate dumping or disposal, to the Hall County separate storm sewer system; and,
4. To establish legal authority to carry out all inspection, surveillance, monitoring and enforcement procedures necessary to ensure compliance with this ordinance.

B. Applicability. The provisions of this section shall apply throughout the unincorporated area of Hall County.

C. Compatibility with other regulations. This ordinance is not intended to modify or repeal any other ordinance, rule, regulation, or other provision of law. The requirements of this section are in addition to the requirements of any other

ordinance, rule, regulation, or other provision of law, and where any provision of this Sec. 10.3. imposes restrictions different from those imposed by any other ordinance, rule, regulation, or other provision of law, whichever provision is more restrictive or imposes higher protective standards for human health or the environment shall control.

D. Severability. If the provisions of any section, subsection, paragraph, subdivision or clause of this Sec. 10.3. shall be adjudged invalid by a court of competent jurisdiction, such judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision or clause of this section.

E. Responsibility for administration. Hall County shall administer, implement, and enforce the provisions of this section.

10.3.2. Definitions

The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Accidental discharge. A discharge prohibited by this section which occurs by chance and without planning or thought prior to occurrence.

Clean Water Act. The Federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.), and any subsequent amendments thereto.

Construction activity. Activities subject to the Georgia Erosion and Sedimentation Control Act or NPDES General Construction Permits. These include construction projects resulting in land disturbance. Such activities include but are not limited to clearing and grubbing, grading, excavating, and demolition.

Illicit discharge. Any direct or indirect non-stormwater discharge to the Hall County separate storm sewer system, except as exempted in Sec. 10.3.3. of this UDC.

Illegal connection. Either of the following:

- a) Any pipe, open channel, drain or conveyance, whether on the surface or subsurface, which allows an illicit discharge to enter the storm drain system including but not limited to any conveyances which allow any non-stormwater discharge including sewage, process wastewater, and wash water to enter the storm drain system, regardless of whether such pipe, open channel, drain or conveyance has been previously allowed, permitted, or approved by an authorized enforcement agency; or
- b) Any pipe, open channel, drain or conveyance connected to the Hall County separate storm sewer system which has not been documented in plans, maps, or equivalent records and approved by an authorized enforcement agency.

Industrial activity. Activities subject to NPDES Industrial Permits as defined in 40 CFR, Section 122.26 (b(14)).

National Pollutant Discharge Elimination System (NPDES) Storm Water Discharge Permit. A permit issued by the Georgia EPD under authority delegated pursuant to 33 USC § 1342(b) that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area-wide basis.

Hall County Separate Storm Sewer System. Any facility designed or used for collecting and/or conveying stormwater, including but not limited to any roads with drainage systems, highways, Hall County streets, curbs, gutters, inlets, catch basins, piped storm drains,

pumping facilities, structural stormwater controls, ditches, swales, natural and man-made or altered drainage channels, reservoirs, and other drainage structures, and which is:

- a) Owned or maintained by Hall County;
- b) Not a combined sewer; and
- c) Not part of a publicly-owned treatment works.

Non-stormwater discharge. Any discharge to the storm drain system that is not composed entirely of stormwater.

Person. Except to the extent exempted from this section, any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, city, county or other political subdivision of the state, any interstate body or any other legal entity.

Pollutant. Anything which causes or contributes to pollution. Pollutants may include, but are not limited to: paints, varnishes, and solvents; petroleum hydrocarbons; automotive fluids; cooking grease; detergents (biodegradable or otherwise); degreasers; cleaning chemicals; non-hazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects and accumulations, so that same may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; liquid and solid wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure; concrete and cement; and noxious or offensive matter of any kind.

Pollution. The contamination or other alteration of any water's physical, chemical or biological properties by the addition of any constituent and includes but is not limited to, a change in temperature, taste, color, turbidity,

or odor of such waters, or the discharge of any liquid, gaseous, solid, radioactive, or other substance into any such waters as will or is likely to create a nuisance or render such waters harmful, detrimental or injurious to the public health, safety, welfare, or environment, or to domestic, commercial, industrial, agricultural, recreational, or other legitimate beneficial uses, or to livestock, wild animals, birds, fish or other aquatic life.

Premises. Any building, lot, parcel of land, or portion of land whether improved or unimproved including adjacent sidewalks and parking strips.

State waters. Any and all rivers, streams, creeks, branches, lakes, reservoirs, ponds, drainage systems, springs, wells, and other bodies of surface and subsurface water, natural or artificial, lying within or forming a part of the boundaries of the State of Georgia which are not entirely confined and retained completely upon the property of a single person.

Stormwater runoff, or stormwater. Any surface flow, runoff, and drainage consisting entirely of water from any form of natural precipitation, and resulting from such precipitation.

Structural stormwater control. A structural stormwater management facility or device that controls stormwater runoff and changes the characteristics of that runoff including, but not limited to, the quantity and quality, the period of release or the velocity of flow.

10.3.3. Prohibitions

A. Prohibition of illicit discharges. No person shall throw, drain, or otherwise discharge, cause, or allow others under its control to throw, drain, or otherwise discharge into the Hall County separate storm sewer system any pollutants or waters containing any pollutants, other than stormwater.

The following discharges are exempt from the prohibition provision above:

1. Water line flushing performed by a government agency, other potable water sources, landscape irrigation or lawn watering, diverted stream flows, rising ground water, ground water infiltration to storm drains, uncontaminated pumped ground water, foundation or footing drains (not including active groundwater dewatering systems), crawl space pumps, air conditioning condensation, springs, natural riparian habitat or wetland flows, and any other water source not containing pollutants;
2. Discharges or flows from fire fighting, and other discharges specified in writing by Hall County as being necessary to protect public health and safety; and
3. The prohibition provision above shall not apply to any non- stormwater discharge permitted under an NPDES permit or order issued to the discharger and administered under the authority of the State and the Federal Environmental Protection Agency, provided that the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations, and provided that written approval has been granted for any discharge to the Hall County separate storm sewer system.

B. Prohibition of illegal connections. The construction, connection, use, maintenance or continued existence of any illegal connection to the Hall County separate storm sewer system is prohibited.

1. This prohibition expressly includes, without limitation, illegal connections made in the past, regardless of whether the connection was

permissible under law or practices applicable or prevailing at the time of connection.

2. A person violates this section if the person connects a line conveying sewage to the Hall County separate storm sewer system, or allows such a connection to continue.
3. Improper connections in violation of this section must be disconnected and redirected, if necessary, to an approved onsite wastewater management system or the sanitary sewer system upon approval of the appropriate sewer authority.
4. Any drain or conveyance that has not been documented in plans, maps or equivalent, and which may be connected to the storm sewer system, shall be located by the owner or occupant of that property upon receipt of written Notice of violation from Hall County requiring that such locating be completed. Such notice will specify a reasonable time period within which the location of the drain or conveyance is to be completed, that the drain or conveyance be identified as storm sewer, sanitary sewer or other, and that the outfall location or point of connection to the storm sewer system, sanitary sewer system or other discharge point be identified. Results of these investigations are to be documented and provided to Hall County Engineering.

10.3.4. Industrial or Construction Activity Discharges

Any person subject to an industrial or construction activity NPDES stormwater discharge permit shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to Hall County Engineering prior to

allowing discharges to the Hall County separate storm sewer system.

10.3.5. Access and Inspection of Properties and Facilities

- A. Hall County shall be permitted to enter and inspect properties and facilities at reasonable times as often as may be necessary to determine compliance with this ordinance.
 1. If a property or facility has security measures in force which require proper identification and clearance before entry into its premises, the owner or operator shall make the necessary arrangements to allow access to representatives of Hall County.
 2. The owner or operator shall allow Hall County ready access to all parts of the premises for the purposes of inspection, sampling, photography, videotaping, examination and copying of any records that are required under the conditions of an NPDES permit to discharge stormwater.
 3. Hall County shall have the right to set up on any property or facility such devices as are necessary in the opinion of Hall County to conduct monitoring and/or sampling of flow discharges.
 4. Hall County may require the owner or operator to install monitoring equipment and perform monitoring as necessary, and make the monitoring data available to Hall County. This sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the owner or operator at his/her own expense. All devices used to measure flow and quality shall be calibrated to ensure their accuracy.
 5. Any temporary or permanent obstruction to safe and easy access to the property or facility to be inspected

and/or sampled shall be promptly removed by the owner or operator at the written or oral request of Hall County and shall not be replaced. The costs of clearing such access shall be borne by the owner or operator.

6. Unreasonable delays in allowing Hall County access to a facility is a violation of this section.
7. If Hall County has been refused access to any part of the premises from which stormwater is discharged, and Hall County is able to demonstrate probable cause to believe that there may be a violation of this section, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program designed to verify compliance with this section or any order issued hereunder, or to protect the overall public health, safety, environment and welfare of the community, then Hall County may seek issuance of a search warrant from any court of competent jurisdiction.

10.3.6. Notification of Accidental Discharges and Spills

- A. Notwithstanding other requirements of law, as soon as any person responsible for a facility, activity or operation, or responsible for emergency response for a facility, activity or operation has information of any known or suspected release of pollutants or non-stormwater discharges from that facility or operation which are resulting or may result in illicit discharges or pollutants discharging into stormwater, the Hall County separate storm sewer system, State Waters, or Waters of the U.S., said person shall take all necessary steps to ensure the discovery, containment, and cleanup of such release so as to minimize the effects of the discharge.

- B. Said person shall notify Hall County Engineering in person or by phone, facsimile or in person no later than 24 hours of the nature, quantity and time of occurrence of the discharge. Notifications in person or by phone shall be confirmed by written notice addressed and mailed to Hall County Engineering within three business days of the phone or in person notice. If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least three years. Said person shall also take immediate steps to ensure no recurrence of the discharge or spill.
- C. In the event of such a release of hazardous materials, emergency response agencies and/or other appropriate agencies shall be immediately notified by the owner/operator or other person in charge of the facility at the time of the release.
- D. Failure to provide notification of a release as provided above is a violation of this ordinance.

10.3.7. Violations, Enforcement and Penalties

- A. **Violations.**
 1. It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this ordinance. Any person who has violated or continues to violate the provisions of this ordinance, may be subject to the enforcement actions outlined in this section or may be restrained by injunction or otherwise abated in a manner provided by law.

2. In the event the violation constitutes an immediate danger to public health or public safety, Hall County is authorized to enter upon the subject private property, without giving prior notice, to take any and all measures necessary to abate the violation and/or restore the property. Hall County is authorized to seek costs of the abatement as outlined in Sec. 10.3.7.E.
- B. Notice of violation.** Whenever Hall County finds that a violation of this section has occurred, hall county may order compliance by written notice of violation.
1. The notice of violation shall contain:
 - a. The name and address of the alleged violator;
 - b. The address when available or a description of the building, structure or land upon which the violation is occurring, or has occurred;
 - c. A statement specifying the nature of the violation;
 - d. A description of the remedial measures necessary to restore compliance with this section and a time schedule for the completion of such remedial action;
 - e. A statement of the penalty or penalties that shall or may be assessed against the person to whom the notice of violation is directed; and,
 - f. A statement that the determination of violation may be appealed to Hall County Magistrate Court by filing a written notice of appeal within 30 days of service of notice of violation.
 2. Such notice may require without limitation:
 - a. The performance of monitoring, analyses, and reporting;
 - b. The elimination of illicit discharges and illegal connections;
 - c. That violating discharges, practices, or operations shall cease and desist;
 - d. The abatement or remediation of stormwater pollution or contamination hazards and the restoration of any affected property;
 - e. Payment of costs to cover administrative and abatement costs; and,
 - f. The implementation of pollution prevention practices.
- C. Appeal of notice of violation.** Any person receiving a notice of violation may appeal the determination of Hall County. The notice of appeal must be received within 30 days from the date of the notice of violation. Hearing on the appeal before Hall County Magistrate Court shall take place within 30 days from the date of receipt of the notice of appeal. The decision of the appropriate authority or their designee shall be final.
- D. Enforcement measures after appeal.** If the violation has not been corrected pursuant to the requirements set forth in the notice of violation or, in the event of an appeal, within 30 days of the decision of the appropriate authority upholding the decision of Hall County, then representatives of Hall County may enter upon the subject private property and are authorized to take any and all measures necessary to abate the violation and/or restore the property. It shall be unlawful for any person, owner, agent or person in possession of any premises to refuse to allow the government agency or

designated contractor to enter upon the premises for the purposes set forth above.

E. Costs of abatement of the violation.

1. Within 60 days after abatement of the violation, the owner of the property will be notified of the cost of abatement, including administrative costs. The property owner may file a written protest objecting to the assessment or to the amount of the assessment within 30 days of such notice. If the amount due is not paid within 30 days after receipt of the notice, or if an appeal is taken, within 30 days after a decision on said appeal, the charges shall become a special assessment against the property and shall constitute a lien on the property for the amount of the assessment.
2. Any person violating any of the provisions of this article shall become liable to Hall County by reason of such violation.

F. Civil penalties. In the event the alleged violator fails to take the remedial measures set forth in the notice of violation or otherwise fails to cure the violations described therein within ten days, or such greater period as Hall County shall deem appropriate, after Hall County has taken one or more of the actions described above, Hall County may impose a penalty not to exceed \$1,000.00 (depending on the severity of the violation) for each day the violation remains unremedied after receipt of the notice of violation.

G. Criminal penalties. For intentional and flagrant violations of this ordinance, Hall County may issue a citation to the alleged violator requiring such person to appear in Hall County Magistrate Court to answer

charges for such violation. Any person, firm, corporation, association or partnership violating any provision of this section as the same exists or as it may hereinafter be amended, or shall fail to do anything required by this section as the same exists or as it may hereafter be amended, shall be guilty of a misdemeanor, amenable to the process of the Magistrate or State Court of Hall County, and upon conviction, shall be punished as provided in the Official Code of Hall County, Georgia § 1.50.020 for each violation in the discretion of the court. Each act of violation and each day upon which any violation shall occur shall constitute a separate offense.

H. Violations deemed a public nuisance. In addition to the enforcement processes and penalties provided, any condition caused or permitted to exist in violation of any of the provisions of this section is a threat to public health, safety, welfare, and environment and is declared and deemed a nuisance, and may be abated pursuant to the provisions of Chapter 8.140 of the Official Code of Hall County, Georgia as well as by injunctive or other equitable relief as provided by law.

I. Remedies not exclusive.

1. The remedies listed in this section are not exclusive of any other remedies available under any applicable federal, state or local law and Hall County may seek cumulative remedies.
2. Hall County may recover attorney's fees, court costs, and other expenses associated with enforcement of this ordinance, including sampling and monitoring expenses.

Sec. 10.4. Stream Buffer Protection Ordinance

10.4.1. General Provisions

This section shall be known as "stream buffer protection."

10.4.2. Findings and Purposes

A. Whereas, The Board of Commissioners of Hall County, Georgia finds that buffers adjacent to streams provide numerous benefits including:

1. Protecting, restoring and maintaining the chemical, physical and biological integrity of streams and their water resources;
2. Removing pollutants delivered in urban stormwater;
3. Reducing erosion and controlling sedimentation;
4. Protecting and stabilizing stream banks;
5. Providing for infiltration of stormwater runoff;
6. Maintaining base flow of streams;
7. Contributing organic matter that is a source of food and energy for the aquatic ecosystem;
8. Providing tree canopy to shade streams and promote desirable aquatic habitat;
9. Providing riparian wildlife habitat;
10. Furnishing scenic value and recreational opportunity; and
11. Providing opportunities for the protection and restoration of greenspace.

B. It is the purpose of this section to protect the public health, safety, environment and general welfare; to minimize public and private losses due to erosion, siltation and

water pollution; and to maintain stream water quality by provisions designed to:

1. Create buffer zones along the streams of Hall County, Georgia for the protection of water resources; and
2. Minimize land development within such buffers by establishing buffer zone requirements and by requiring authorization for any such activities.

10.4.3. Definitions

The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Buffer. With respect to a stream, a natural or enhanced vegetated area (established by this section) lying adjacent to the stream.

Impervious cover. Any manmade paved, hardened or structural surface regardless of material. Impervious cover includes, but is not limited to, rooftops, buildings, streets, roads, decks, swimming pools and any concrete or asphalt.

Land development. Any land change, including but not limited to clearing, grubbing, stripping, removal of vegetation, dredging, grading, excavating, transporting and filling of land, construction, paving and any other installation of impervious cover.

Land development activity. Those actions or activities which comprise, facilitate or result in land development.

Land disturbance. Any land or vegetation change, including, but not limited to, clearing, grubbing, stripping, removal of vegetation, dredging, grading, excavating, transporting and filling of land, that does not involve

construction, paving or any other installation of impervious cover.

Land disturbance activity. Those actions or activities which comprise, facilitate or result in land disturbance.

Floodplain. Any land area susceptible to flooding, which would have at least a one percent probability of flooding occurrence in any calendar year based on the basin being fully developed as shown on the current land use plan; i.e., the regulatory flood.

Parcel. Any plot, lot or acreage shown as a unit on the latest county tax assessment records.

Permit. The permit issued by Hall County, Georgia, required for undertaking any land development activity.

Person. Any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, city, county or other political subdivision of the State, any interstate body or any other legal entity.

Protection area, or stream protection area. With respect to a stream, the combined areas of all required buffers and setbacks applicable to such stream.

Riparian. Belonging or related to the bank of a river, stream, lake, pond or impoundment.

Setback. With respect to a stream, the area established by this section extending beyond any buffer applicable to the stream.

Stream. Any stream, beginning at:

1. The location of a spring, seep, or groundwater outflow that sustains streamflow; or
2. A point in the stream channel with a drainage area of 25 acres or more; or
3. Where evidence indicates the presence of a stream in a drainage area

of other than 25 acres, Hall County, Georgia may require field studies to verify the existence of a stream.

Stream bank. The sloping land that contains the stream channel and the normal flows of the stream.

Stream channel. The portion of a watercourse that contains the base flow of the stream.

Watershed. The land area that drains into a particular stream.

10.4.4. Applicability

This section shall apply to all land development activity on property containing a stream protection area as defined in Sec. 10.4.3. These requirements are in addition to, and do not replace or supersede, any other applicable buffer requirements established under state law, and approval or exemption from these requirements does not constitute approval or exemption from buffer requirements established under state law or from other applicable local, state or federal regulations.

10.4.5. Grandfather Provisions

This section shall not apply to the following activities:

- A. Work consisting of the repair or maintenance of any lawful use of land that is zoned and approved for such use on or before the effective date of this section.
- B. Existing development and on-going land disturbance activities including but not limited to existing agriculture, silviculture, landscaping, gardening and lawn maintenance, except that new development or land disturbance activities on such properties will be subject to all applicable buffer requirements.

- C. Any land development activity that is under construction, fully approved for development, scheduled for permit approval or has been submitted for approval as of the effective date of this section.
- D. Land development activity that has not been submitted for approval, but that is part of a larger master development plan, such as for an office park or other phased development that has been previously approved within two years of the effective date of this section.

10.4.6. Exemptions

The following specific activities are exempt from this section. Exemption of these activities does not constitute an exemption for any other activity proposed on a property.

- A. Activities for the purpose of building one of the following:
 1. A stream crossing by a driveway, transportation route or utility line;
 2. Public water supply intake or public wastewater outfall structures;
 3. Intrusions necessary to provide access to a property;
 4. Public access facilities that must be on the water including boat ramps, docks, foot trails leading directly to the river, fishing platforms and overlooks;
 5. Unpaved foot trails, paths and elevated boardwalks; or
 6. Activities to restore and enhance stream bank stability, vegetation, water quality and/or aquatic habitat, so long as native vegetation and bioengineering techniques are used.
- B. Public sewer line easements paralleling the creek, except that all easements (permanent and construction) and land disturbance should be at least 25 feet from the top of the bank. This includes such impervious cover as is necessary for the operation and maintenance of the utility, including but not limited to manholes, vents and valve structures. This exemption shall not be construed as allowing the construction of roads, bike paths or other transportation routes in such easements, regardless of paving material, except for access for the uses specifically cited in Official Code of Hall County, Georgia § 8.170.060(A).
- C. Land development activities within a right-of-way existing at the time this section takes effect or approved under the terms of this section.
- D. Within an easement of any utility existing at the time this section takes effect or approved under the terms of this section, land disturbance activities and such impervious cover as are necessary for the operation and maintenance of the utility, including but not limited to manholes, vents and valve structures.
- E. Emergency work necessary to preserve life or property is exempt. However, when emergency work is performed under this section, the person performing it shall report such work to the Hall County Engineering Department on the next business day after commencement of the work. Within ten days thereafter, the person shall apply for a permit and perform such work within such time period as may be determined by Hall County, Georgia to be reasonably necessary to correct any impairment such emergency work may have caused to the water conveyance capacity, stability or water quality of the protection area.
- F. Forestry, silviculture and agricultural activities on land that is zoned for forestry, silvicultural or agricultural uses and are not incidental to other land development activity. If such activity results in land

disturbance in the buffer that would otherwise be prohibited, then no other land-disturbing activity other than normal forest management practices will be allowed on the entire property for three years after the end of the activities that intruded on the buffer.

After the effective date of this section, it shall apply to new subdividing and platting activities.

Any land development activity within a buffer established hereunder or any impervious cover within a setback established hereunder is prohibited unless a variance is granted pursuant to Sec. 10.4.8.

10.4.7. Stream Buffer and Setback Requirements

All land development activity subject to this section shall meet the following requirements:

- A. An undisturbed natural vegetative buffer shall be maintained for 50 feet, measured horizontally, on both banks (as applicable) of the stream as measured from the top of the stream bank. This buffer shall not be altered or reduced by any method in this section.
- B. An additional setback shall be maintained beyond the natural vegetative buffer, in which all impervious cover shall be prohibited. Stormwater management structures shall be allowed within this setback however, all other grading, filling and earthmoving shall be minimized. The setback shall be either of the following dimensions:
 1. For a uniform distance of 25 feet, measured horizontally, from the undisturbed natural vegetative buffer boundary.
 2. For a variable distance, measured horizontally, from the undisturbed natural vegetative buffer boundary,

provided that the total area encompassed by this impervious setback on the land development activity is equal to, or greater than, the total area that would be encompassed by the uniform distance of 25 feet.

- C. On properties between 10 acres and 49.9 acres, the impervious setback area may be reduced such that the sum of the undisturbed buffer area and the impervious setback area do not exceed 12 percent of the total property area of the development activity. However, in no case shall the 50-foot undisturbed buffer be reduced or altered to achieve this percentage.
- D. On properties of 50 acres or larger, the impervious setback area may be reduced such that the sum of the undisturbed buffer area and the impervious setback area do not exceed eight percent of the total property area of the development activity. However, in no case shall the 50-foot undisturbed buffer be reduced or altered to achieve this percentage.
- E. No septic tanks or septic tank drain fields shall be permitted within the buffer or the setback, except that existing septic systems constructed prior to the effective date of this section may be maintained or replaced, but not enlarged within the required buffer and setback area.
- F. For water supply watershed districts subject to the requirements of Sec. 6.5. of this UDC, the minimum stream buffer setbacks shall be the greater of the applicable requirements of this section or those in Sec. 6.5.

10.4.8. Buffer and Setback Variance Procedures

Variations from the buffer and setback requirements in this section may be granted in accordance with the following provisions:

- A. Where a parcel was platted prior to the effective date of this section, and its shape, topography or other existing physical condition prevents land development consistent with this section, and the Hall County Engineering Department finds and determines that the requirements of this section prohibit the otherwise lawful use of the property by the owner, the Hall County Engineering Department may grant a variance from the buffer and setback requirements hereunder, provided such variance requires mitigation measures to offset the effects of any proposed land development on the parcel.
- B. Except as provided in Section 10.4.8.A. above, the Board of Commissioners of Hall County, Georgia shall grant no variance from any provision of this section without first conducting a public hearing on the application for variance and authorizing the granting of the variance by an affirmative vote of the Board of Commissioners of Hall County, Georgia. The Board of Commissioners of Hall County, Georgia shall give public notice of each such public hearing in a newspaper of general circulation within Hall County, Georgia. Hall County, Georgia shall require that the applicant post a sign giving notice of the proposed variance and the public hearing. The sign shall be of a size and posted in such a location on the property as to be clearly visible from the primary adjacent road right-of-way.
1. Variances will be considered only in the following cases:
 - a. When a property's shape, topography or other physical conditions existing at the time of the adoption of this section prevents land development unless a buffer variance is granted.
 - b. Unusual circumstances when strict adherence to the minimal buffer requirements in the section would create an extreme hardship.
 2. Variances will not be considered when, following adoption of this section, actions of any property owner of a given property have created conditions of a hardship on that property.
- C. At a minimum, a variance request shall include the following information:
1. A site map that includes locations of all streams, wetlands, floodplain boundaries and other natural features, as determined by field survey;
 2. A description of the shape, size, topography, slope, soils, vegetation and other physical characteristics of the property;
 3. A detailed site plan that shows the locations of all existing and proposed structures and other impervious cover, the limits of all existing and proposed land disturbance, both inside and outside the buffer and setback. The exact area of the buffer to be affected shall be accurately and clearly indicated;
 4. Documentation of unusual hardship should the buffer be maintained;
 5. At least one alternative plan, which does not include a buffer or setback intrusion, or an explanation of why such a site plan is not possible;
 6. A calculation of the total area and length of the proposed intrusion;
 7. A stormwater management site plan, if applicable; and,
 8. Proposed mitigation, if any, for the intrusion. If no mitigation is proposed, the request must include an explanation of why none is being proposed.

D. The following factors will be considered in determining whether to issue a variance:

1. The shape, size, topography, slope, soils, vegetation and other physical characteristics of the property;
2. The locations of all streams on the property, including along property boundaries;
3. The location and extent of the proposed buffer or setback intrusion;
4. Whether alternative designs are possible which require less intrusion or no intrusion;
5. The long-term and construction water-quality impacts of the proposed variance; and,
6. Whether issuance of the variance is at least as protective of natural resources and the environment.

10.4.9. Compatibility with Other Buffer Regulations and Requirements

This section is not intended to interfere with, abrogate or annul any other ordinance, rule or regulation, statute or other provision of law. The requirements of this section should be considered minimum requirements, and where any provision of this section imposes restrictions different from those imposed by any other ordinance, rule, regulation or other provision of law, whichever provisions are more restrictive or impose higher protective standards for human health or the environment shall be considered to take precedence.

10.4.10. Additional Information Requirements for Development on Buffer Zone Properties

- A. Any permit applications for property requiring buffers and setbacks hereunder must include the following:
1. A site plan showing:

- a. The location of all streams on the property;
 - b. Limits of required stream buffers and setbacks on the property;
 - c. Buffer zone topography with contour lines at no greater than five-foot contour intervals;
 - d. Delineation of forested and open areas in the buffer zone; and,
 - e. Detailed plans of all proposed land development in the buffer and of all proposed impervious cover within the setback;
2. A description of all proposed land development within the buffer and setback; and,
3. Any other documentation that Hall County, Georgia may reasonably deem necessary for review of the application and to ensure that the requirements of this section are addressed in the approval process.

- B. During development activities, and all phases of construction, the buffer perimeters shall be marked with a temporary sign at an interval of one per parcel, or every 100 feet, whichever is less. Signs shall remain in place prior to and during approved construction activities. The sign shall contain the following statement "Streamside Buffer - Do Not Remove or Alter Existing Native Vegetation." Other plainly visible marking methods are acceptable in lieu of the signage, including, but not limited to tree save fencing, painted markings on trees, or orange silt fence.
- C. Replanting of the buffer shall be required where buffer disturbance has occurred. The replanting shall be accomplished within 14 days of the buffer impact using native vegetation or by following current Natural Resources Conservation Service (NRCS) conservation practice standards.

The Hall County Engineer or his/her designee shall approve the revegetation plan.

- D. All buffer and setback areas must be recorded on the final plat of the property following plan approval.

10.4.11. Responsibility

Neither the issuance of a development permit nor compliance with the conditions thereof, nor with the provisions of this section shall relieve any person from any responsibility otherwise imposed by law for damage to persons or property; nor shall the issuance of any permit hereunder serve to impose any liability upon Hall County, Georgia, its officers or employees, for injury or damage to persons or property.

10.4.12. Inspection

Hall County, Georgia may cause inspections of the work in the buffer or setback to be made periodically during the course thereof and shall make a final inspection following completion of the work. The permittee shall assist Hall County, Georgia in making such inspections. Hall County, Georgia shall have the authority to conduct such investigations as it may reasonably deem necessary to carry out its duties as prescribed in this section, and for this purpose to enter at reasonable time upon any property, public or private, for the purpose of investigating and inspecting the sites of any land development activities within the protection area.

No person shall refuse entry or access to any authorized representative or agent who requests entry for purposes of inspection, and who presents appropriate credentials, nor shall any person obstruct, hamper or interfere with any such representative while in the process of carrying out official duties.

10.4.13. Violations, Enforcement and Penalties

Any action or inaction which violates the provisions of this section or the requirements of an approved site plan or permit may be subject to the enforcement actions outlined in this section. Any such action or inaction which is continuous with respect to time is deemed to be a public nuisance and may be abated by injunctive or other equitable relief. The imposition of any of the penalties described below shall not prevent such equitable relief.

- A. **Notice of violation.** If Hall County, Georgia determines that an applicant or other responsible person has failed to comply with the terms and conditions of a permit, an approved site plan or the provisions of this section, it shall issue a written notice of violation to such applicant or other responsible person. Where a person is engaged in activity covered by this section without having first secured the appropriate permit therefore, the notice of violation shall be served on the owner or the responsible person in charge of the activity being conducted on the site.

1. The notice of violation shall contain:
 - a. The name and address of the owner or the applicant or the responsible person;
 - b. The address or other description of the site upon which the violation is occurring;
 - c. A statement specifying the nature of the violation;
 - d. A description of the remedial measures necessary to bring the action or inaction into compliance with the permit, the approved site plan or this section and the date for the completion of such remedial action;

- e. A statement of the penalty or penalties that may be assessed against the person to whom the notice of violation is directed; and,
- f. A statement that the determination of violation may be appealed to the Magistrate Court of Hall County, Georgia by filing a written notice of appeal within 30 days after the notice of violation (except that in the event the violation constitutes an immediate danger to public health or public safety, 24 hours notice shall be sufficient).

B. Penalties. In the event the remedial measures described in the notice of violation have not been completed by the date set forth for such completion in the notice of violation, any one or more of the following actions or penalties may be taken or assessed against the person to whom the notice of violation was directed. Before taking any of the following actions or imposing any of the following penalties, Hall County, Georgia shall first notify the applicant or other responsible person in writing of its intended action, and shall provide a reasonable opportunity, of not less than ten days (except that in the event the violation constitutes an immediate danger to public health or public safety, 24 hours notice shall be sufficient) to cure such violation. In the event the applicant or other responsible person fails to cure such violation after such notice and cure period, Hall County, Georgia may take any one or more of the following actions or impose any one or more of the following penalties.

1. **Stop-work order.** Hall County, Georgia may issue a stop-work order which shall be served on the applicant or other responsible person. The stop-work order shall remain in effect until the applicant or other responsible

person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violation or violations described therein, provided the stop-work order may be withdrawn or modified to enable the applicant or other responsible person to take necessary remedial measures to cure such violation or violations.

2. **Withhold certificate of occupancy.** Hall County, Georgia may refuse to issue a certificate of occupancy for the building or other improvements constructed or being constructed on the site until the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described therein.
3. **Suspension, revocation or modification of permit.** Hall County, Georgia may suspend, revoke or modify the permit authorizing the land development project. A suspended, revoked or modified permit may be reinstated after the applicant or other responsible person has taken the remedial measures set forth in the Notice of Violation or has otherwise cured the violations described therein, provided such permit may be reinstated (upon such conditions as Hall County, Georgia may deem necessary) to enable the applicant or other responsible person to take the necessary remedial measures to cure such violations.
4. **Civil penalties.** In the event the applicant or other responsible person fails to take the remedial measures set forth in the notice of violation or otherwise fails to cure the violations described therein within ten days (or such greater period as Hall County, Georgia shall deem appropriate) (except that in the event the violation constitutes an immediate danger to

public health or public safety, 24 hours notice shall be sufficient) after Hall County, Georgia has taken one or more of the actions described above, Hall County, Georgia may impose a penalty not to exceed \$1,000.00 (depending on the severity of the violation) for each day the violation remains unremedied after receipt of the notice of violation.

5. **Criminal penalties.** For intentional and flagrant violations of this section, any applicant, responsible person, firm, corporation, association or partnership violating any provision of this section as the same exists or as it may hereinafter be amended, or shall fail to do anything required by this section as the same exists or as it may hereafter be amended, shall be guilty of a misdemeanor, amenable to the process of the Magistrate or State Court of Hall County, and upon conviction, shall be punished as provided in the Official Code of Hall County, Georgia § 1.50.020 for each violation in the discretion of the court. Each act of violation and each day upon which any violation shall occur shall constitute a separate offense.

10.4.14. Administrative Appeal and Judicial Review

- A. **Administrative appeal.** Any person aggrieved by a decision or order of the Hall County Engineering Department pursuant to this section, may appeal in writing within 15 days after the issuance of such decision or order to the Board of Commissioners of Hall County, Georgia and shall be entitled to a hearing before the Board of Commissioners of Hall County, Georgia within 45 days of receipt of the written appeal.
- B. **Judicial review.** Any person aggrieved by a decision or order of the Hall County Engineering Department, after exhausting all administrative remedies, shall have the right to appeal de novo to the Superior Court of Hall County, Georgia.

10.4.15. Severability

If any article, section, subsection, paragraph, clause, phrase, or provision of this ordinance shall be adjudged invalid or held unconstitutional, such decision shall not affect or invalidate the remaining portions of this ordinance.

Sec. 10.5. Post-Construction Stormwater Management

10.5.1. General Provisions

This Sec. 10.5. shall be known as "Post-Construction Stormwater Management for New Development and Redevelopment."

10.5.2. Purpose and Intent

The purpose of this section is to protect, maintain and enhance the public health, safety, environment and general welfare by establishing minimum requirements and procedures to control the adverse effects of increased post-construction stormwater runoff and nonpoint source pollution associated with new development and redevelopment. Proper management of post-construction stormwater runoff will minimize damage to public and private property and infrastructure, safeguard the public health, safety, environment and general welfare of the public, and protect water and aquatic resources. Additionally, Hall County is required to comply with several state and federal laws, regulations and permits and the requirements of the Metropolitan North Georgia Water Planning District's regional water plan related to managing the water quantity, velocity, and quality of post-construction stormwater runoff.

10.5.3. Definitions

For this section, the terms below shall have the following meanings:

Administrator. The person appointed to administer and implement this section on post-construction stormwater management for new development and redevelopment in accordance with Sec. 10.5.5.

Applicant. A person submitting a land development application for approval.

BMP, or best management practice. Both structural devices to store or treat stormwater

runoff and non-structural programs or practices which are designed to prevent or reduce the pollution of the waters of the state.

BMP landscaping plan. A design for vegetation and landscaping that is critical to the performance and function of the BMP including how the BMP will be stabilized and established with vegetation. It shall include a layout of plants and plant names (local and scientific).

Channel. A natural or artificial watercourse with a definite bed and banks that conveys continuously or periodically flowing water.

Detention. The temporary storage of stormwater runoff in a stormwater detention facility for the purpose of controlling the peak discharge.

Detention facility. A structure designed for the storage and gradual release of stormwater runoff at controlled rates.

Development. New development or redevelopment.

Extended detention. The storage of stormwater runoff for an extended period of time.

Extreme flood protection. Measures taken to prevent adverse impacts from large low-frequency storm events with a return frequency of 100 years or more.

Flooding. A volume of surface water that exceeds the banks or walls of a BMP, or channel; and overflows onto adjacent lands.

GSMM. The latest edition of the Georgia Stormwater Management Manual, Volume 2: Technical Handbook, and its Appendices.

Hotspot. A land use or activity on a site that has the potential to produce higher than normally found levels of pollutants in stormwater runoff. As defined by the administrator,

hotspot land use may include gasoline stations, vehicle service and maintenance areas, industrial facilities (both permitted under the industrial stormwater general permit and others), material storage sites, garbage transfer facilities, and commercial parking lots with high-intensity use.

Impervious surface. A surface composed of any material that significantly impedes or prevents the natural infiltration of water into the soil. Gravel parking areas, pavement, and buildings are examples of impervious surfaces, but most retaining walls would not be considered impervious surface due to the nature of their minimal surface area.

Industrial stormwater general permit. The National Pollutant Discharge Elimination System (NPDES) permit issued by Georgia Environmental Protection Division to an industry for stormwater discharges associated with industrial activity. The permit regulates pollutant levels associated with industrial stormwater discharges or specifies on-site pollution control strategies based on standard industrial classification (SIC) code.

Infiltration. The process of percolating stormwater runoff into the subsoil.

Inspection and maintenance agreement. A written agreement providing for the long-term inspection, operation, and maintenance of the stormwater management system and its components on a site.

Land development application. The application for a land development permit on a form provided by the county along with the supporting documentation required in Sec. 10.5.11.

Land development permit. The authorization necessary to begin construction-related, land-disturbing activity.

Land disturbing activity. Any activity which may result in soil erosion from water or wind and the movement of sediments into state

water or onto lands within the state, including, but not limited to clearing, dredging, grading, excavating, and filling of land. Land disturbing activity does not include agricultural practices as described O.C.G.A. § 12-7-17(5) or silvicultural land management activities as described O.C.G.A. § 12-7-17(6) within areas zoned for these activities.

Linear feasibility program. A feasibility program developed by the county and submitted to the Georgia Environmental Protection Division, which sets reasonable criteria for determining when implementation of stormwater management standards for linear transportation projects being constructed by the county is infeasible.

Linear transportation projects. Construction projects on traveled ways including, but not limited to roads, sidewalks, multi-use paths and trails, and airport runways and taxiways.

MS4 permit. The NPDES permit issued by Georgia Environmental Protection Division for discharges from the county's municipal separate storm sewer system.

New development. Land disturbing activities, structural development (construction, installation of a building or other structure), and/or creation of impervious surfaces on a previously undeveloped site.

Nonpoint source pollution. A form of water pollution that does not originate from a discrete point such as a wastewater treatment facility or industrial discharge, but involves the transport of pollutants such as sediment, fertilizers, pesticides, heavy metals, oil, grease, bacteria, organic materials and other contaminants from land to surface water or groundwater via mechanisms such as precipitation, stormwater runoff, and leaching. Nonpoint source pollution is a by-product of land use practices such as agricultural, silvicultural, mining,

construction, subsurface disposal and urban runoff sources.

Overbank flood protection. Measures taken to prevent an increase in the frequency and magnitude of out-of-bank flooding (i.e., flow events that exceed the capacity of the channel and enter the floodplain).

Owner. The legal or beneficial owner of a site, including, but not limited to, a mortgagee or vendee in possession, receiver, executor, trustee, lessee or other person, firm or corporation in control of the site.

Person. Any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, city, county or other political subdivision of the state, any interstate body or any other legal entity.

Post-construction stormwater management. Stormwater best management practices that are used on a permanent basis to control and treat runoff once construction has been completed in accordance with a stormwater management plan.

Post-development. The conditions anticipated to exist on site immediately after completion of the proposed development.

Practicability policy. The latest edition of the Metropolitan North Georgia Water Planning District's policy on practicability analysis for runoff reduction.

Pre-development. The conditions that exist on a site immediately before the implementation of the proposed development. Where phased development or plan approval occurs (preliminary grading, roads and utilities, etc.), the existing conditions at the time before the first item being approved or permitted shall establish pre-development conditions.

Pre-development hydrology. For new development, the runoff curve number

determined using natural conditions hydrologic analysis based on the natural, undisturbed condition of the site immediately before implementation of the proposed development. For redevelopment, the existing conditions hydrograph may take into account the existing development when defining the runoff curve number and calculating existing runoff, unless the existing development causes a negative impact on downstream property.

Previously developed site. A site that has been altered by paving, construction, and/or land disturbing activity.

Redevelopment. Structural development (construction, installation, or expansion of a building or other structure), creation or addition of impervious surfaces, replacement of impervious surfaces not as part of routine maintenance, and land disturbing activities associated with structural or impervious development on a previously developed site. Redevelopment does not include such activities as exterior remodeling.

Routine maintenance. Activities to keep an impervious surface as near as possible to its constructed condition. This includes ordinary maintenance activities, resurfacing paved areas, and exterior building changes or improvements which do not materially increase or concentrate stormwater runoff, or cause additional nonpoint source pollution.

Runoff. Stormwater runoff.

Site. An area of land where development is planned, which may include all or portions of one or more parcels of land. For subdivisions and other common plans of development, the site includes all areas of land covered under an applicable land development permit.

Stormwater concept plan. An initial plan for post-construction stormwater management at the site that provides the groundwork for the stormwater management plan including the natural resources inventory, site layout

concept, initial runoff characterization, and first round stormwater management system design.

Stormwater management facility. Any infrastructure that controls or conveys stormwater runoff.

Stormwater management plan. A plan for post-construction stormwater management at the site that meets the requirements of 8.180.180 D. and is included as part of the land development application.

Stormwater management standards. Those standards set forth in 8.180.170.

Stormwater management system. The entire set of non-structural site design features and structural BMPs for collection, conveyance, storage, infiltration, treatment, and disposal of stormwater runoff in a manner designed to prevent increased flood damage, streambank channel erosion, habitat degradation and water quality degradation, and to enhance and promote the public health, safety and general welfare.

Stormwater runoff. Flow on the surface of the ground, resulting from precipitation.

Subdivision. The division of a tract or parcel of land resulting in one or more new lots or building sites for the purpose, whether immediately or in the future, of sale, other transfer of ownership or land development, and includes divisions of land resulting from or made in connection with the layout or development of a new street or roadway or a change in an existing street or roadway.

Other terms used but not defined in this section shall be interpreted based on how such terms are defined and used in the GSMM and Hall County MS4 permit.

10.5.4. Adoption and Implementation of the GSMM; Conflicts and Inconsistencies

- A. In implementing this section, the county shall use and require compliance with all relevant design standards, calculations, formulas, methods, and other guidance from the GSMM as well as all related appendices.
- B. This section is not intended to modify or repeal any other chapter, ordinance, rule, regulation or other provision of law, including, but not limited to any applicable stream buffers under state and local laws, and the Georgia Safe Dams Act and Rules for Dam Safety. In the event of any conflict or inconsistency between any provision in the county's MS4 permit and this section, the provision from the MS4 permit shall control. In the event of any conflict or inconsistency between any provision of this section and the GSMM, the provision from this section shall control. In the event of any other conflict or inconsistency between any provision of this section and any other ordinance, rule, regulation or other provision of law, the provision that is more restrictive or imposes higher protective standards for human health or the environment shall control.
- C. If any provision of this section is invalidated by a court of competent jurisdiction, such judgment shall not affect or invalidate the remainder of this section.

10.5.5. Designation of Administrator

The Hall County Engineer and their designees are hereby appointed to administer and implement the provisions of this section.

10.5.6. Applicability Criteria for Stormwater Management Standards

This Sec. 10.5. applies to the following activities:

- A. New development that creates or adds 5,000 square feet or greater of new impervious surface area or that involves land disturbing activity of one acre of land or greater;
- B. Redevelopment (excluding routine maintenance and exterior remodeling) that creates, adds, or replaces 5,000 square feet or greater of new impervious surface area or that involves land disturbing activity of one acre or more;
- C. New development and redevelopment if;
 - 1. Such new development or redevelopment is part of a subdivision or other common plan of development; and
 - 2. The sum of all associated impervious surface area or land disturbing activities that are being developed as part of such subdivision or other common plan of development meets or exceeds the threshold in A. and B. above;
- D. Any commercial or industrial new development or redevelopment, regardless of size, that is a hotspot land use as defined in this section; and
- E. Linear transportation projects that exceed the threshold in A. or B. above.

10.5.7. Exemptions from Stormwater Management Standards

This Sec. 10.5. does not apply to the following activities:

- A. Land disturbing activity conducted by local, state, authority, or federal agencies, solely to respond to an emergency need to

protect life, limb, or property or conduct emergency repairs;

- B. Land disturbing activity that consists solely of cutting a trench for utility work and related pavement replacement;
- C. Land disturbing activity conducted by local, state, authority, or federal agencies, whose sole purpose is to implement stormwater management or environmental restoration;
- D. Repairs to any stormwater management system deemed necessary by the administrator;
- E. Agricultural practices as described O.C.G.A. § 12-7-17(5) within areas zoned for these activities with the exception of buildings or permanent structures that exceed the threshold in Sec. 10.5.6.A. or 10.5.6.B.;
- F. Silvicultural land management activities as described O.C.G.A. § 12-7-17(6) within areas zoned for these activities with the exception of buildings or permanent structures that exceed the threshold in Sec. 10.5.6.A. or 10.5.6.B.;
- G. Installations or modifications to existing structures solely to implement Americans with Disabilities Act (ADA) requirements, including, but not limited to elevator shafts, handicapped access ramps and parking, and enlarged entrances or exits; and
- H. Linear transportation projects being constructed by the county to the extent the administrator determines that the stormwater management standards may be infeasible to apply, all or in part, for any portion of the linear transportation project. For this exemption to apply, an infeasibility report that is compliant with the county linear feasibility program shall first be submitted to the administrator

that contains adequate documentation to support the evaluation for the applicable portion(s) and any resulting infeasibility determination, if any, by the administrator.

- I. Individual single-family or duplex residential lots that are not part of a subdivision or phased development project;
- J. Additions or modifications to existing single-family or duplex residential structures.
- K. Residential subdivisions of six lots or less with all lots accessing existing Hall County, Georgia roads.

10.5.8. Stormwater Management Standards

Subject to the applicability criteria in Sec. 10.5.6. and exemptions in Sec. 10.5.7., the following stormwater management standards apply. Additional details for each standard can be found in the GSMM Section 2.2.2.2:

- A. **Design of stormwater management system.** The design of the stormwater management system shall be in accordance with the applicable sections of the GSMM as directed by the administrator. Any design which proposes a dam shall comply with the Georgia Safe Dams Act and Rules for Dam Safety as applicable.
- B. **Natural resources inventory.** Site reconnaissance and surveying techniques shall be used to complete a thorough assessment of existing natural resources, both terrestrial and aquatic, found on the site. Resources to be identified, mapped, and shown on the stormwater management plan, shall include, at a minimum (as applicable):

1. Topography (minimum of two-foot contours) and steep slopes (i.e., areas with slopes greater than 15 percent),
2. Natural drainage divides and patterns,
3. Natural drainage features (e.g., swales, basins, depressional areas),
4. Natural feature protection and conservation areas such as wetlands, lakes, ponds, floodplains, stream buffers, drinking water wellhead protection areas and river corridors,
5. Predominant soils (including erodible soils and karst areas), and
6. Existing predominant vegetation including trees, high quality habitat and other existing vegetation.

- C. **Better site design practices for stormwater management.** Stormwater management plans shall preserve the natural drainage and natural treatment systems and reduce the generation of additional stormwater runoff and pollutants to the maximum extent practicable. Additional details can be found in the GSMM Section 2.3.

- D. **Stormwater runoff quality/reduction.** Stormwater runoff quality/reduction shall be provided by using the following:

1. For development with a stormwater management plan submitted before December 1, 2020, the applicant may choose either a. runoff reduction or b. water quality [below].
2. For development with a stormwater management plan submitted on or after December 1, 2020, the applicant shall choose (a) runoff reduction and additional water quality shall not be required. To the extent a. runoff reduction has been determined to be infeasible for all or a portion of the site using the practicability policy, then b. water quality shall apply for the remaining runoff from a 1.2 inch rainfall event and must be treated to

remove at least 80 percent of the calculated average annual post-development total suspended solids (TSS) load or equivalent as defined in the GSMM.

- a. **Runoff reduction**—The stormwater management system shall be designed to retain the first one inch of rainfall on the site using runoff reduction methods, to the maximum extent practicable.
 - b. **Water quality**—The stormwater management system shall be designed to remove at least 80 percent of the calculated average annual post-development total suspended solids (TSS) load or equivalent as defined in the GSMM for runoff from a 1.2 inch rainfall event.
3. If a site is determined to be a hotspot as detailed in Sec. 10.5.6, the county may require the use of specific or additional components for the stormwater management system to address pollutants of concern generated by that site.
- E. Stream channel protection.** Stream channel protection shall be provided by using all of the following three approaches:
1. 24-hour extended detention storage of the one-year, 24-hour return frequency storm event;
 2. Erosion prevention measures, such as energy dissipation and velocity control; and
 3. Preservation of any applicable stream buffer.
- F. Overbank flood protection.** Downstream overbank flood protection shall be provided by controlling the post-development peak discharge rate to the pre-development rate for the 25-year, 24-hour storm event. If control of the one-year, 24-hour storm is exempted, then

peak discharge rate attenuation of the two-year through the 25-year return frequency storm event must be provided.

- G. Extreme flood protection.** Extreme flood protection shall be provided by controlling the 100-year, 24-hour storm event such that flooding is not exacerbated.
- H. Downstream analysis.** Due to peak flow timing and runoff volume effects, some structural components of the stormwater management system fail to reduce discharge peaks to pre-development levels downstream from the site. A downstream peak flow analysis shall be provided to the point in the watershed downstream of the site or the stormwater management system where the area of the site comprises ten percent of the total drainage area in accordance with Section 3.1.9 of the GSMM. This is to help ensure that there are minimal downstream impacts from development on the site. The downstream analysis may result in the need to resize structural components of the stormwater management system.
- I. Stormwater management system inspection and maintenance.** The components of the stormwater management system that will not be dedicated to and accepted by the county, including all drainage facilities, best management practices, credited conservation spaces, and conveyance systems, shall have an inspection and maintenance agreement to ensure that they continue to function as designed. All new development and redevelopment sites are to prepare a comprehensive inspection and maintenance agreement for the on-site stormwater management system. This plan shall be written in accordance with the requirements in Sec. 10.5.19.

J. **Stormwater management system drainage and access easements.** Drainage and access easement(s) will be in favor of Hall County, Georgia to allow Hall County, Georgia to inspect and maintain (on publicly maintained systems) the system, as necessary. No obstruction shall be built, constructed, or planted that would inhibit proper function of the system, associated drainage systems, or the easement(s).

1. Stormwater management system easements, residential. The developer shall execute 20-foot easements in favor of Hall County, Georgia to include the following:

- a. An easement encompassing the entire perimeter of any stormwater management facilities that shall be measured from the 100-year stormwater ponding limits or six inches above the elevation of the overflow. Easement shall encompass entirety of the stormwater management system as well. The entire dam structure shall be included as well, and easement should extend 20 feet beyond the dam toe of slope.
- b. A 20-foot drainage easement measured ten feet in both directions from the appropriate centerline of all associated piping, channels, ditches, streams or other areas that are designed for stormwater to flow to and from the stormwater management facility;
- c. A 20-foot access easement connecting the facility to the nearest public road;
- d. Access easements can be combined with drainage easements where a pipe exists with a width of 30 feet provided easement is off center with the

pipe such that there is 20 feet clear on one side for access.

- e. No portion of the easement(s) to and from the Hall County, Georgia road and around the perimeter of the facility will be steeper than a grade of 3:1. The access easement must be clearly staked at the time of final platting.

2. *Stormwater management system easements, nonresidential.* The property owner shall execute a 20-foot drainage easement surrounding the entire perimeter of the facility in favor of Hall County, Georgia to allow Hall County, Georgia to inspect and observe the facility, as necessary. The easement boundary shall be measured from the 100-year stormwater ponding limit or six inches above the elevation of the overflow. The entire dam structure shall be included as well. Easement shall encompass entirety of the stormwater management system as well. The property owner shall additionally grant permission to Hall County, Georgia, its authorized agents and employees, to enter upon the property and to inspect the facilities whenever Hall County, Georgia deems necessary. Hall County, Georgia maintains the right to make emergency repairs to the facility as deemed necessary. No obstruction shall be built, constructed or planted that would inhibit proper function of the facility, associated drainage systems, or the easement(s).

K. **Hall County specific design requirements.**

1. *Fencing.* Fences and warning signs will be required on all detention facilities, constructed wetlands, retention ponds or similar devices where the sides of the device adjacent to the water are steeper than a 3:1 grade and the depth of the water in the pond is greater than three feet during a 25-year storm

event. Fences shall be five feet tall with a 14-foot-wide gate. Fences may be chain link or other approved material. The gate shall be locked with a Master Number One lock that is keyed as per the Hall County Engineer. Residential fences shall be located on the outside edge of the 20-foot perimeter easement and must allow complete access to facility and dam. Commercial fencing should be located on the outside edge of the 20-foot perimeter easement when possible but may be located elsewhere with the Hall County Engineering Department's approval.

2. *Survey marker.* A concrete survey marker shall be placed in the near vicinity of the stormwater management facility. The marker shall be a minimum of five inches by five inches in width and be embedded one foot into the ground. The marker shall have a "PK" nail embedded in the top. The marker must be placed above the high water elevation of the facility and within the drainage easement area. Alternate survey markers are allowed with prior approval from the Hall County Engineer.
3. *Outlet structure and piping construction.* Outlet structures and piping for residential above-ground detention facilities must be constructed of concrete to be eligible for acceptance into the Hall County, Georgia maintenance system.
4. *Residential underground stormwater management facilities.* Residential underground stormwater management facilities must be constructed of materials with a service life of greater than 50 years, and must be designed to allow for proper inspection and maintenance. Residential underground facilities will not be accepted into the Hall County, Georgia maintenance system until the subdivision has reached a point of 85 percent build-out, or greater. Until such acceptance time, the underground facilities must be bonded for 100 percent of entire cost of facility.
5. *Residential stormwater management facilities with retaining walls or water.* Retaining walls, micro pools, permanent pools, ground water present, holding water, or any facility which is constructed to provide 80 percent removal of Total Suspended Solids for water quality as part of stormwater management facilities will not be accepted into the county maintenance system. An appropriate private maintenance agreement for these facilities must be in place prior to final plat.
6. *Individual lot residential BMPs.* Individual lot residential BMPs, including, but not limited to, downspout disconnects, individual rain gardens, or other BMPs designed to treat a single residential lot, are not eligible for acceptance into the county maintenance system. An appropriate private maintenance agreement for these facilities will need to be in place prior to final plat.
7. *Stormwater management facility dams.* Dams for stormwater management facilities need to be at least 20 feet from the nearest property line as measured from the toe of slope for an earthen dam or edge of footer for a concrete structure.
8. *Proprietary devices.* Proprietary devices or facilities may be allowed with proper third party testing data that follows the testing protocol as set forth by the Metropolitan North Georgia Water Planning District. Such devices or facilities are not eligible for acceptance into the county maintenance system. An appropriate

private maintenance agreement for such devices or facilities must be in place prior to final plat.

management practices and identification of potential siting locations (GSMM Section 4.1).

10.5.9. Pre-Submittal Meeting, Stormwater Concept Plan, and Stormwater Management Plan Requirements

A. Before a land development permit application is submitted, an applicant may request a pre-submittal meeting with the county. The pre-submittal meeting should take place based on an early step in the development process such as before site analysis and inventory (GSMM Section 2.4.2.4) or the stormwater concept plan (GSMM Section 2.4.2.5). The purpose of the pre-submittal meeting is to discuss opportunities, constraints, and ideas for the stormwater management system before formal site design engineering. To the extent applicable, local and regional watershed plans, greenspace plans, trails and greenway plans, and other resource protection plans should be consulted in the pre-submittal meeting. Applicants must request a pre-submittal meeting with the county when applying for a determination of infeasibility through the practicability policy.

B. The stormwater concept plan shall be prepared using the minimum following steps:

1. Develop the site layout using better site design techniques, as applicable (GSMM Section 2.3).
2. Calculate preliminary estimates of the unified stormwater sizing criteria requirements for stormwater runoff quality/reduction, channel protection, overbank flooding protection and extreme flood protection (GSMM Section 2.2).
3. Perform screening and preliminary selection of appropriate best

C. The stormwater concept plan shall contain:

1. Common address and legal description of the site,
2. Vicinity map, and
3. Existing conditions and proposed site layout mapping and plans (recommended scale of one inch equals 50 feet), which illustrate at a minimum:
 - a. Existing and proposed topography (minimum of two-foot contours),
 - b. Perennial and intermittent streams,
 - c. Mapping of predominant soils from USDA soil surveys,
 - d. Boundaries of existing predominant vegetation and proposed limits of clearing and grading,
 - e. Location and boundaries of other natural feature protection and conservation areas such as wetlands, lakes, ponds, floodplains, stream buffers and other setbacks (e.g., drinking water well setbacks, septic setbacks, etc.),
 - f. Location of existing and proposed roads, buildings, parking areas and other impervious surfaces,
 - g. Existing and proposed utilities (e.g., water, sewer, gas, electric) and easements,
 - h. Preliminary estimates of unified stormwater sizing criteria requirements,
 - i. Preliminary selection and location, size, and limits of disturbance of proposed BMPs,

- j. Location of existing and proposed conveyance systems such as grass channels, swales, and storm drains,
 - k. Flow paths,
 - l. Location of the boundaries of the base flood floodplain, future-conditions floodplain, and the floodway (as applicable) and relationship of site to upstream and downstream properties and drainage, and
 - m. Preliminary location and dimensions of proposed channel modifications, such as bridge or culvert crossings.
- D. The stormwater management plan shall contain the items listed in this part and be prepared under the direct supervisory control of either a registered professional engineer or a registered Landscape Architect licensed in the State of Georgia. Items 3, 4, 5, and 6 below shall be sealed and signed by a registered professional engineer licensed in the state of Georgia. The overall site plan must be stamped by a design professional licensed in the State of Georgia for such purpose. (GSMM Section 2.4.2.7)
- 1. Natural resources inventory.
 - 2. Stormwater concept plan.
 - 3. Existing conditions hydrologic analysis.
 - 4. Post-development hydrologic analysis.
 - 5. Stormwater management system.
 - 6. Downstream analysis.
 - 7. Erosion and sedimentation control plan.
 - 8. BMP landscaping plan.
 - 9. Inspection and maintenance agreement.

- 10. Evidence of acquisition of applicable local and non-local permits.
 - 11. Determination of infeasibility (if applicable).
 - 12. Conservation area easement (if applicable).
- E. For redevelopment and to the extent existing stormwater management structures are being used to meet stormwater management standards the following must also be included in the stormwater management plan for existing stormwater management structures.
- 1. As-built drawings.
 - 2. Hydrology reports.
 - 3. Current inspection of existing stormwater management structures with deficiencies noted.
 - 4. BMP landscaping plans.

10.5.10. Application Fee

The fee for review of any land development application shall be based on the fee structure established by Hall County, and payment shall be made before the issuance of any land disturbance permit or building permit for the development.

10.5.11. Application Procedures

Land development applications are handled as part of the process to obtain the land disturbance permit pursuant to Sec. Sec. 10.1 or building permit pursuant to chapter 17.360, as applicable. Before any person begins development on a site, the owner of the site shall first obtain approval in accordance with the following procedure:

- A. File a land development application with Hall County on the county's form of application with the following supporting materials:

1. The stormwater management plan prepared in accordance with 8.180.180 D,
 2. A certification that the development will be performed in accordance with the stormwater management plan once approved,
 3. A preliminary determination of infeasibility, as applicable, prepared in accordance with the practicability policy, and
 4. An acknowledgement that applicant has reviewed the county's form of inspection and maintenance agreement and that applicant agrees to sign and record such inspection and maintenance agreement before the final inspection.
- B. The administrator shall inform the applicant whether the application and supporting materials are approved or disapproved.
- C. If the application or supporting materials are disapproved, the administrator shall notify the applicant of such fact in writing. The applicant may then revise any item not meeting the requirements hereof and resubmit the same for the administrator to again consider and either approve or disapprove.
- D. If the application and supporting materials are approved, the county may issue the associated land disturbance permit or building permit, provided all other legal requirements for the issuance of such permits have been met. The stormwater management plan included in such applications becomes the approved stormwater management plan.

10.5.12. Compliance with the Approved Stormwater Management Plan

All development shall be:

- A. Consistent with the approved stormwater management plan and all applicable land disturbance and building permits, and
- B. Conducted only within the area specified in the approved stormwater management plan.

No changes may be made to an approved stormwater management plan without review and advanced written approval by the administrator.

10.5.13. Inspections to Ensure Plan Compliance During Construction

Periodic inspections of the stormwater management system during construction shall be conducted by the staff of the county or conducted and certified by a professional engineer who has been approved by the county. Inspections shall use the approved stormwater management plan for establishing compliance. All inspections shall be documented with written reports that contain the following information:

- A. The date and location of the inspection;
- B. Whether the stormwater management system is in compliance with the approved stormwater management plan;
- C. Variations from the approved stormwater management plan; and
- D. Any other variations or violations of the conditions of the approved stormwater management plan.

10.5.14. Final Inspection; As-Built Drawings; Delivery of Inspection and Maintenance Agreement

Upon completion of the development, the applicant is responsible for:

- A. Certifying that the stormwater management system is functioning properly and was constructed in

conformance with the approved stormwater management plan and associated hydrologic analysis,

- B. Submitting as-built drawings showing the final design specifications for all components of the stormwater management system as certified by a professional engineer,
- C. Certifying that the landscaping is established and installed in conformance with the BMP landscaping plan, and
- D. Delivering to the county a signed inspection and maintenance agreement that has been recorded by the owner in the property record for all parcels that make up the site.

The required certification under part A shall include a certification of volume, or other performance test applicable to the type of stormwater management system component, to ensure each component is functioning as designed and built according to the design specifications in the approved stormwater management plan. This certification and the required performance tests shall be performed by a qualified person and submitted to the county with the request for a final inspection. Hall County shall perform a final inspection with applicant to confirm applicant has fulfilled these responsibilities.

10.5.15. Special Tax District for Public Residential Stormwater Management Facilities

- A. **Ratification of existing district.** The governing authority of Hall County, Georgia, does hereby ratify its action creating a special taxing district for inspection, maintenance, and repair of residential stormwater management facilities in unincorporated Hall County, Georgia and incorporated areas of Hall County, Georgia in which the County is the

issuing authority, as shown by the records in the office of the Hall County Engineer to which reference is hereby made for a full and complete description of the district hereinbefore created. All subdivisions permitted on or after the effective date of this section shall be added to the special taxing district.

- B. **Responsibility for costs.** The cost of construction (if applicable), inspection, maintenance, and repair of residential stormwater management facilities in the existing taxing district, and in the areas hereinafter added to the taxing district, shall be borne by the residents, lot owners, and property owners whose lot or property lies in the boundary of a subdivision served by a stormwater management facility.
- C. **Fee.** The charge assessed to each property owner in the district for inspecting, maintaining, and repairing the facility shall be as established in Appendix "I" Hall County Plan Review and Inspection Fee Schedule. From time to time, upon the recommendation of the Director of Public Works and Utilities of Hall County, Georgia, and approval of the Board of Commissioners of Hall County, Georgia, the below Appendix "I" may be revised as deemed necessary.
- D. **Petition for addition to the special taxing district for stormwater management facility inspection, maintenance, and repair in subdivisions.** Any lot owner being served by a stormwater management facility in Hall County, Georgia may present a request to be added to the special taxing district to the Hall County Engineer. Upon receipt of the request, the Hall County Engineer shall determine the appropriate boundaries for addition to the special taxing district for stormwater management facilities that will serve the

lot owner presenting the request and neighboring lot owners. The boundary shall consist of the subdivision that is served by the stormwater management facility and adjoining land owners served by the facility that agree to be included in the special tax district. The Hall County Engineer shall then prepare a plat showing this area for addition to the special taxing district for stormwater management facilities, and a petition for the addition to the special taxing district for stormwater management facilities shall then be circulated among the lot owners in the proposed district. The completed petition must be returned to the Hall County Engineering Department, and application fees must be paid at that time. If 51 percent of the lot owners in the proposed district sign the petition in affirmation for the addition to the special taxing district for existing stormwater management facilities, the petition shall be presented to the Board of Commissioners of Hall County, Georgia. The board of commissioners shall conduct two public hearings for the purpose of determining whether or not to add the proposed area to the special district for stormwater management facilities. The public hearings shall be advertised one time in the official organ of Hall County, Georgia, giving notice of the hearings, at least 15 days before the public hearings. The Hall County Engineer will verify the signatures on the petition prior to advertising the public hearings.

- E. Payment date, delinquencies.** The due date for the payment of drainage district assessment charges herein provided for shall be the same date of each year as tax bills are due to the Hall County Tax Commissioner. Failure to pay shall subject the responsible party to the same liens and penalties provided for failure to pay other

real estate taxes and will result in the delinquency of the entire account and not be deemed paid until all real estate taxes are paid in full.

- F. Responsibilities of revenue collections department.** The billing, accounting, collecting, and receiving of the moneys herein provided for are hereby declared the responsibility of the Finance and Tax Commissioner's Departments of Hall County, Georgia.

10.5.16. Special Tax District for Nonresidential and Private Residential Stormwater Management Facilities

- A. Ratification of existing district.** The governing authority of Hall County, Georgia, does hereby ratify its action creating a special taxing district for the inspection and emergency repairs of nonresidential stormwater management facilities in unincorporated areas of Hall County, Georgia, and incorporated areas in which Hall County is the soil erosion issuing authority, as shown by the records in the office of the Hall County Engineer to which reference is hereby made for a full and complete description of the district hereinbefore created. All nonresidential projects and private subdivisions permitted on or after the effective date of this section shall be added to the special taxing district.
- B. Responsibility for costs.** The cost of inspection and emergency repairs completed by Hall County of nonresidential and private residential stormwater management facilities in the existing taxing district, and in the areas hereinafter added to the taxing district, shall be borne by the property owners whose lot or property lies in the boundary of said district served by a stormwater management facility.

- C. **Fees.** The charge assessed to each property owner in the district for inspecting the facility shall be as established in Appendix "I" Hall County Plan Review and Inspection Fee Schedule. Additional costs will be assessed for any necessary emergency repairs performed by Hall County Georgia on the facility. In addition, from time to time, upon the recommendation of the Director of Public Works and Utilities of Hall County, Georgia, and approval of the board of commissioners of Hall County, Georgia, the below Appendix "I" may be revised as deemed necessary.
- D. **Payment date, delinquencies.** The due date for the payment of drainage district assessment charges herein provided for shall be the same date of each year as tax bills are due to the Hall County Tax Commissioner. Failure to pay shall subject the responsible party to the same liens and penalties provided for failure to pay other real estate taxes and will result in the delinquency of the entire account and not be deemed paid until all real estate taxes are paid in full.
- E. **Responsibilities of revenue collections department.** The billing, accounting, collecting, and receiving of the moneys herein provided for is hereby declared the responsibility of the Finance and Tax Commissioner's Departments of Hall County, Georgia.

10.5.17. Violations and Enforcement

Any violation of the approved stormwater management plan during construction, failure to submit as-built drawings, failure to submit a final BMP landscaping plan, or failure of the final inspection shall constitute and be addressed as violations of, or failures to comply with, the underlying land disturbance permit pursuant to Sec. 10.1 or the underlying

building permit pursuant to Sec. 11.2. To address a violation of this section, the county shall have all the powers and remedies that are available to it for other violations of building and land disturbance permits, including without limitation the right to issue notices and orders to ensure compliance, stop work orders, and penalties as set forth in the applicable ordinances for such permits.

10.5.18. Maintenance by Owner of Stormwater Management Systems Predating Current GSMM

For any stormwater management systems approved and built based on requirements predating the current GSMM and that is not otherwise subject to an inspection and maintenance agreement, such stormwater management systems shall be maintained by the owner so that the stormwater management systems perform as they were originally designed.

10.5.19. Inspection and Maintenance Agreements

- A. The owner shall execute an inspection and maintenance agreement with the county obligating the owner to inspect, clean, maintain, and repair the stormwater management system; including vegetation in the final BMP landscaping plan. The form of the inspection and maintenance agreement shall be the form provided by the county. After the inspection and maintenance agreement has been signed by the owner and the county, the owner shall promptly record such agreement at the owner's cost in the property record for all parcels that make up the site.
- B. The inspection and maintenance agreement shall identify by name or official title the person(s) serving as the point of contact for carrying out the owner's obligations under the inspection

and maintenance agreement. The owner shall update the point of contact from time to time as needed and upon request by the county. Upon any sale or transfer of the site, the new owner shall notify the county in writing within 30 days of the name or official title of new person(s) serving as the point of contact for the new owner. Any failure of an owner to keep the point of contact up to date shall, following 30 days' notice, constitute a failure to maintain the stormwater management system.

- C. The inspection and maintenance agreement shall run with the land and bind all future successors-in-title of the site. If there is a future sale or transfer of only a portion of the site, then:
1. The parties to such sale or transfer may enter into and record an assignment agreement designating the owner responsible for each portion of the site and associated obligations under the inspection and maintenance agreement. The parties shall record and provide written notice and a copy of such assignment agreement to the county.
 2. In the absence of a recorded assignment agreement, all owners of the site shall be jointly and severally liable for all obligations under the inspection and maintenance agreement regardless of what portion of the site they own.

10.5.20. Right of Entry for Maintenance Inspections

The terms of the inspection and maintenance agreement shall provide for the county's right of entry for maintenance inspections and other specified purposes. If a site was developed before the requirement to have an inspection and maintenance agreement or an inspection and maintenance agreement was

for any reason not entered into, recorded, or has otherwise been invalidated or deemed insufficient, then the county shall have the right to enter and make inspections pursuant to the county's general provisions for property maintenance inspections.

10.5.21. Owner's Failure to Maintain the Stormwater Management System

The terms of the inspection and maintenance agreement shall provide for what constitutes a failure to maintain a stormwater management system and the enforcement options available to the county. If a site was developed before the requirement to have an inspection and maintenance agreement or an inspection and maintenance agreement was for any reason not entered into, recorded, or has otherwise been invalidated or deemed insufficient, then:

- A. An owner's failure to maintain the stormwater management system so that it performs as it was originally designed shall constitute and be addressed as a violation of, or failure to comply with, owner's property maintenance obligations pursuant to the county's general provisions for property maintenance inspections and
- B. To address such a failure to maintain the stormwater management system, the county shall have all the powers and remedies that are available to it for other violations of an owner's property maintenance obligations, including without limitation prosecution, penalties, abatement, and emergency measures.

Article 11. Administration

Table of Contents

Sec. 11.1. Review Bodies.....	11-2	11.3.6. Appeals	11-38
11.1.1. Planning Commission.....	11-2	Sec. 11.4. Enforcement.....	11-39
Sec. 11.2. Review Process and Procedures .	11-6	11.4.1. General.....	11-39
11.2.1. Zoning Application Fee.....	11-6	11.4.2. Enforcement.....	11-39
11.2.2. Subdivision Fees.....	11-7	11.4.3. Remedies for Violation.....	11-39
11.2.3. Administration.....	11-8	11.4.4. Penalty	11-39
11.2.4. Administrative Variances	11-8		
11.2.5. Subdivision Review Process and Procedures	11-9		
11.2.6. Amendments.....	11-26		
11.2.7. Appeals.....	11-34		
Sec. 11.3. Nonconforming Uses and Structures.....	11-37		
11.3.1. Purpose	11-37		
11.3.2. Continuation of Nonconforming Use or Structure.....	11-37		
11.3.3. Continuation of Nonconforming Use or Structure Due to Hardship	11-37		
11.3.4. Information Required for Continuation of Nonconforming Use or Structure.....	11-38		
11.3.5. Additional Conditions Placed on Continuation of Nonconforming Use or Structure.....	11-38		

Sec. 11.1. Review Bodies

11.1.1. Planning Commission

A. Authority.

The Planning Commission may authorize Conditional Use Permits as expressly identified in Article 7 of this UDC. However, the Planning Commission shall have full authority to deny any request it deems inappropriate in order to protect the general health, safety, and welfare of the County and its citizens.

B. Membership.

1. The Hall County Planning Commission shall consist of five members, appointed by the Board of Commissioners. All Planning Commission members must be residents of the county. Each member of the Hall County Board of Commissioners shall appoint one member for a two-year term to the Planning Commission. Each two-year term will begin February 1, and expire January 31, or continue until their successor is appointed.
2. Any vacancy in membership must be filled for the unexpired term by the Board of Commissioners.
3. The Board of Commissioners have the authority to remove any member for cause on written charges after a public hearing.
4. The unexcused absence of a Planning Commission member from three consecutive regularly scheduled meetings without prior notice to the chairperson of the Planning Commission or the Planning Commission staff office may be cause for termination of said member's appointment.
5. Members of the Planning Commission may be reimbursed or compensated

for their services pursuant to direction and approval of the Hall County Commission.

C. Organization and Proceedings.

The Planning Commission must elect a chairperson from its members to be approved by the Board of Commissioners. The term of the chairperson will be one year with eligibility for re-election. The Planning Commission must appoint a secretary, who may be an officer or employee of the county. The Planning Commission must adopt its own rules of procedure and determine its time of meeting. All meetings of the Planning Commission at which official action is taken must be open to the public and all records of the Planning Commission are considered to be a public record.

D. Powers and Duties.

The Planning Commission has the following powers and duties:

1. To accept applications and make findings and recommendations at a public hearing for all amendments to this UDC. Recommendations will be forwarded to the county Board of Commissioners.
2. To grant application for all Conditional Use Permits as specified by this UDC, provided that the standards and requirements of this UDC are met.
3. To review preliminary subdivision plats and grant development approval for same when required by this UDC. The Planning Commission may appoint a secretary from their membership to oversee preliminary plat review. The secretary may delegate this duty to the Department of Planning and Zoning as they see fit.

4. To review final subdivision plats and grant recording and approval permits for subdivision when required by this UDC. The Planning Commission may appoint a secretary from their membership to oversee final plat review. The secretary may delegate this duty to the Department of Planning and Zoning as they see fit.
5. To initiate, direct and review from time to time a study of the provisions of this UDC and to make reports of its findings and recommendations as to amendments to the Board of Commissioners.
6. To investigate and make recommendations to the Board of Commissioners regarding the acceptance and classification of county roads.
7. To accept and determine requests regarding unclassified uses upon recommendation from the Director of Planning and Zoning. Such determinations must be made in accordance with the criteria set forth in Sec. 7.1.4.
8. To hear and decide on appeals of determinations and decisions made by an administrative official as specified by Sec. 11.2.7.
9. The Planning Commission may make such determinations, investigate such matters relating to the planning and development of the county, and take such action as authorized by this UDC and the laws of the state.
10. To authorize upon appeal in specific cases such variances as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this UDC will result in unnecessary hardship and so that the spirit of this UDC is observed, public safety and welfare secured, and substantial justice done.
 - a. In cases involving requests for variances from the building setback standards, a plat or survey of the property is required. In cases involving setback variances for commercial or industrial uses of land, a site plan of the property in question prepared by a registered land surveyor, architect, landscape architect or engineer is required.
 - b. The authority to grant such variances is limited to variances from the following requirements:
 - i. Setbacks from property lines.
 - ii. Planted buffers and vision clearance requirements.
 - iii. Off-street parking space requirements.
 - iv. Design standards for single-family and two-family dwellings in Sec. 2.2.
 - v. Other requirements where the granting of a variance is specifically authorized.
11. Such variances may be granted in individual cases of unnecessary hardship upon a finding of the board that:
 - a. There are extraordinary and exceptional conditions pertaining to the particular lot in question because of its size, shape or topography (the hardship must relate to the physical character of the lot and not to a personal or economic hardship);
 - b. The application of the requirements of this UDC to this particular piece of property would create an unusual hardship;

- c. Such conditions are particular to the property involved and are not common to other properties in the neighborhood;
- d. Such conditions are not the result of any actions of the property owner; and
- e. Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of this UDC; provided, however, that no variance may be granted for a use of land or building or structure that is prohibited by this UDC or for a Conditional Use Permit which has been denied by the Planning Commission.

12. To receive and act upon applications for the change, continuance and/or enlargement of a nonconforming use as provided in this UDC.

13. To perform other duties as from time to time may be delegated by the Board of Commissioners.

E. Exercise of Planning Commission Powers.

F. In exercising the above powers, the Planning Commission may, in conformity with the provisions of this UDC, reverse or affirm, wholly or in part, or may have all powers of the officer from whom the application is taken, and may direct the issuance of a building permit, occupancy permit or certificate of zoning compliance. In no case shall the powers of the commission be construed to include authority to reclassify use zones. **Actions by Planning Commission.**

In all actions or decisions of the Planning Commission, three members being present constitutes a quorum with a majority vote of the quorum constituting an official action or decision of the Planning Commission. Each official action,

with the full text of the motion and record of members' votes, must be incorporated in the minutes of the Planning Commission. If an application to the Planning Commission is denied, the same property may not be considered for any zoning application, and no application may be filed, until the expiration of at least six months immediately following the denial of the application.

G. Review Procedures.

1. The Planning Commission must hold a public hearing on all applications for conditional use permits in accordance with Sec. 11.2.6. and consider the merits of the applications as authorized by this UDC.

2. After hearing testimony from all interested parties, the Planning Commission will have 30 days to render its decision.

H. Notice of Public Hearing.

The requirements and procedures for notice of public hearing in Sec. 11.2.6. must be followed.

I. Submission Requirements.

An application must be submitted to the Department of Planning and Zoning at least 30 days prior to the date of the Planning Commission hearing at which the application is to be considered. The completed application must be accompanied by payment of such fee prescribed in Sec. 11.2. to cover administrative and advertising costs. The items of information must be supplied by the applicant as set forth in this section.

J. Review Criteria.

A conditional use permit may be granted when the Planning Commission finds from a preponderance of the evidence produced at the public hearing that the proposed use

is suitable for the subject property considering the general lines of inquiry established in Sec. 11.2.6.F.3.

K. Burden of Proof.

The applicant for a conditional use permit must have the burden of proof, which must include the presentation of evidence and the burden of persuasion of all questions of fact which are to be determined by the Planning Commission as authorized in this section.

L. Conditions of Approval.

The Planning Commission may place any reasonable conditions or stipulations

upon an approved Conditional Use Permit as deemed necessary, including but not limited to hours of operation, parking, maximum building size, lot size, outside displays, signs, landscape and buffer improvements, and screens, to further insure the orderly operation of the proposed use and its compatibility with the surrounding properties.

M. Appeals to the Board of Commissioners.

Any decision of the Planning Commission may be appealed to the Hall County Board of Commissioners in accordance with Sec. 11.2.7.

Sec. 11.2. Review Process and Procedures

11.2.1. Zoning Application Fee

A. General

Fees for the administration of the zoning regulations must be collected prior to action by any commission, board, or final action by an administrative official. An application will not be considered complete until the required fee is paid.

Application Fees

1. Application filing fees for rezoning and conditional use applications are as established in Table 11.2.1.
2. Additional fees will be assessed as follows:
 - a. Site plan review of mobile home parks:
 - i. \$0.10 per linear foot of new streets proposed, and
 - ii. \$5.00 per mobile home space proposed.
 - b. Determination of unclassified uses: none.
 - c. Zoning Verification Letter: \$25.
 - d. Appeals to the Board of Commissioners: \$200.

B. Refund of Application Fees

Refunds for zoning application fees to the county will be processed as follows:

1. Rezoning.
 - a. Withdrawal prior to notification of adjacent property owners by public advertisement will result in a refund of 50 percent of the application fee.
 - b. Withdrawal after notification of adjacent property owners by public advertisement but prior to the required public hearing will

result in a refund of 25 percent of the application fee.

2. Variance, special use, and conditional use permits.
 - a. Withdrawal prior to notification of adjacent property owners by public advertisement will result in a refund of 50 percent of the application fee.
 - b. Withdrawal after notification of adjacent property owners by public advertisement: none.
3. No refunds will be issued for any application which was withdrawn after a public hearing.

Table 11.2.1. Fees for Applications Submitted to the Planning Commission

Rezoning Applications		
Acres	Zone To: V-C, R-1-L, R-1, AG, AR-1, AR-2	Zone To: R-TF, R-X, R-MF, O-I, S-S, H-B, I-1, I-2, Planned Development, MHP, P-C, M-U
0-5	\$300	\$450
5-10	\$400	\$550
10-20	\$600	\$750
20-100	\$1,000	\$1,500
>100	\$1,000 + \$30 per acre or part thereof, not to exceed \$2,500	\$1,500 + \$30 per acre or part thereof, not to exceed \$3,000
Special Use and Conditional Use Permit Applications		
Acres	Zoning Districts V-C, R-1-L, R-1, AG, AR-1, AR-2	Zoning Districts R-TF, R-X, R-MF, O-I, S-S, H-B, I-1, I-2, Planned Development, MHP, P-C, M-U
0-5	\$250	\$350
5-10	\$350	\$450
10-20	\$500	\$650
20-100	\$750	\$1,000
>100	\$750 + \$25 per acre or part thereof, not to exceed \$2,000	\$1,000 + \$30 per acre or part thereof, not to exceed \$2,500

11.2.2. Subdivision Fees

A. Preliminary Plat

A fee as established in the Hall County Plan Review and Inspection Fee Schedule will be charged per linear foot of a new street proposed in addition to fees required by Sec. 10.1. From time to time, upon the recommendation of the Director of Public Works and Utilities of Hall County, Georgia, and approval of the Board of

Commissioners of Hall County, Georgia, said schedule may be revised as deemed necessary.

B. Final Plat

A fee as established in the Hall County Plan Review and Inspection Fee Schedule will be charged. This review fee allows for an initial review of the final plat and associated stormwater as-builts and a second review to ensure that redlined comments are addressed, as well as an additional fee for final plats and associated

stormwater as-builts that require third and subsequent reviews. From time to time, upon the recommendation of the Director of Public Works and Utilities of Hall County, Georgia, and approval of the Board of Commissioners of Hall County, Georgia, said schedule may be revised as deemed necessary.

C. Extension of Time Limit on Preliminary Plat

A fee as established in the Hall County Plan Review and Inspection Fee Schedule will be charged for an extension of time limit on a preliminary plat per linear foot of a new street proposed. From time to time, upon the recommendation of the Director of Public Works and Utilities of Hall County, Georgia, and approval of the Board of Commissioners of Hall County, Georgia, said schedule may be revised as deemed necessary.

D. Appeals

A fee as established in the Hall County Plan Review and Inspection Fee Schedule will be charged for appeals to the Board of Commissioners of any Planning Commission decision on the regulations of Article 9 (Subdivisions). From time to time, upon the recommendation of the Director of Public Works and Utilities of Hall County, Georgia, and approval of the Board of Commissioners of Hall County, Georgia, said schedule may be revised as deemed necessary.

11.2.3. Administration

A. Planning and Development Director

1. The County Board of Commissioners authorizes the Director of Planning and Zoning to administer, interpret, and enforce this UDC, except as otherwise provided in this UDC.

2. Any decision or interpretation of the Director of Planning and Zoning may be appealed to the Planning Commission in accordance with Sec. 11.2.7.

11.2.4. Administrative Variances

A. Applicability

The Director of Planning and Zoning may modify the following standards during development review. Any modification beyond those listed below must be considered by the Planning Commission as a variance.

1. Setbacks. A reduction of up to 10% of the numeric standard for a minimum building setback.
2. Lot coverage. An increase of up to 1% beyond the numeric standard for lot coverage.
3. Parking. A reduction in the minimum required vehicle parking spaces by up to 10%.

B. Criteria for Approval

The applicant must demonstrate, and the Director of Planning and Zoning must find, that all the following criteria are present when approving a request for an administrative variance:

1. There are clear and compelling reasons that are not purely financial demonstrating that the required standard cannot be met;
2. The modification is the minimum amount necessary to meet the objectives of this UDC; and
3. The requested adjustment will not contravene the general health, safety, and welfare of the County and its citizens or negatively impact adjoining properties.

11.2.5. Subdivision Review Process and Procedures

A. Procedures for Submittal of Plans and Plat Recordation

1. **General Procedure.** When any subdivision of land is proposed, before any permit for the subdivision may be granted, the subdividing owner, or his authorized agent, must apply for and secure approval of the proposed subdivision in accordance with the following procedures of this UDC.
2. **Subdivision Defined.** See Sec. 12.2.
3. **Plat Approval Required.** No person may sell or transfer any land by reference to or exhibition of or other use of a plat of a subdivision before such plat has been approved by the Director of Planning and Zoning and recorded in the office of the Clerk of Superior Court of the county. The description of any land by metes and bounds in the instrument of transfer or other documents used in the process of selling or transfer does not exempt the transaction from this Sec. 11.2.5.
4. **Submittal of required plats.** Any subdivider of land within unincorporated Hall County must submit to the Director of Planning and Zoning the required plats of the subdivision, which shall conform to the requirements of this UDC.
5. **Preliminary Plat Approval Required.** No subdivider may proceed with any construction work on the proposed subdivision, including clearing of land, before obtaining a preliminary plat approval from the county.
6. **Approved Street Access Required for All Lots.** No building permit may be issued for and no building or other structure may be erected on any lot within the subdivision unless the

street giving access to the lot upon which said building is proposed to be placed has been accepted or opened as, or has otherwise received the legal status of, a public street prior to that time, or unless such street and lot corresponds in its location and lines with a street shown on a subdivision plat approved by the county, or on a street plat made and adopted by the Board of Commissioners, or a street located and accepted by the governing authority of the county. Any building erected in violation of this section will be deemed an unlawful structure, and the Building Official, county attorney, or other official designated by the governing authority of the county may bring appropriate action to enjoin such erection or cause it to be vacated or removed.

7. **Exemptions from Preliminary Plat Requirements.** The following types of subdivision may be exempted from the requirements of a preliminary plat and are not required to obtain a certificate of preliminary plat approval. The subdivision must be required to obtain a recording and approval certificate as a final plat:
 - a. A subdivision which has lots fronting on a road or street shown on the official road map of the county; provided no new street, no community water system and no community sewer system is required.
 - b. The subdivision of land in a designated planned development meeting the requirements of this UDC and having been approved by the county.
 - c. A subdivision in which all lots having frontage on a proposed street exceed 1.25 acres per lot may be exempt from curb and gutter and the related storm

- drainage. Those lots which front on the proposed street may not thereafter be subdivided into lots smaller than 1.25 acres. A statement to this effect must be placed on the final plat to be recorded. Additionally, those lots shall have a minimum lot width of 100 feet at the building line as defined in Sec. 2.1. Any lot which has at least 50 percent of its frontage on the radius section of a turnaround at the end of a street may measure the building line at a point beyond the minimum required setback line but in no case may the building line be less than 50 feet from the minimum required rear setback line.
8. **Preapplication Review.** The owner, or their authorized design representative, must review the subdivision plans with the Director of Planning and Zoning prior to submittal of a preliminary plat when the proposed subdivision involves a tract greater than 20 acres, any tract with a community water or sewer system, or any tract in a planned development district with a proposed new street. The informal review is intended to:
 - a. Review of the requirements of these regulations; and
 - b. Review of the owner's plans and the development's impact on soil erosion control, subdivision design, water supply and waste treatment.
 9. **Boundary Survey Required.** The subdivider must present a boundary survey of the tract and a rough sketch of the proposal.
 10. **Submittal of Plans to Affected Agencies.** The Director of Planning and Zoning may require the developer to present the plans to any other affected agency.
 11. **Preliminary Plat Action Required.** The owner or their authorized agent must make an application for preliminary plat approval to the Director of Planning and Zoning by filing in the office of the Director the following items, if applicable, in subsection 12 and 13 below.
 12. **Preliminary Plat Application.** The preliminary plat must contain an application signed by the owner, setting out:
 - a. Total acreage.
 - b. Number of lots.
 - c. Average lot size.
 - d. Minimum lot size.
 - e. Proposed use of each lot.
 - f. Water supply system.
 - g. Sewer system.
 - h. Length of proposed roads.
 - i. Phasing of the subdivision.
 - j. Estimated time for completion.
 - k. An outline of any proposed organizations to control a portion or all of the tract, such as a homeowners association or equivalent body.
 - l. Notice of intent to dedicate any portion of the property to the public.
 13. **Preliminary plat; agency approvals and engineering certificate.** The preliminary plat must contain copies of the preliminary plat, drawn according to this section, having affixed to them the stamps or signatures of the following applicable agencies or firms. A letter from an applicable agency may be submitted in lieu of a plat stamp:

- a. Approval of the Director of Utilities if to be served by a public water system;
 - b. Approval of the Department of Natural Resources and Director of Engineering if to be served by a community water system;
 - c. Approval of the Director of Utilities if to be served by a public sewer system;
 - d. Approval of the Department of Natural Resources and Director of Engineering if to be served by a community sewer system;
 - e. Approval of the county health department;
 - f. Preliminary engineering certificate, signed and sealed by an engineer, surveyor or landscape architect registered in Georgia;
 - g. Approval for construction by the Director of Engineering.
14. **Preliminary plat; review by Planning and Zoning Director.** The Director of Planning and Zoning must review the application and, if determined to be complete, submit it to the Planning Commission. The Director may recommend changes that are necessary to meet the standards and intent of this UDC to serve the best interests of the county.
15. **Preliminary plat; action by Planning Commission.** The Planning Commission, or their designee as detailed in Sec. 11.1.1.D.3., may:
- a. Grant preliminary plat approval; or
 - b. Grant preliminary plat approval conditional upon any changes, which must be noted on the preliminary plat or attached thereto; or
 - c. Deny preliminary plat approval, if the plat does not meet the standards and intent of this Sec. 11.2. or any other regulations of this UDC.
16. **Preliminary plat; notation of action.** Action of the Department of Planning and Zoning must be noted on three copies of the preliminary plat. One copy of the plat must be returned to the applicant.
17. **Preliminary Plat, expiration of approval.** A certificate of preliminary plat approval will expire 12 months following the date of approval. The applicant must have received, at a minimum, an approved grading inspection within the 12 months following preliminary plat approval to continue work on the subdivision without an extension.
18. **Preliminary Plat; appeals.** Should an applicant disagree with the comments of the Director of Planning and Zoning, concluding that factual or interpretive errors have been made, the following appeal procedure is designed to resolve the issues:
- a. Submit to the Director a written statement clearly defining the nature of the disagreement, the specific reference to the section of these regulations at issue, and the applicant's own opinion.
 - b. Should the Director, after review of the applicant's statement, conclude that neither these regulations nor other applicable regulations or conditions of zoning would be violated, the Director may modify their comments accordingly. However, should the Director conclude that these or other applicable regulations would be violated, the case must be referred to the Planning

- Commission at the earliest regularly scheduled meeting.
- c. The Planning Commission must, after receiving a report from the Director, decide the issue.
 - d. Should the applicant disagree with the decision of the Planning Commission, an application may be filed to appeal the decision to the Board of Commissioners in accordance with Sec. 11.2.7.
19. **Soil Erosion and Sedimentation Control Permit; issuance.** Following the approval of a preliminary plat, and review and approval by the Department of Planning and Zoning, a soil erosion and sedimentation control permit may be issued by the Engineering Department.
20. **Soil Erosion and Sedimentation Control Permit; implementation of measures.** Upon the issuance of a soil erosion and sedimentation control permit:
- a. Erosion control measures must be installed by the subdivider and inspected and approved by the Engineering Department prior to any grubbing or grading; and
 - b. Sediment retention facilities must be installed and operational prior to major grading operations.
21. **Extension on Time Limit of Development.** Before a certificate of preliminary plat approval has expired, the subdivider may request an extension of the certificate. An application must be made in writing to the Planning Commission. The Planning Commission must take action on the application in the same manner as an original application. However, if modifications are made to regulations, the plat must meet these changes.
22. **Construction Inspection Schedule.** Each phase of the subdivision must be constructed according to the schedule in Table 11.2.2. Care should be taken to observe the schedule, as unnecessary delay and additional expense may result if the construction is varied substantially from the schedule.

Table 11.2.2 Construction Inspections

Type	Responsibility
Soil Erosion Control	County Engineering Department
Clearing and Grubbing	County Engineering Department
Subsurface Drainage Installation	County Engineering Department
Wet Weather Springs, Soft Spots and Swamps	County Engineering Department
Street Grading and Staking	County Engineering Department
Water System Installation	County Engineering Department
Subgrade Stabilization	County Engineering Department
Sanitary Sewer Installation	Utility owner, County Health Department, County Engineering Department
Curb and Gutter Form and Work Lines	County Engineering Department
Curb and Gutter Installation	County Engineering Department
Base Course Application	County Engineering Department
Asphalt Pavement Installation	County Engineering Department
Sidewalk Form Work*	County Engineering Department
Sidewalk After Pouring and Finishing*	County Engineering Department
Sidewalks Poured on a Lot by Lot Basis	County Building Inspection Department
Shaping and Backfilling+	County Engineering Department
Grassing of Shoulder and Slope	County Engineering Department
Shoulder Shaping and Backfilling+	County Engineering Department
Re-grassing+	County Engineering Department
Sign Installation	County Engineering Department

Table 11.2.2 Construction Inspections

Type	Responsibility
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Table Notes:

- * For instances when sidewalks are constructed as a single unit.
- + As applicable or required by the county.

23. **Completion of water and sewer Installations.** All underground water and sewer installations, including sewer cross taps to individual lots, must be completed prior to the application of the base course.
24. **Inspection Required.** The inspection of all construction is required. The subdivider is responsible for notification of the inspection authority 24 hours prior to the covering of the work. Before reinspection of any subdivision development site by the county, the developer of such site must pay the reinspection fee as established in the Hall County Plan Review and Inspection Fee Schedule if the reinspection is necessitated by the developer's failure to comply with these regulations. From time to time, upon the recommendation of the Director of Public Works and Utilities of Hall County, Georgia, and approval of the Board of Commissioners of Hall County, Georgia, said schedule may be revised as deemed necessary.
25. **Stages for notification of county engineering department.** The county Engineering Department must be notified:
 - a. At completion of clearing and grubbing and prior to grading;
 - b. Prior to covering stormwater drainage pipe;
 - c. At completion of grading and restaking the centerline prior to setting curb forms and line;

- d. For subgrade and curbing inspection prior to application of base course;
 - e. At completion of the base course and prior to the application of the prime coat;
 - f. At completion of the prime coat and prior to the application of the paving course in order to schedule the presence of a county inspector during application of plant mix;
 - g. Upon construction of sidewalk formwork, prior to pouring of concrete. (Note: Inspections on sidewalks poured on a lot-by-lot basis are handled by county building inspections.)
 - h. After pouring and finishing of sidewalks. (Note: Inspections on sidewalks poured on a lot-by-lot basis are handled by county building inspections.)
 - i. At completion of shoulder reconstruction and shaping, prior to final seeding;
 - j. At completion of construction and final plat;
 - k. Fifteen months from acceptance of the maintenance bond or 75 percent build-out, whichever occurs last; (publicly maintained residential subdivisions);
 - l. One year from acceptance of maintenance bonds for paving only in any subdivision with roads built to industrial standards (depths of base and asphalt only);
 - m. One year from acceptance of the maintenance bond in privately maintained subdivisions and;
 - n. At such other times as the Director of Engineering should specify.
26. **Private Utility Inspection Schedule.** The owner of any utility serving a subdivision must set its own inspection schedule.
27. **Inspection of Community Water or Sewer System.** The inspection of any community water system or any community sewer system must be as required by the Director of Engineering and the applicable state agency.
28. **Use of Testing Agency.** If tests of materials or construction are required, a recognized testing agency must be used, and the owner of the subdivision bear any expense.
29. **Final Plat Approval; generally.** Whenever the provisions of these regulations have been complied with and while the certificate of preliminary plat approval is in effect, the subdivider may submit to the Director of Planning and Zoning, for final plat review and approval, the following items in subsections 30 and 31 below.
30. **Final Plat Application.** The subdivider must submit an application signed by the subdivider, stating:
- a. Total acreage.
 - b. Number of lots.
 - c. Minimum lot size.
 - d. Proposed use of each lot.
 - e. Water supply system.
 - f. Sewer system.
 - g. Length of proposed roads.
 - h. Phasing of the subdivision.
 - i. Estimated time for completion.
 - j. An outline of any proposed organizations to control a portion or all of the tract, such as a homeowners' association or equivalent body; and

- k. Notice of intent to dedicate any portion of the property to the public.
31. **Final plat approval; agency approvals and surveyor's certificate.** The subdivider must submit copies of the final plat, drawn according to this Sec. 11.2., having affixed to them the stamps or signatures of the following applicable agencies or firms. A letter from an applicable agency may be submitted in lieu of a plat stamp:
- Approval of the Director of Utilities if to be served by a public water system;
 - Approval of the Department of Natural Resources and Director of Engineering if to be served by a community water system;
 - Approval of the Director of Utilities if to be served by a public sewer system;
 - Approval of the Department of Natural Resources and Director of Engineering if to be served by a community sewer system;
 - Approval of the county health department;
 - Preliminary engineering certificate, signed and sealed by an engineer, surveyor or landscape architect registered in Georgia;
 - Approval for construction by the Director of Engineering.
32. **Final Plat Approval; copy of improvement guarantee.** The subdivider must submit a copy of any improvement guarantee for which provision is made in Article 9.
33. **Final Plat Review; review by Planning and Zoning Director.** The Director of Planning and Zoning must review the final plat for compliance with these regulations, the zoning regulations, conditions of zoning, and the regulations of other county departments and state agencies, as appropriate.
34. **Final plat review; compliance responsibility.** The subdivider is responsible for compliance with all appropriate regulations.
35. **Final plat review; approval requirements and maintenance bond.**
- Bonding instrument requirement.* Final approval by the Director of Planning and Zoning must not be shown on the final plat until all requirements of these regulations have been met and until the Hall County Engineering Division has certified by letter or endorsement on the plat that a maintenance bond (either in the form of a guaranty bond or cash deposited in escrow for the county) or an irrevocable letter of credit has been received which adequately and sufficiently provides for the maintenance of all installations and improvements required by these regulations for a period of 24 months following the date of final plat approval for base, paving, grassing, storm water management facilities, sidewalks, and any other necessary infrastructure within that subdivision.
 - Bonding and maintenance agreement.* All bonding instruments must be valid for a minimum of 24 months from the date of issuance. The guarantee bond, escrowed cash, or irrevocable letter of credit must also be accompanied by completed forms provided by the Hall County Engineering Division, and must also be accompanied by a fully executed Maintenance Agreement by which the developer agrees to

- maintain all such facilities and infrastructure for a period of not less than 24 months from the date of final platting. All bonding instruments must be issued by a company with a minimum A rating (or better), and which is licensed to do business in the State of Georgia and with a principal office and registered agent located in the State of Georgia.
- c. *Storm water bonding release.* Storm water management facilities will need to be cleaned of accumulated silt and properly maintained as provided in Sec. 10.5., prior to release of issued bonds.
 - d. *Bonding instrument amount.* The amount of the bonding mechanism must equal 30 percent of all completed infrastructure including base, paving, grassing, storm water management facilities, sidewalks, and any other necessary infrastructure plus 100 percent of the cost of all incomplete infrastructure such as remaining sidewalks and asphalt topping. The unit cost data used in the initial calculations will be based upon the latest Georgia Department of Transportation (GDOT) Item Mean Summary plus up to ten percent per year, or the latest county contract data, whichever is higher. The county is also authorized to require yearly increases in the face amount of required bonds based upon the consumer price index in order to cover the increasing cost of construction and maintenance of infrastructure due to economic inflation.
 - e. *Transfer of land ownership during the bonding period.* No person, firm, partnership, association, corporation, estate, trust, developer, subdivider, or any other owner or agent may transfer title of a property which is the subject of any active maintenance or performance bonds without first providing to the county, as beneficiary, a newly executed bonding instrument for the new owner or developer. The newly executed bonding instrument must be presented to and approved by the Hall County Board of Commissioners.
 - f. *Bonding instrument collection fee.* Hall County may impose a collection fee \$1,000.00 for any bonding instrument that is presented to the Hall County Board of Commissioners for collection, which fee the Board of Commissioners reasonably believes to be related to the costs associated with collection on such a bond. The Director of Public Works and Utilities is granted authority to initiate collection efforts at their discretion. Staff must commence collection efforts at least 90 days prior to the expiration of the bond in order to allow sufficient time for collection. The developer must deposit \$1,000.00 at the time of submission of the bond to the county, and the \$1,000.00 will be refunded once bonded work is completed more than 45 days prior to the expiration of the bond or the bond is renewed more than 45 days prior to its expiration.
 - g. *Request for final acceptance and release of bonds.* Roads within a development are not accepted into the Hall County road system until there has been a request for acceptance by the developer and a favorable vote by the Hall County

Board of Commissioners to accept the roads and to release all bonding mechanisms relating to the development. Likewise, the county may release bonding mechanisms only upon a favorable vote by the Hall County Board of Commissioners. Release of bonds can occur after all asphalt road construction has been in place for a minimum of one year, and all infrastructure is installed to the satisfaction of Hall County's Engineering Division. In order for the county's Board of Commissioners to release bonding mechanisms Hall County's Engineering Division must confirm that:

- i. All improvements and installations to the subdivision required for approval of the final plat under the rules and regulations of the county have been completed in accordance with the appropriate specifications; and
- ii. All of the drainage and retention facilities, grading, water and sewer utilities, street base and curbing construction, and grassing required for approval of the final plat have been completed.

36. Final plat review; certification of approval. When the Director of Planning and Zoning has approved the final plat, and other affected departments and agencies of government as required have certified compliance and signed the original, the Director may certify by signature on the plat that all of the requirements of these regulations, the zoning regulations, and the conditions of

zoning approval have been met. The final plat will not be deemed approved until it has been signed by the Director and duly authorized representatives of the Engineering Department, Water Department and Health Department.

37. Issuance of certificates of occupancy. Where an improvement guarantee has been required for a subdivision, no certificate of occupancy for any building on any lot fronting a proposed road in the subdivision may be issued prior to completion of improvements under the guarantee.

38. Final Plat; Revisions. No change, erasure, or revision may be made on any preliminary or final plat, nor on accompanying data sheets, after approval of the county has been endorsed in writing on the plat or sheets, unless authorization for such changes has been granted in writing by the Director of Planning and Zoning. In no case may the Director approve a revision thereof unless the fact that it is a revised plat is clearly stated thereon.

39. Final Plat; filing for recordation.

- a. An approved final plat must be filed for recording by the subdivider in the office of the Clerk of Superior Court within 60 days after final approval thereof. Otherwise, such approval may be void. No Clerk of Superior Court shall file or record a plat of a subdivision until such plat has been approved by the Director of Planning and Zoning.
- b. The approval of a plat will not be deemed to constitute or effect acceptance by the county of any street or other ground shown on the plat.

40. Final Plat; Recordation. The Clerk of Superior Court must file and record in

their office maps or plats relating to real estate in the county.

41. **Specifications for maps and plats.** Maps or plats to be filed and recorded in the office of the Clerk of Superior Court must be prepared in accordance with the following minimum standards and specifications:

- a. *Material.* Any such maps or plats must conform to the Georgia Plat Act, as amended.
- b. *Caption.* The maps or plats must have a title or name which must be contained in the caption, and the caption must also provide the following information:
 - i. The county, city, town, or village, land district and land lot, and subdivision, if the property lies within a particular subdivision.
 - ii. The date of plat preparation.
 - iii. The scale, stated and shown graphically.
 - iv. The name of the land surveyor and their registration number.
- c. *Size.* Maps or plats must not be less than 8½ inches by 11 inches and not larger than 17 inches by 23 inches.
- d. *Data.* Maps or plats must be made in a professional manner and in accordance with the standards of good drafting procedures and must show the following information, as specified:
 - i. All maps or plats must show the direction and distance from a point of reference to a point on the boundary of the individual survey, and such additional data as may be required to relocate the boundary point from the

point of reference with the same degree of accuracy required of the parcel surveyed. The point of reference must be an established monument position which can be identified or relocated from maps, plats, or other documents on public record.

- ii. All maps or plats of boundary surveys or subdivision surveys must show bearings and distances of all lines, and area of the parcels expressed in acres and square feet.
- iii. All maps or plats of boundary surveys must show the closure precision of the field survey as the ratio of one foot to the traversed distance in which an error of one foot would occur and a statement as to the method of adjustment. The closure may be stated as follows: "The field data upon which this map or plat is based has a closure precision of one foot in ___ feet, and an angular error of ___ per angle point, and was adjusted using _____ rule."
- iv. All maps or plats of boundary surveys must show the closure precision of the data shown on the map or plat. The closure may be stated as follows: "This map or plat has been calculated for closure and is found to be accurate within one foot in ___ feet."
- v. All maps or plats must show the width, and the former

widths if pertinent, of all rights-of-way adjacent to or crossing the property or adjacent to any point of reference.

- vi. All maps or plats must show easements and apparent encroachments, if pertinent.
- vii. In the case of curved lines, pertinent data must be given for regular curves. Chord distances and directions must be given for irregular curves.
- viii. All land lot lines, land district lines, land section lines and city and county boundaries intersecting or adjacent to the surveyed property must be indicated by lines drawn upon the map or plat with appropriate words and figures.
- ix. All corner markers and markers of pertinent reference points must be fully described and indicated as to their material or types and must be constructed of a permanent material such as iron, steel, concrete, or stone.
- x. An arrow must be shown on the map or plat to indicate the principal meridian, and a notation made as to the reference of bearing to magnetic north, astronomic north, or grid north. A grid north reference must indicate the zone.
- xi. All linear distances shown on maps or plats must be horizontal.
- xii. All angular directions shown on maps or plats must be represented in degrees and

minutes. Where plats state or surveys require accuracy in excess of one in 5,000, the angular direction must be represented in degrees, minutes, and seconds. All angular direction must be referenced to the principal meridian.

- xiii. A statement must be shown on the map or plat to indicate the type of equipment used to obtain the linear and angular measurements used in the preparation of the map or plat.

B. Plat Specifications

1. **Plat Requirements, generally.** Plats submitted to the county must contain the following information as specified in this section.
2. **Preliminary Plat Contents.** All applications for a certificate of preliminary plat approval for a subdivision must be accompanied by copies of the plat setting forth the proposed design of such subdivision. The scale of such plats may be no less than 100 feet to the inch. Such plats must contain the following information:
 - a. Proposed name of subdivision
 - b. Name and address of the owner of record.
 - c. Name, address, telephone number, seal, and signature of the registered engineer, surveyor or landscape architect responsible for the construction plans and surveyor responsible for the boundary survey.
 - d. Name, address, and telephone number of the subdivider.
 - e. Date of survey, north point and graphic scale, source of datum,

- date of plat drawing, and space for revision dates.
- f. Natural features within the proposed subdivision, including drainage channels, bodies of water, wooded areas and other significant features. On all water courses leaving the tract, the direction of flow must be shown.
 - g. Cultural features within the proposed subdivision, including right-of-way and pavement widths, and names of existing and platted streets adjoining or abutting the subdivision, all easements, city and county lines and other significant information. Location and dimensions of bridges, utility lines and structures, buildings, culverts, cemeteries, and other features must also be indicated.
 - h. Location (land district and land lot) and acreage.
 - i. Location sketch locating the subdivision in relation to the surrounding area with regard to well-known landmarks such as major thoroughfares, railroads or others. Sketches may be drawn in freehand and at a scale sufficient to show clearly the information required, but not less than one inch to 2,000 feet. U.S. Geological Survey maps may be used as a reference guide for the location sketch.
 - j. Name of former subdivision, and the plat book and page numbers where it was recorded, of any or all of the preliminary plat that has been previously subdivided.
 - k. The location and specifications of proposed streets, including right-of-way lines, proposed roadbed type, roadbed width, and proposed grades.
- l. Exact boundary lines of the tract indicated by a heavy line giving lengths and bearings.
 - m. Proposed layout, including lot lines with rough dimensions, lot numbers, block letters, street lines with letter designations for proposed street names, right-of-way widths, and sites reserved through covenants, easements, dedication or otherwise for public uses, for single family dwellings, for nonresidential uses, and for multifamily dwellings.
 - n. Contour lines based on sea level datum. These must be drawn at intervals of five feet for hilly terrain (slopes greater than ten percent), two feet for rolling terrain (two percent to ten percent) and one foot for flat terrain (slopes less than two percent). Contour lines must be based on field surveys. Topographic data based on geological survey maps which have been adjusted by field survey data may be accepted if the Director of Engineering determines that such data will be adequate to evaluate the layout of lots and streets, drainage and other service requirements.
 - o. The preliminary plan of any existing and proposed water lines, sanitary sewers and storm sewers. Such plans must include the proposed size of the pipe to be installed and the proposed percent grades of the lines of all sewers.
 - p. The distance and direction to public water lines and sanitary sewer lines.

- q. Location of drainage easements for all storm drain facilities, outlets, and subsequent drainage ways, streams and at other locations as required.
 - r. Proposed unit division or stage development, if any, as proposed by the subdivider.
 - s. Location and results of percolation tests for lots which will not be served by a public or community sanitary sewer system, as required by the health department.
 - t. Location or statement of flood hazard areas.
 - u. Any other information as may be required by the health department and Director of Planning and Zoning to determine whether or not the proposed design of the subdivision will conform to the design requirements of these regulations.
3. **Preliminary Plat; supplemental information.** The preliminary plat must be accompanied by the following information when same is not shown on or evident from the preliminary plat:
- a. A written summary of the proposal giving information as to the overall development plan, giving type of structure, number of dwelling units, and types of business and industry, so that the effects of the development can be determined by the Director of Planning and Zoning.
 - b. Source of water supply.
 - c. Statement of provision for sewage disposal and drainage.
 - d. Drainage information:
 - i. Location and size of all proposed drainage structures.
 - ii. Acreage of drainage area.
 - iii. Location of land subject to flooding.
 - e. Engineering data as listed below:
 - i. A ground run profile of proposed streets must show original centerline elevations. The profile must be drawn on standard plan and profile sheets with the plan section showing street layout, curvature and drainage required.
 - ii. Where sanitary or storm sewers are to be installed, size of pipe and location of manholes must be indicated on the street profile.
 - iii. Profiles of streets that are extensions of existing streets must include elevations at 50-foot intervals for a minimum distance of 200 feet back of beginning point and forward of ending, or such additional distance as may be required by the Engineering Department.
 - iv. The above plans must be drawn to a scale no less than as follows: a horizontal scale of one inch to 100 feet, and a vertical scale of one inch to ten feet.
 - v. Cross-sections at all cross-drain locations extending 25 feet beyond the pipe: a horizontal scale of one inch to ten feet, and a vertical scale of one inch to ten feet.
 - vi. Where a proposed street construction limits or abuts the plat boundary, cross-sections and the necessary slope easement must be

- submitted. A slope easement must also be submitted under such other conditions as may be required by the Director of Engineering.
- vii. Municipal, county, or land lot lines tied to the lines of the subdivision by distance and angles when such lines traverse the subdivision.
 - viii. Exact locations, widths, and names of all streets within and immediately adjoining the plat.
 - ix. Street centerlines showing stations and standard curve data of intersection, radii, length of tangents and arcs, and degree of curvature.
 - x. Lot lines with dimensions to the nearest foot, and minimum lot area.
 - xi. Lots numbered in numerical order and blocks lettered alphabetically.
 - xii. Name of each street.
 - xiii. Minimum setback lines on all lots and other sites.
 - xiv. Location and description of monuments.
 - xv. Names of recorded owners of adjoining unplatted land.
 - xvi. Reference to recorded subdivision plats of adjoining platted land by record name, data, and number, when known.
 - xvii. Certification by a surveyor certifying to accuracy of the survey and plat.
 - xviii. Militia district and, when applicable, the land lot number.
 - xix. When lots are located on a curve or when side lot lines are at angles other than 90 degrees, the lot width at the building line must be shown.
 - xx. When the subdivided property abuts Buford Dam Reservoir property or easement, the 1,071-foot contour line must be shown and designated "Lake Sidney Lanier—Normal Lake Level" and the 1,085-foot contour line must be shown and designated "Lake Sidney Lanier—Maximum Lake Level".
 - xxi. Location, dimension and purpose of all drainage structures and of any easements, including slope easements, if required, and public utility right-of-way lines, and any areas to be reserved, donated, or dedicated to public use of sites for other than residential use with notes stating their purpose and limitations; and of any areas to be reserved by deed covenant for common uses of all property owners.
 - xxii. Places for certificates and statements specified in this Sec. 11.2.
 - xxiii. Plans must show clearly the elevation and/or contour of the 100-year floodplain of any stream or backwater area on the site.
- f. **Contents of Final Plat.** All applications for a recording permit must be accompanied by electronic plans and paper copies of the final plat of the subdivision to be recorded. The submitted

prints of such final plat must be not greater than 17 inches by 23 inches at a scale of not less than 200 feet to the inch. Where necessary, the final plat may be on several sheets accompanied by an index sheet showing the entire subdivision. The final plat must contain the following information:

- i. Name of the subdivision.
- ii. Name and address of owner of record.
- iii. Name and address of subdivider.
- iv. Date of plat drawing, graphic scale, north point, and notation as to the reference of bearings to magnetic, true north, or grid north.
- v. Location of tract (militia district, land district and land lot), giving the area of each individual lot.
- vi. Primary control point to which all dimensions, angles, bearings, and similar data on the plat may be referred.
- vii. Tract boundary lines, right-of-way lines of streets, easements and other right-of-way and property lines of all lots with accurate dimensions; bearings or deflection angles, radii arcs, and central angles of all curves.
- viii. Name of each street.
- ix. Minimum setback lines on all lots and other sites.
- x. Location and description of monuments.
- xi. Names of recorded owners of adjoining unplatted land.
- xii. Reference to recorded subdivision plats of adjoining platted land by record name, date, and number, when known.
- xiii. Certification by surveyor as to accuracy of the survey and plat.
- xiv. Lot lines with dimensions and lot area.
- xv. When the tract of land to be subdivided abuts on U.S. government property, then the final plat of the subdivided land must show a tie or ties of land lot lines conforming to U.S. government take line descriptions.
- xvi. When lots are located on a curve or when side lot lines are at angles other than 90 degrees, the lot width at the building line must be shown.
- xvii. Lots or sites numbered in numerical order and blocks lettered alphabetically. In general, all lots should be numbered in numerical sequence without using block letters.
- xviii. When the subdivided property abuts Buford Dam Reservoir property or easement, the 1,071-foot contour line must be shown and designated "Lake Sidney Lanier—Normal Lake Level" and the 1,085-foot contour line must be shown and designated "Lake Sidney Lanier—Maximum Lake Level".
- xix. Location, dimensions and purpose of entire drainage, sewerage, water and public

utilities systems and of any easements, including slope easements, if required, and public utility right-of-way lines, and any areas to be reserved, donated, or dedicated to public use of sites for other than residential use with notes stating their purpose and limitations, and of any areas to be reserved by deed covenant for common uses of all property owners.

xx. Places for certificates and statements specified in this Sec. 11.2.

g. **Conformity of final and preliminary plat.** The final plat must conform to the preliminary plat and it may constitute only that portion of the approved preliminary plat which the subdivider proposes to record and develop at any one time, provided that such portion conforms to the staging established in preliminary plat procedure and to the requirements of these rules and regulations.

h. **Preliminary Plat Certificates.** Each preliminary plat submitted to the county must carry the following certificates printed or stamped thereon substantially as follows:

i. Preliminary engineering certificate.

“I hereby certify that this proposed Development Plat correctly represents construction plans completed by me on (date).

By (name), Registered P.E., Surveyor, or Landscape Architect

License Number (insert)

Date (insert)”

ii. Certificate of preliminary plat approval.

“All requirements of the county subdivision regulations relative to the preparation and submittal of a Preliminary Plat having been fulfilled, approval of this plat is hereby granted, subject to further provisions of said regulations. This Certificate shall expire (date).

Name (insert), Chairman, Planning Commission, or designee

Date (insert)”

iii. Development Plat—Not to be Recorded.

i. **Final Plat Certificate.** Each final plat submitted to the Director of Planning and Zoning for approval must carry the following certificates printed or stamped thereon substantially as follows:

i. Surveyors Certificate.

“It is hereby certified that this plat is true and correct and was prepared from an actual survey of the property made by me or under my supervision; that all monuments shown hereon actually exist or are marked as "Future," and their location, size, type, and material are correctly shown; and that all relevant requirements of the Hall County Zoning and Subdivision Regulations have been met.

By (name), Registered Ga. Land Surveyor

License Number (insert)

Date (insert)”

Date (insert)

- ii. Owners dedication certificate (when appropriate).

“(State of Georgia) or (County of Hall)

The owner of the land shown on this plat and whose name is subscribed thereto, and in person or through a duly authorized agent, acknowledges that this plat was made from an actual survey and dedicates to the use of the public forever, all streets, parks, drains, easements, and public grounds thereon shown, which comprise a total of ___ acres, for the purposes therein expressed.

Owner (name)

Date (insert)”

- iii. Place for approval of Director of Engineering.
- iv. Place for approval of the county health department.
- v. Place of approval for the county Director of Planning and Zoning as follows:

“Pursuant to the Hall County Subdivision Regulations, this plat is given final approval by the Hall County Planning and Zoning Director. All of the conditions of approval having been completed, this document is hereby accepted and this approval granted under the authority of said Regulations.

Name (insert), Director of Planning and Zoning

4. Planned Development.

- a. The standards and requirements of this UDC may be modified in the case of a plan and program for a community or neighborhood unit or planned development which is not divided into customary lots, blocks and streets, which in the judgment of the Planning Commission provides adequate public spaces and improvements for the circulation, recreation, light, air and service needs of the tract when fully developed and populated, provided density standards for the entire tract are not exceeded, and which also provides such covenants or other legal procedures as will assure conformity to the achievement of the plan. Plans for such development must be submitted to and approved by the Planning Commission and Board of Commissioners whether or not such plat is to be recorded, and no building permit may be issued until such approval has been given.
- b. Prior to processing such a planned development, the developer must indicate their willingness to increase the processing time specified. However, in no case may the Planning Commission authorize a use prohibited in the district in which the project is to be located, or a smaller lot area per dwelling unit than the minimum required in such district.

C. Appeals

All appeals must be filed in accordance with Sec. 11.2.7.

11.2.6. Amendments

A. General

All applications, requests and petitions for permits, certificates of zoning compliance, variances, conditional use permits, planned developments, classifications and reclassifications of property, notices of appeal, amendments to this UDC and other similar matters, together with all supporting documents required for such application, request or petition and fees therefor, must be filed with the Planning and Zoning Department in the appropriate form as specified this Sec. 11.2. All data, drawings, narratives and other supporting documentation required by this UDC must be provided for in an application to be officially received for staff review and scheduling of consideration by the Planning Commission in accordance with the scheduling provisions established herein.

B. Minimum Tract Size and Frontage for Zoning Change

Except in an application for rezoning to a nonresidential zoning district, no tract of land may be considered for rezoning which has an area less than one acre unless such tract abuts a nonresidential zoning district within county or municipal jurisdiction. Application for rezoning may also be considered when a lot of record meets the minimum area and road frontage required by the zoning district in which the rezoning is sought.

C. Initiation of Proposed Amendments

These zoning regulations of the county, including the official zoning map, may be amended from time to time by the Board of Commissioners of the county. Official zoning map amendments may be proposed by the Board of Commissioners of the county, or by the county Planning

Commission, or an administrative official, or by any individual, firm, or organization or their duly appointed agent or attorney; provided, however, no amendment may become effective unless it has been proposed by or submitted to the county Planning Commission for review and recommendation. Application for uses subject to the approval of the county Board of Commissioners must have first been submitted to the county Planning Commission for review and recommendation before consideration by the County Commission. Text amendments to the zoning ordinances may be proposed only by the Board of Commissioners of the county, or the county Planning Commission, or the appropriate administrative official.

D. Filing of Proposed Amendments

All proposed amendments, whether an amendment to the text or modification in the district boundaries on the official zoning map, and uses subject to approval of the County Commission, must be submitted to the Planning and Zoning Department of Hall County at least 30 working days in advance of the next regular meeting of the Planning Commission. The Director of Planning and Zoning must arrange a suitable date for a hearing before the Planning Commission.

E. Submission Requirements

1. Any person or persons requesting a change in the official zoning map or use subject to approval of the County Commission must file an application with a plat or map of the property attached thereto, together with payment of such fees set forth in this Sec. 11.2. to cover administrative and advertising costs, in the Planning and Zoning Department office. Such person or persons or their authorized agent must appear in person at the public

hearing held to consider the district change.

2. All applications for a change of zoning classification or use subject to approval of the County Commission must include:

- a. A narrative statement identifying the existing and proposed use of the property and addressing each of the criteria set forth in this Sec. 11.2.
- b. A site plan drawn to scale designating the area covered by the application and identifying existing and proposed buildings and uses, adjacent existing land uses, zoning on contiguous parcels, including those across an abutting public right-of-way, and any other significant site improvements proposed to accommodate the proposed use or buffer adjacent uses, etc., or a plat of the subject property where no specific land use is proposed. In cases where only a plat or map is provided and no land use is proposed, the Planning Commission and County Commission may evaluate the application based on the most intense possible land use permitted in the proposed district.
- c. For any application for a slow rate land treatment system as defined in 7.6.9.D.1, the following additional requirements apply:

Prior to consideration by the county Planning Commission for their recommendation to the County Commission, the county Engineering Department must have completed a review of the proposal for site acceptability relative to topography, soil classifications, public or private access, proposed effluent treatment levels and natural,

undisturbed buffer zones for surface waters, floodplains, wetlands, wells, residential and other protected areas in addition to other criteria deemed appropriate by the Planning Commission or County Commission. The following information must be submitted to the County Engineer for review of a zoning application and subsequent submittal of a report to the Planning Commission for consideration of the zoning of any land for a wastewater land application system.

- i. The design development report submitted to the Environmental Protection Division certified by a professional engineer experienced in the design of land application systems and registered to practice in the State of Georgia.
- ii. A plan for the disposal of excess biological solids.
- iii. Certification from a professional geologist, registered to practice in the State of Georgia, certifying that the land application site is not located within two miles of a significant groundwater recharge area as defined by the Environmental Protection Division.
- iv. A detailed history of all the owner's previous activities, within the State of Georgia in the field of land application, including every other facility it has operated and including a detailed account of all past violations of federal, state, or county laws or regulations,

and all past and pending litigation, favorable or unfavorable.

- d. For any application proposing the development of 100 or more residential dwelling units, a traffic impact study must be submitted prior to consideration of the application by the County Commission. At the applicant's expense, the traffic impact study must be prepared by a professional engineer in accordance with requirements established by the Hall County Engineering Department. The Engineering Department must review the traffic impact study and forward any comments to the County Commission.

F. Planning Commission and Hall County Commission Consideration and Decision

1. The Planning Commission must hold a public meeting on all zoning applications or applications for a use subject to approval of the County Commission. The Planning Commission must hold the required public meeting not less than 30 days, nor more than 60 days, from the date of the filing of a complete application.
2. After hearing testimony from all interested parties, the Planning Commission will have 30 days within which to make its decision to grant or deny the application or make a recommendation to the Board of Commissioners. If the Planning Commission fails to make a decision within the specified period, it may be deemed to have carried a recommendation of approval of the application.
3. The Planning Commission must study the need and justification for the change based on a determination of the facts applicable to the particular

case, and the following general lines of inquiry must be considered:

- a. Whether the zoning proposal will permit a use that is suitable in view of the use, development and zoning of adjacent and nearby property.
- b. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.
- c. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.
- d. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, schools, police protection, fire protection, public health facilities or emergency medical service.
- e. Whether the zoning proposal is in conformity with the policy and intent of the future land use plan for the physical development of the area.
- f. The extent to which property values are diminished by the existing zoning restrictions.
- g. The extent to which the destruction of the subject property's value under the existing zoning promotes the health, safety, morals or general welfare of the public.
- h. The relative gain to the public as compared to the hardship imposed upon the individual property owner.
- i. The length of time the property has been vacant as zoned considered in the context of land

- development in the area in the vicinity of the property.
- j. Whether there are other existing or changing conditions affecting the use or development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.
 - k. Whether the change would create an isolated district unrelated to the surrounding districts.
 - l. Whether the present zoning district boundaries are illogically drawn in relation to existing conditions in the area.
 - m. Whether the change requested is out of scale with the needs of the county as a whole or the immediate neighborhood.
 - n. Whether it is impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned.
 - o. Whether the need for rezoning could be handled instead by a variance request to the Planning Commission.
 - p. Whether there would be an ecological or pollution impact resulting from major modifications to the land if the request is granted.
 - q. Whether there is reasonable evidence based upon existing and anticipated land use that would indicate a mistake was made in the original zoning of the property.
4. When the application is for site-built houses, modular homes and mobile homes more than seven years old being moved into Hall County for the purpose of permanent or temporary occupancy, in addition to the items listed above, the Planning Commission must also consider the compatibility of the proposed residential unit with the existing housing in the area surrounding the proposed location of that residence in terms of the type of housing, the style of housing, the age of housing and the condition of housing.
 5. When the application is for pre-owned site built houses, industrialized homes or manufactured homes to be moved into Hall County for the purpose of permanent or temporary occupancy, in addition to the items listed in subsection "3" above, the Planning Commission must consider the compatibility of the proposed residential unit with the existing housing in the area surrounding the proposed location of that residence in terms of the type of housing, the style of housing, and the condition of such housing. Such residential unit must meet the minimal standards of all applicable building and construction codes adopted as a part of the Official Code of Hall County. The Planning Commission must first consider an application for such dwelling unit and make its recommendations to the Hall County Commission. The Hall County Commission, in making its decision, may approve the application, deny the application, or approve the application with conditions.
 6. Any manufactured home proposed to be moved into the County into a registered or approved mobile home park, or a manufactured home proposed to be moved into the County for the purpose of upgrading an approved, permitted existing manufactured home, may be exempt from the provisions of review by the Planning Commission or County Commission noted in subsection 5 above. All applicable review and inspection required by Chapter 15 of the Official Code of Hall County,

Georgia, will remain in effect for all manufactured homes to be moved into the county which may include a site inspection by the Hall County Building Inspection Department.

G. Public Hearing Required

1. The Planning Commission and Board of Commissioners, when taking final action on all applications, must provide for public hearings on the proposed actions. Public meetings related to recommendations made by the Planning Commission to the Board of Commissioners do not require notice provided herein. A notice of public hearings must be published at least 30 days but not more than 45 days prior to said public hearings in a newspaper of general circulation within the territorial boundaries of the county.
2. The county will follow the additional notice and hearing requirements found in O.C.G.A. § 36-66-1 whenever so required by State law, including any of the following instances when required by State law:
 - a. County-initiated rezoning or text amendments to revise a zoning classification related to single-family residential uses of property so as to authorize multi-family uses on property pursuant to such classifications or definitions, or to grant blanket permission, under certain or all circumstances, for property owners to deviate from the existing zoning requirements of a single-family residential zoning district;
 - b. Halfway houses, drug rehabilitation centers, or other facilities for the treatment of drug dependency; or
 - c. Annexations.

H. Public Notice of Hearing

1. Contents of Notice. If an application is being considered for a change of zoning for a specifically described tract or parcel of land (amendment to the zoning map), the public notice must, in addition to the requirements of this Sec. 11.2.6., include the following information:
 - a. The location of the property; and
 - b. The present zoning classification; and
 - c. The proposed zoning classification of the property.
2. Posting and Mailing of Notice
 - a. Posted Notice. All zoning map amendments initiated by a party other than the county Planning Commission or the county Board of Commissioners, and applications for uses subject to approval of the County Commission, require a sign placed in a conspicuous location on the property which is the subject matter of the zoning application.
 - b. Mailed Notice. Mailed notice must be made via U.S. Postal Service mail a least 30 days but not more than 45 days before the date of the public hearing to the following parties:
 - i. Property owner notice. Mailed notice must be made to the property owner(s) of record. The applicant must provide the mailing address for property owner(s) with the filing of the zoning petition.
 - ii. Applicant.
 - iii. Appellant for any filed appeal must also receive mailed notice if not one of the parties already

identified as requiring notice.

3. Sign Posting Information. The public notice sign must contain the same information described in Sec. 11.2.6.H.1.
4. Sign Posting Date. The required public notice sign must be posted not less than 15 prior to the date of the hearing.

I. Public Notice of Hearing for Applications Initiated by the County

When an application is brought by or initiated by the Board of Commissioners of the county, or by an administrative official of the county, the only public notice required by these zoning regulations is newspaper advertisement as set forth in O.C.G.A. § 36-66-1 et. Seq. and Sec. 11.2.6.G. and 11.2.6.H.

J. Action by Board of Commissioners

1. The Board of Commissioners must consider applications for uses subject to approval of the County Commission and all zoning recommendations of the Planning Commission, including conditions of approval and any additional evidence that applicant wishes to present at a public hearing on the date advertised, at which time all interested parties and citizens will have an opportunity to be heard and present evidence regarding the proposed amendment or use subject to approval of the County Commission, or the appeal of the conditional use permit or use subject to approval of the Planning Commission, or other zoning decisions.
2. The Board of Commissioners may place any reasonable conditions or stipulations upon any application for a use subject to approval of the County Commission, a proposed amendment or the appeal of a conditional use permit or use subject to approval of

the Planning Commission, or other zoning decisions as deemed necessary to further insure the orderly operation of proposed uses and their compatibility with the surrounding properties.

3. The Board of Commissioners, in making its decision on the proposed amendment, the use subject to approval of the County Commission, or the appeal of a conditional use permit, or the use subject to approval of the Planning Commission, or other zoning decisions, must consider the general lines of inquiry established under Sec. 11.2.6.F and any other relevant factor submitted by the applicant.
4. The applicant/appellant must have the burden of proof, which must include the presentation of evidence and the burden of persuasion of each factor necessary to receive approval of the Board of Commissioners. Failure of the applicant/appellant to meet this burden may result in a denial of the proposed amendment, the use subject to the approval of the County Commission, or the appeal of a conditional use permit or the use subject to approval of the Planning Commission, or other zoning decisions.
5. The Board of Commissioners public hearing is to be held as follows (or the Planning Commission, where authorized by this UDC as the final decision-making body):
 - a. The public hearing is to be held in conjunction with regular meetings of the Board of Commissioners or Planning Commission, as applicable, with published notice of time and place.
 - b. The hearing is conducted by the county attorney or other hearing officer designated by the Board of Commissioners.

- c. The hearing officer introduces the proposed zoning amendments before the Board of Commissioners or Planning Commission, as applicable. Proposals are considered in the order listed in the published notice. The hearing officer describes each proposed zoning amendment and the party initiating the proposal. Staff is then called upon to report on the Planning Commission's recommendation and summarize its written report.
- d. Persons both favoring and opposing the proposed amendment are provided an opportunity to address the Board of Commissioners. During this period:
 - i. Each speaker must first state his name and address.
 - ii. Comments are accepted first from the party proposing the action and any other proponents of the action, followed by opponents of the action. The party proposing the action may then offer rebuttal.
 - iii. The hearing officer may place reasonable limits on the number of persons who may speak for or against the proposal, on the time allowed for each speaker, and on the total time allowed for comment. No less than ten minutes may be permitted for all of those speaking in support of an amendment and no less than ten minutes may be permitted for all those speaking against, unless such proponents or opponents take less time than the minimum allowed.
- iv. Comments must pertain only to the merits of the proposed action and must be directed to the Board of Commissioners. Comments are not allowed that may be construed as personal attacks on any other speaker or are irrelevant to the proposed action. Violators will be first cautioned and then prevented from making further comment.
- v. Petitions, studies, letters, and other material should be submitted prior to the hearing, allowing ample time for study by the Board of Commissioners. Materials submitted at the hearing may or may not be accepted by the board, and if presented orally are subject to time limitations.
- e. The Board of Commissioners may, if necessary, call on previous speakers for clarification, or may call for additional views, studies or information from any source considered necessary to making a sound decision. The Board of Commissioners may continue the hearing to a later date.
- f. The decision rendered by the Board of Commissioners regarding the proposed amendment, the use subject to approval of the County Commission, or the appeal of a conditional use permit or the use subject to approval of the Planning Commission, or other zoning decisions, will be considered the final action on the application.
- g. No approval or denial of an amendment, use subject to

approval of the County Commission, appeal of an administrative official or decision-making body, approval or denial of a use subject to approval of the Planning Commission, or other zoning or quasi-judicial decision by the Board of Commissioners will become effective unless said approval or denial is determined after a public hearing.

K. County Approval for Withdrawal of Applications

An application for any request considered by the Planning Commission may be withdrawn by the applicant at any time prior to the notification by public advertisement of the adjoining property owners. The application may be withdrawn after said public notice is given and before the Planning Commission takes a vote on said application only with the consent of a majority of the members of the Planning Commission. For applications requiring a recommendation from the Planning Commission for final action by the county Board of Commissioners, after the Planning Commission has taken a vote on the application, the application may only be withdrawn with the consent of a majority of the Board of Commissioners voting to allow the applicant's request to withdraw the application. For appeals to the Board of Commissioners or Planning Commission decisions, the application may only be withdrawn with the consent of a majority of the Board of Commissioners voting to allow the applicant's request to withdraw the appeal. Fees are to be refunded as described in Sec. 11.2.1.

L. Successive Applications

If a use subject to approval of the County Commission or Planning Commission or a rezoning is denied, or if an appeal from the

decision of an administrative official or the Planning Commission is affirmed by the Board of Commissioners, then the same property may not again be considered for any zoning application, (rezoning, conditional use, variance, etc.) and no such application may be filed, until the expiration of at least six months immediately following the date of the denial of the use or rezoning or the denial of the appeal. The same property may not be considered for an application of the same type, and no such application of the same type may be filed, until the expiration of at least twelve months immediately following the date of the denial of the use or rezoning or the denial of the appeal.

M. Appeals of Board of Commissioners Actions

1. Any person with adequate standing to do so under Georgia law may seek review in the Superior Court of Hall County in accordance with the applicable procedures established by the Georgia Zoning Procedures Law, O.C.G.A. § 36-66-5.1.
2. The Director of Community Development and Infrastructure is authorized, without additional board or agency action, to approve or issue any form or certificate necessary to perfect any appeal petition for review of lower judicatory bodies, and is authorized, without additional board or agency action, to accept service or be served in behalf of any lower judicatory board or agency, during normal business hours, at the regular offices of the county.
3. Service of an appeal of any quasi-judicial decision rendered pursuant to this section may be effected or accepted on behalf of the local governing authority, during normal business hours, at the regular offices of the county, by the county attorney

when so allowed by the county's service of process resolution, otherwise said service may be effected or accepted on behalf of the local governing authority according to the requirements of O.C.G.A. § 9-11-4(e).

N. Georgia Zoning Procedures Law

The review and approval procedures of this zoning ordinance are intended to comply with the provisions of the Georgia Zoning Procedures Law (O.C.G.A. § 36-66-1 et seq.), which is incorporated by reference in its entirety. If any provision of this zoning ordinance is in conflict with any provision of the zoning procedures law or if this zoning ordinance fails to incorporate a provision required for the implementation of the zoning procedures law, the Zoning Procedures Law (O.C.G.A. § 36-66-1 et seq.) controls.

O. Amendments to Subdivision Regulations

The Planning Commission, upon referral from the Board of Commissioners, may from time to time recommend amendments to the subdivision regulations of this UDC. Any amendment must be heard by the Planning Commission, who must make a recommendation to the Board of Commissioners regarding approval or denial. Prior to acting on any proposed amendment, the Board of Commissioners must hold a public hearing on the amendment, having first published a notice of the time and place of the hearing in a newspaper of general circulation in the county at least 15 days prior to the hearing.

11.2.7. Appeals

A. Right to Appeal

1. Any person aggrieved by the final decision rendered on any proposed amendment, any conditional use

permit, or use subject to the approval of the Planning Commission, or any other zoning or quasi-judicial decision by any county official, department, board, or agency affected by any final order, requirement, or decision authorized in this UDC shall have the right to an appeal of the decision. Appeals of administrative officials will be heard by the Planning Commission, and appeals of any decision-making body will be heard by the Board of Commissioners.

2. A person is considered aggrieved for purposes of this section only if the person or their property was the subject of the action appealed from, or the person has a substantial interest in the action being appealed that is in danger of suffering special damage or injury not common to all property owners similarly situated.

B. Filing of Appeal

In order to file an appeal, the appellant must submit a written notice of appeal within 30 calendar days of the decision to the Planning Commission office. The appellant must submit justification and reasons for the appeal. Such justification should make specific reference to such relevant analysis as listed in Sec. 11.2.6.F. The appeal fee must be paid at the time of filing said written notice of appeal. The Director of Planning and Zoning, upon receipt of the written notice of appeal and fee, shall notify the county administrator of the appeal and submit the notice and record of the application to the county administrator.

C. Hearing and Decision

1. The appropriate hearing body (either the Planning Commission or the Board of Commissioners) must hold a public hearing to consider all appeals of decisions by administrative officials

and decision-making bodies. The only active participants are the appellant, the original applicant (if other than the appellant), and the zoning official or other administrative official whose decision is being appealed. Participants in the meeting may present testimony, produce documentary evidence, and may cross-examine witnesses provided by another participant. The Board of Commissioners or Planning Commission may ask questions or seek clarification from any participant in the hearing, and may limit the time for the hearing as it deems necessary and appropriate provided that all participants are afforded equal time to present evidence.

2. Following the close of the hearing and following its consideration of all testimony, documentary evidence, and matters of record presented, the Board of Commissioners or Planning Commission must render its decision. The decision must be made within a reasonable period of time, but in no event more than 30 days from the date of the close of the hearing.
3. In exercising its powers, the Board of Commissioners or Planning Commission may reverse or affirm the decision in whole or in part, or may modify the order, requirement, decision, or determination appealed from. To that end, the hearing body has all the powers of the administrative official or decision-making body from whom or from which the appeal was taken, and it may issue or direct the issuance of a permit or other approval, provided that all requirements imposed by all other applicable laws and ordinances are met. In no case may the powers of the hearing body be construed to include authority to reclassify use zones. An appeal may be reversed or the decision modified only

upon an expressed finding by the hearing body that the action was based on an erroneous finding of a material fact, or that said action was arbitrary.

D. Required Public Notice

Notice to members of the public must be provided in accordance with the provisions of this UDC and O.C.G.A. § 36-66-1 et seq.

E. Date of Public Hearing

The county administrator or other appropriate county official must place an appeal on the agenda of the first public meeting of the appropriate hearing body of the county arising after the relevant notice provisions of Sec. 11.2.6.H. have been complied with.

F. Payment of Costs of Appeal

The appellant will bear the costs of preparing the necessary documents as required by the county to properly appeal the matter before the hearing body, in addition to the appeal fee.

G. Decision of Appeal

1. An appeal may be sustained (i.e.: where the decision is reversed) only upon a finding by the hearing body that the action subject to the appeal was based on an erroneous finding of a material fact or that the administrative official or decision-making body acted in an arbitrary manner.
2. Appeals of administrative officials will be heard by the Planning Commission.
3. Appeals of any decision-making body will be heard by the Board of Commissioners.
4. Appeals of the Board of Commissioners must be appealed to the Hall County Superior Court

accordance with the Zoning
Procedures Law, O.C.G.A. § 36-66-5.1.

Sec. 11.3. Nonconforming Uses and Structures

11.3.1. Purpose

- A. Within the districts established by this UDC, or amendments thereto that may later be adopted, there exist lots, structures and uses of land and structures which were lawful before this UDC was passed or amended, but which would be prohibited under the terms of this UDC or any future amendment.
- B. To avoid undue hardship, nothing in this UDC may be deemed to require a change in the plans, construction or designated use of any building on which actual construction was lawfully begun before the effective date of adoption or amendment of this UDC and upon which actual building construction has been diligently carried on. Actual construction is hereby defined to include the placing of construction materials in a permanent position and fastened in a permanent manner, and demolition, elimination and removal of an existing structure in connection with such construction, provided that actual construction work must be diligently carried on until the completion of the building involved.

11.3.2. Continuation of Nonconforming Use or Structure

- A. Any structure or use of land existing at the time of enactment or subsequent amendment of the resolution codified in this UDC, but not in conformity with its use regulations and provisions, may be continued with the following limitations. It may not be:
 1. Changed to another nonconforming use.
 2. Re-established after discontinuance of that use for a period of one year.

3. Enlarged beyond its size at the time the use or structure became nonconforming. This includes, but is not limited to, the size of the building, the number of employees, operation during other hours of the day or night, the use of additional land beyond the original lot or parcel, and additional or more powerful equipment.
4. Rebuilt, altered, repaired or replaced after damage exceeding 75 percent of the fair sale value of the structure immediately prior to damage. A nonconforming mobile home may not be replaced after it is removed from the property.

- B. Any building containing a nonconforming use is considered a principal structure.
- C. Any replacement of a preexisting manufactured home or mobile home with a manufactured or mobile home may be permitted in accordance with O.C.G.A. § 36-66-7 et seq.

11.3.3. Continuation of Nonconforming Use or Structure Due to Hardship

- A. The Planning Commission may grant, with the exception of slow rate land treatment systems which require County Commission approval as a use subject to approval of the County Commission, the change, re-establishment or enlargement of a nonconforming use or the enlargement, rebuilding, alteration, repair or replacement of a nonconforming structure upon the following findings:
 1. The change, re-establishment, enlargement, rebuilding, alteration, repair or replacement would be no more detrimental to the surrounding area than the existing or previous use.

2. The structure cannot economically be modified to be suitable for uses permitted in the district.
3. The structure would have to be removed to permit development of the property for conforming uses.
4. The structure has such value that removal to permit development of conforming uses would cause economic hardship to the owner.
5. The proposed change, re-establishment, enlargement, rebuilding, alteration, repair or replacement would not cause substantial detriment to the public good or impair the purposes and intent of this UDC.
6. The requirements of this UDC for rezoning would prevent the current zoning from being changed to a classification that would allow the proposed change, re-establishment, enlargement, rebuilding, alteration, repair or replacement.

11.3.4. Information Required for Continuation of Nonconforming Use or Structure

- A. Applications submitted to the Planning Commission requesting a change, re-establishment, enlargement, rebuilding, alteration, repair or replacement of a nonconforming use or structure must include the following information:
 1. The applicant will bear the burden of providing conclusive evidence to the Planning Commission that the use or structure is legally nonconforming. This evidence may include, but is not limited to, business licenses, tax receipts, or utility bills.
 2. The applicant must submit a plat or an accurate site plan, drawn to scale,

showing the dimensions of the lot, size and location of all structures and their distance from all property lines, the names of all streets upon which the property is located, and parking areas and spaces.

3. If the request is for a commercial use or structure, a written description must be submitted to describe the existing business and any proposed changes in the use. This description must include hours of operation, number of employees, equipment used, products made and/or sold, type of signs, and/or other information as needed for the board to reach a decision.
4. The applicant must provide evidence to the Planning Commission of how the proposed change, re-establishment, enlargement, rebuilding, alteration, repair or replacement will comply with the current zoning, health and building requirements.

11.3.5. Additional Conditions Placed on Continuation of Nonconforming Use or Structure

If the requested change, re-establishment of use, enlargement of the use, rebuilding, alteration, repair or replacement is approved, the Planning Commission may place conditions on the approval to insure protection of the surrounding area. The applicant is responsible for conformance with these conditions.

11.3.6. Appeals

Any decision of the Planning Commission may be appealed to the Board of Commissioners of the county, in accordance with Sec. 11.2.7.

Sec. 11.4. Enforcement

11.4.1. General

This section applies in addition to the specific enforcement provisions otherwise provided in this UDC.

11.4.2. Enforcement

A. Enforcement Officials

It is the duty of the Director of Planning and Zoning, Director of Engineering, and Building Official to enforce these regulations, as applicable, and to bring to the attention of the county attorney any violations or lack of compliance herewith.

B. Subdivision Violation and Enforcement

1. Unlawful Transfer of Title. No owner, or agent of the owner, of any parcel of land located in a proposed subdivision may transfer title to any such parcel before a plat of such subdivision has been approved by the Planning Commission, in accordance with the provisions of this UDC, and filed with the clerk of superior court.
2. Denial of Building Permit. No building permit may be issued for the construction of any building or structure located on a lot or plat subdivided or sold in violation of the provisions of these regulations.

C. Inspection and Right of Entry

Work for which a permit is required by this UDC is subject to inspection by authorized County representatives or employees upon presentation of County identification to the owner, owner's agent, operator, or occupants during all reasonable hours, or outside reasonable hours in the event of any emergency threatening life or property. Where it is necessary to make an inspection to enforce the provision of this UDO and the

Director of Planning and Zoning or authorized employee has reasonable cause to believe that there exists upon a premises or property a condition which is contrary to the UDO and has been refused access to the property or premises, the Director or authorized County representative or employee may seek an inspection warrant from a court of competent jurisdiction as in accordance with Georgia law.

11.4.3. Remedies for Violation

In case any building or structure is or is proposed to be erected, constructed, reconstructed, altered, converted or maintained, or any building, structure or land is or is proposed to be used in violation of any provision of this UDC, the Building Official, county attorney or other appropriate authority of the county may, in addition to other remedies, institute injunction, mandamus, or other appropriate action or proceeding to prevent such unlawful erection, construction, reconstruction, alteration, conversion, maintenance or use to correct or abate such violation, or to prevent the occupancy of such building, structure or land. Where a violation of these regulations exists with respect to a structure or land, the county Building Official may, in addition to other remedies, notify all public utilities and county service departments of such violation and request that service be withheld therefrom until such time as the structure or premises are no longer in violation of these regulations.

11.4.4. Penalty

Any person, firm, corporation, association or partnership violating any provision of this UDC as the same exists or as it may hereinafter be amended, or failing to do anything required by this UDC as the same exists or as it may

hereafter be amended, may be guilty of a misdemeanor, amenable to the process of the Magistrate or State Court of Hall County, and upon conviction, be punished as provided in the Official Code of Hall County, Georgia, Section 1.50.020 for each violation in the discretion of the court. Every day that such violation exists may be deemed a separate offense.

Article 12. Definitions

Table of Contents

Sec. 12.1. General.....	12-2
12.1.1. Rules of Interpretation	12-2
Sec. 12.2. Defined Terms.....	12-3

Sec. 12.1. General

12.1.1. Rules of Interpretation

- A. For the purposes of this Zoning Ordinance, certain words or terms are defined as follows. All other words not defined in this article or other sections of this ordinance containing definitions have their customary dictionary meanings.
- B. All words used in the present tense include the future tense. All words in the singular number include the plural number and words in the plural number include the singular number, unless the obvious construction of the wording indicates otherwise.
- C. The word "building" includes the term "structure."; the word "person" includes an individual, limited liability company, partnership, association, public or private authority, trust, corporation, or other

entity or organization; the word "lot" includes the terms "plot," "parcel," or "tract"; the word "used" includes "designed," "intended," or "arranged to be used"; the term "erected" includes "constructed," "reconstructed," "altered," "placed," or "moved."; the terms "land use" and "use of land" include "building use" and "use of building."; the word "adjacent" means "nearby" and not necessarily "contiguous."

- D. The word "county" means Hall County, Georgia; the terms "County Commission," "Board of Commissioners," "Planning Commission," "building official," "county engineer," "Director of Planning and Zoning" or "Director," and "health officer" mean the respective boards, commissions, and officers of said county within their jurisdictions, unless stated otherwise.

Sec. 12.2. Defined Terms

Accessory Dwelling Unit. See Sec. 7.8.3.

Airfield. See Sec. 7.6.3.A.2.

Airport. See Sec. 7.6.3.A.1

Airport approach zone. The area so designated on an officially approved airport plan for the use of aircraft approaching the airport runway for landing purposes.

Alley. A private or public thoroughfare which affords only a secondary means of access to a building or property and is not intended for general traffic circulation.

Animal, dangerous. Any domestic, native or exotic mammal, reptile, fish, fowl, insect, spider or other creature that is considered inherently dangerous to human beings. This includes all such animals so identified by the Georgia Department of Natural Resources.

Animal, exotic. Any animal not native to the United States or any large native animal not customarily kept in captivity outside zoological gardens. This would include but not be limited to large reptiles, predatory birds, toothless mammals, wild hoofed animals, elephants, wild cats, wild dogs, bears, musk bearing carnivores, marsupials, fowl, primates, hippopotamuses and rhinoceroses.

Animal, farm. Any domestic fowl or hoofed mammals normally raised for some type of consumption, to include but not be limited to food, eggs, hide or fur. Farm animals include livestock and fowl raised for gain or profit on a farm.

Bank. A business establishment in which money is accepted for deposit from the public and is invested or supplied for loans, e.g., a commercial bank, savings institution, or credit union.

Basement, cellar. That portion of a building below the first floor joists, the floor of which is

more than one-half the clear ceiling height below the adjacent ground.

Block. A parcel of land entirely surrounded by public highways or streets (including private streets built to public standards), railroads, rivers, streams, or U.S. government property, regardless of size or shape of such land or the number of lots thereon.

Buffer, natural. An undisturbed vegetation strip adjacent to the lot line, in the buffer area, consisting of the existing natural vegetation. The natural buffer strip shall be used to form a hardy screen dense enough to interrupt vision and noise. No removal of the vegetation is permitted other than as necessary due to natural causes or disease.

Buffer, landscaped. A landscape strip, typically ten feet in depth, planted along a lot line in the setback area and consisting of evergreen trees and/or shrubs intended to shield the property from public view of the surrounding properties and, in some cases, the public right-of-way, to protect the surrounding properties from impacts produced by the use. The buffer may include existing vegetation if that vegetation fits the requirements described above.

Building. Any structure, either temporary or permanent, above or below ground, having a roof or other covering and designed, built or used as a shelter or enclosure for persons, animals, or property of any kind, including tents or awnings used for purposes of a building.

Building line. A line beyond which the foundation wall or any roofed porch, vestibule or other such portion of a building shall not project.

Building Official. The official or other designated authority charged by the county Board of Commissioners with the administration and enforcement of this UDC, or their duly appointed representative.

Building, principal. A building in which is conducted the principal use of the lot on which the structure is situated.

Caretaker's residence. See Sec. 7.8.4.

Class A Dwelling Unit. All single-family and two-family dwellings, including industrialized dwelling units, and manufactured homes that meet or exceed the standards for single-family and two-family dwellings under this Code.

Class B Dwelling Unit. All single-family and two-family dwellings including industrialized dwelling units and manufactured homes that do not meet the standards for single-family and two-family dwellings under this Code.

Conditional use permit. A use, subject to review and approval of the Planning Commission, which may be lawfully established only upon evidence of conformance with the standards for such use as established in Article 7.

Condominium. A building or complex of multiple-unit dwellings in which a tenant holds full title to his unit and joint ownership in the common grounds.

Cottage Court. See Sec. 7.3.1.I.

Cross-access drive. A drive created for the purpose of providing vehicular or pedestrian access between properties.

Cross access easement. A private covenant or easement between owners of abutting properties that allows driveways for public access by vehicles and pedestrians connecting two or more properties having different owners.

Cul-de-sac. A local street with only one outlet, closed and terminated by a vehicular turnaround.

DBH (diameter-at-breast-height). Tree trunk diameter measured in inches at a height of four and one-half feet above the ground. If a tree splits into multiple trunks below four and

one half feet, each trunk must be measured as a separate tree.

Density. See Sec. 2.1.1.

Dwelling unit. One or more rooms which are arranged, designed, or used as living quarters for a family or for a community residence as a single housekeeping unit. A dwelling unit includes bathroom and kitchen facilities in addition to sleeping and living areas.

Dwelling, attached. One of two or more dwelling units having a common or party wall separating units.

Dwelling, multi-family. See Sec. 7.3.1.G.

Dwelling, single-family. See Sec. 7.3.1.B.

Dwelling, two-family. See Sec. 7.3.1.E.

Easement. A grant to a person or to the public by a property owner of a strip of land for road right-of-way or other specified purposes.

Facade. The exterior side of a building that faces, and is most nearly parallel to, a public street. The facade includes the entire area of a building, extending from the roof or parapet to the ground, and from one corner of the building to another. Buildings generally have one facade for each street frontage.

Family. One or more persons permanently occupying a single dwelling unit, provided that unless all members are related by blood or marriage no such family shall contain over five persons, but further provided that domestic servants employed on the premises may be housed on the premises or in an accessory building.

Fence. An artificially constructed barrier of any material or combination of materials erected to enclose, screen, or demarcate areas of land.

Floor area. See Sec. 2.1.5.

Food truck. See Sec. 7.9.2.

Fraternal organization. A non-profit membership organization based primarily on social affinity (as distinguished from a civic, economic, occupational, political, religious, or other basis for association).

Frontage. See Sec. 2.1.2.

Guest house. See Sec. 7.8.8.

Hardship mobile home. A mobile home which has been approved by the Planning Commission and placed on an occupied residential lot in compliance with Sec. 7.8.8.

Height, building. See Sec. 2.1.6.

Industrialized dwelling unit. A dwelling or component thereof which is wholly or in substantial part made, fabricated, formed, or assembled in manufacturing facilities for installation or assembly and installation on a building site and has been manufactured in such a manner that all parts or processes cannot be inspected at the installation-site without disassembly, damage to, or destruction thereof and which bear the insignia of approval issued by the Commissioner of the Georgia Department of Community Affairs.

Inventory items. Items not designed or intended to function outdoors or independently, including but not limited to washing machines, clothes dryers, refrigerators, water heaters and other appliances and parts of automobiles, boats and other vehicles.

Laboratory. An establishment or premises where scientific services are provided, including testing or analysis of medical, chemical, physical, mechanical, electric or electronic nature or the calibration of instruments.

Lot. See Sec. 0.

Lot of record. A lot or plat which has been legally recorded with the county clerk or superior court prior to August 28, 1978 and

which actually exists as so shown or described. In addition, lots legally recorded after August 28, 1978, that met zoning standards in place at the time of recordation, but may not meet standards currently in place, are also considered lots of record.

Manufactured home. See Sec. 7.3.1.D.

Manufactured home park. A parcel of land containing not less than five acres under single ownership which has been planned and improved for the placement of two or more manufactured homes or mobile homes for non-transient uses. Excepted from this definition are those parcels of land on which two or more manufactured homes or mobile homes existed prior to August 28, 1978, and are identified on public records maintained by Hall County Planning and Development.

Mobile home. See Sec. 7.3.1.C.

Modular home. A detached single-family dwelling which is fabricated entirely or in part at some location other than its permanent site and which may be a complete unit or closed segments thereof.

Modulation. The rhythmic variation in the massing and architectural treatments of a building that divides its roofline and facade into small harmonious components that create visual interest, as distinct from the appearance of a large building with a featureless facade built on a single plane with a single roof line. Modulations of a facade should break the vertical plane with variations that are at least two feet in depth, measured from the forward plane of the facade.

Nonconforming use. See Sec. 11.3.

Nonconforming structure. See Sec. 11.3.

Occupy. To use land or buildings for any length of time for a purpose for which the land or a building or part thereof is used or is intended to be used. Any variation of the term "occupy" shall be encompassed by this definition.

Occupancy, permanent. Occupancy or use by an owner, or by a tenant for periods of 30 consecutive days or more. Such occupancy is characteristic of single-family, two-family and multiple-family dwelling units, including mobile homes, industrialized homes, manufactured homes, town homes and condominiums. The county commission may allow for transient occupancy of units permitted for permanent occupancy in the event of natural disasters or large community events that put a special burden on the local transient housing market.

Occupancy, transient. Occupancy or use by a paying guest or tenant for a period of less than 30 consecutive days or by the offering or advertising of a residence as being available in whole or in part to be used for such occupancy. Such occupancy is characteristic of hotels, motels, boardinghouses and rooming houses.

Open space. See Sec. 8.5.1.

Overlay district. A zoning district that encompasses one or more underlying traditional use districts or zones and that imposes additional requirements and/or allows additional permitted uses above those required or allowed by the underlying zone[s]. An overlay district can be coterminous with existing zoning districts or contain only parts of one or more such districts. Where an overlay district's principal purpose is to impose additional requirements on otherwise permitted land uses, it is customary for such a district to be created at the instance of the county. By contrast, where the principal purpose of an overlay district is to allow an additional use that would not otherwise be permitted in the underlying zone(s), then it will customarily be a private applicant who will institute the necessary map amendment process.

Planned unit development. The development of a tract of land ten acres or more by which clustered housing and/or commercial, office

or industrial development may be permitted without the customary subdivision of lots. A comprehensive development plan for such a project shall be submitted to the planning commission for their review and approval.

Plat. A sketch, map or survey of a lot, tract or parcel of land, including lot lines, street rights-of-way and easements, with the dimensions of these features inscribed thereon.

Plat, preliminary. A preliminary design which shows the proposed layout of a subdivision in sufficient detail to indicate its workability and conformation to the design requirements of the subdivision regulations in all aspects, but which is not in final form for recording and on which the details may be subject to change.

Plat, final. A finished drawing of a subdivision showing completely and accurately all legal and engineering information and certification necessary for recording. The final plat of a subdivision must be approved by the county and the streets shown on the plat must be approved and accepted by the Board of Commissioners prior to recording.

Public way. A street or road which has been dedicated for public use by deed, plat and/or prescription.

Resubdivision. A legal subdivision which has been altered by changing of a line, bearing or other measurement which either reduces or enlarges the number of lots or size of lots originally created and which is subsequently platted and recorded in a legal manner.

Right-of-way. Access over or across particularly described property for a specific purpose or purposes.

Scrap materials. Any items normally considered as salvage, scrap, junk, or as useless or worthless materials. This includes, but is not limited to, pieces, fragments, and parts of items no longer usable as originally intended, materials left over from fabricating, leftover bits of food and empty containers.

Setback. See 2.1.4.A.6.

Shopping center. A group of commercial establishments planned, developed and owned or managed as a unit with on-site parking and similar architectural characteristics.

Short term rental. See Sec. 7.8.17.

Sign. A surface (or series of surfaces connected to a common supporting structure) on which is displayed an announcement, name, illustration, symbol or insignia used to inform the public or to identify, advertise or promote the interest of any person. See Sec. 8.6.2. for additional definitions related to signs.

Site built single-family detached dwelling unit. A single-family detached dwelling constructed on the building site from basic materials delivered to the site, and which is constructed in accordance with all requirements of the Building Code as adopted by Hall County. Includes industrialized buildings as required by state law.

Site built two-family detached dwelling unit. A two-family dwelling constructed on the building site from basic materials delivered to the site and which is constructed in accordance with all requirements of the building codes as adopted by Hall County.

Special exception. The term special exception, when used in this UDC, will refer to a variance and is defined in the same manner as the term "variance".

Special use. A use which is not automatically permitted inherently but which may be permitted within a zoning district subject to review and approval by the County Board of Commissioners.

Storefront. The elevation of a commercial building having a single tenant or that portion of the elevation of a multi-tenant building that is occupied by a single establishment which

contains the principal public entry to the establishment.

Street. A public or dedicated thoroughfare or a private right-of-way or easement shown on a recorded plat and which has been approved by the Board of Commissioners.

Street right-of-way. A line defining the outer edges of a street boundary and separating the street from abutting property or lots or a proposed street line shown on any plan approved by the Planning Commission.

Street, arterial. A major street, highway or state route with intersections at grade and direct access to abutting property, and on which geometric design and traffic control measures are used to expedite the safe movement of through traffic between major traffic generators.

Street, collector. Any street designed and located to collect traffic from intersecting minor streets while still giving access to abutting property, and to conduct such traffic to and from a variety of destinations outside a single subdivision, neighborhood or business district. See also "street, residential collector."

Street, connector. A street supplementary to the major state and U.S. highway systems running throughout the country and primarily a means of intercommunication between this system and smaller areas.

Street, local. A street intended solely to provide access to immediately adjacent land; in residential areas, a residential access or residential subcollector street. See also "street, residential access."

Street, marginal access. A special-purpose street provided parallel and adjacent to a collector or higher order street for safety, by providing access to abutting properties and separation from through traffic on the higher order street.

Street, minor. A local street.

Street, residential access. The lowest order street in the hierarchy of streets; a street having the sole purpose of providing frontage for service and access to private lots. These streets carry only traffic having either destination or origin on the street itself. The elimination of through traffic and the geometric design of the street are means to promote safety and to create a desirable residential neighborhood. This street is designed to carry average daily traffic (ADT) of no more than 200 for each outlet to another street (e.g., a cul-de-sac or other single-access street will carry 200; a loop street will carry 200 per outlet, or 400). See also "street, local."

Street, residential collector. The next level above a residential subcollector street in the hierarchy of streets; a street which conducts and distributes traffic between other residential streets of lower order in the streets hierarchy and either higher order streets or major activity centers. This is the highest order of street appropriate to a residential neighborhood, and residential frontage along it is normally prohibited or severely restricted. This street is designed to carry average daily traffic (ADT) of no more than 3,000 at any point.

Street, residential subcollector. The next level above a residential access street in the hierarchy of streets; an access street which provides frontage for residential lots and may carry a small amount of residential through traffic collected only from tributary residential access streets. This street is designed to carry average daily traffic (ADT) of no more than 500 for each outlet to another street (e.g., a cul-de-sac or other single-access street will carry 500; a loop street will carry 500 per outlet, or 1,000).

Structure. Anything constructed or erected the use of which requires permanent or semipermanent location on the ground, or

which is attached to something having permanent location on the ground.

Stub-out. A shortened street, either public or private, which is intended to provide connectivity at a future point.

Subdivision. The division of a tract or parcel of land into seven or more lots, building sites or other divisions for the purposes of sale, legacy, a new street, or a change in existing streets, and includes resubdivision. Where appropriate to the context, subdivision also relates to the process of subdividing or to the land or area subdivided. The term shall also include the opening of a new street or road. The combination or recombination of portions of previously platted lots where the total number of lots is not increased and the resultant lots meet the standards of the county subdivision regulations in Article 9 is not included within this definition.

Subdivision, minor. The subdivision of land into a total of no more than six conforming lots, parcels, tracts, or building sites during a 12-month period. The resultant lots must meet all the requirements (lot size, frontage, access, etc.) of the zoning district in which they are classified and the requirements of the county subdivision regulations in Article 9. Minor subdivisions which conform to the aforementioned standards may be created on any lot, tract, or parcel which was recorded with the county clerk of superior court prior to January 1 of each calendar year, provided the subject lot and all resultant lots comply with the standards of the county zoning and subdivision regulations in this UDC. Once any lot, tract, or parcel meeting the aforementioned standards has been subdivided into a total of no more than six lots, tracts, parcels, or building sites, no further subdivision of the lots is permitted for the 12-month period after the land was subdivided. Any additional subdivision beyond six lots per 12-month period shall require consideration

by the county Planning Commission as a use subject to Planning Commission approval.

Townhouse. See Sec. 7.3.1.F.

Travel trailer. A vehicular portable structure not over eight feet by 35 feet and designed as a temporary dwelling for travel, recreational and vacation uses, which may or may not have kitchen equipment, toilet, lavatory and bathing facilities, but, if such facilities are included, a sewage holding tank for sanitary waste is required. Includes the terms “recreational vehicle” (RV) and “camper”. Any vehicle designed or converted to a design with plumbing connections for attachment to outside sewage systems shall not be included in this definition.

Truck, heavy. Trucks, including truck tractors, semi-trailers, or similar vehicles, designed and used to carry goods or property.

Turnaround. The circular paved area intended to facilitate turning around of vehicles at the end of a cul-de-sac.

Use, accessory. See Sec. 7.1.2.

Use, permitted. Those uses specifically listed in this UDC as uses permitted inherently, not to include uses herein defined as “nonconforming use.”

Use, principal. The principal purpose for which a lot or building is designed, arranged, intended, occupied or maintained.

Use, temporary. See Sec. 7.1.3.

Vacation home. Any residential structure used for transient occupancy including but not limited to cabins, single-family dwellings and other such residential structures.

Variance. A modification of the strict terms of zoning regulations granted by the Planning Commission where such modification will not be contrary to the public interest, and where, owing to conditions unique to the individual property on which the variance is sought and

not as a result of any action on the part of the property owner, a literal enforcement of this UDC would result in unnecessary and undue hardship; provided, however, that no variance may be granted which would authorize a land use not otherwise permitted in a particular district.

Vehicle. Any device or contrivance for carrying or conveying persons or objects, said device being designed to be self-propelled by its own motor or power.

Wall. See “fence”.

Water system. A potable water supply and treatment system other than individual or community water systems, owned by a unit of government.

Water system, community. A potable water supply and treatment system other than an individual or public water system serving more than one building, residence or other facility designed or used for human occupancy or congregation. The system is one which is owned by a person or legal unit other than a unit of government.

Water system, individual. A potable water system other than a community or public water system serving a single building, residence or other facility designed or used for human occupancy or congregation.

Yard. See Sec. 2.1.4..



AGENDA ITEM

Planning & Zoning

REPORT TO: Work Session (11/12/24)

REPORT TO: Voting Meeting (11/14/24)

ITEM NO: 571/2024

SUBJECT: **5820 McEver Road | Amend Conditions of Zoning** | on a 3.57± acre tract located on the west side of McEver Road at its intersection with Lights Ferry Road | Zoned H-B, Tax Parcel 08119 000003 | **Proposed Use: Gas station and convenience store** | Commission District 2 | **Nabeel Group of Companies, Inc, applicant** NOTE: Tabled at the September 10, 2024 Voting Meeting until the October 10, 2024 Voting Meeting. NOTE: Tabled at the October 10, 2024 Voting Meeting until the November 14, 2024 Voting Meeting.

Meetings:

Work Session Date: 11/12/24

Voting Meeting Date: 11/14/24

Executive Summary:

Presenter: BG
Recommendation:

Approval, with conditions:

1. The property shall be developed in accordance with the site plan received June 14, 2024, and as described in the project narrative dated June 14, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. The development shall be served by sewer provided by the City of Flowery Branch.
3. A fence, a minimum of 8 feet in height with barbed wire on top, shall be constructed on a berm, a minimum of 3 feet in height, along the entirety of the rear property line adjacent to Silverthorn Subdivision. The property buffer shall be 50 feet. Landscaping shall be a minimum of 8 foot tall evergreens staggered in two rows on four foot centers and shall not be disturbed during construction.
4. The fence shall not be constructed of wood. It shall be opaque and constructed out of PVC, vinyl chain link, or a similar material.
5. The applicant shall continue the screening behind the proposed convenience store with fast-growing evergreens from the northeastern corner and following the proposed driveway to the western boundary line.
6. All development shall adhere to the Gateway Corridor standards and all building materials and color shall be submitted to and approved by the Hall County Director of Planning and Zoning.
7. The convenience store shall close at 10:00 p.m. and no deliveries shall take place after 10:00 p.m.
8. The developer shall coordinate with the Hall County Engineering Department to provide a sidewalk adjacent to both McEver Road and Lights Ferry Road rights-of-way. Sidewalk width and design shall align with future road improvement plans.
9. Access to the development shall be approved by the Hall County Engineering Department and all traffic engineering standards shall be met.
10. The access along McEver Road shall be located such that it allows tax parcel 08119 000003A clear ingress and egress from that parcel's residential driveway.
11. 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 Official Code of Hall County, as well as any other agencies or reviewing departments, including, but not limited to Environmental Health, Fire Marshal, and Hall County Engineering.
12. All conditions of zoning shall be made a part of any plats or construction plans created for the project.

Purpose of Request:

5820 McEver Road | Amend Conditions of Zoning | on a 3.57± acre tract located on the west side of McEver Road at its intersection with Lights Ferry Road | Zoned H-B, Tax Parcel 08119 000003 | **Proposed Use: Gas station and convenience store** | Commission District 2 | **Nabeel Group of Companies, Inc, applicant**

History:

Facts and Issues:

Options:

Funding Requested	\$ 0.00
Are funds within current budget?	No
Source of Funds	
Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?	No
Has it been reviewed by the County Attorney?	Yes
Is there a deadline for this item?	

Approvals:

Submit	Approve	Attorney	Administration
KE	BG	WLI	CR
Clerk			
JR			

Attachments:

Board Memo
Recommendation Report
Request to Table
Application
Updated Narrative
Original Narrative

Updated Site Plan (rec'd 10/29/2024)
Updated Site Plan
Original Site Plan
Maps
Environmental Health Comments
GDOT Comments
Public Works Comments
Fire Comments
Public Comments
Notice Sign Photos
Public Comment - Opposition - Joe Vinson
Notice Sign Photos



Hall County Government

COMMUNITY DEVELOPMENT & INFRASTRUCTURE
PLANNING AND ZONING

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

PLANNING AND ZONING
DIRECTOR
Beth Garmon

To: Richard Higgins, Chairman
Kathy Cooper, District 1 Commissioner
Billy Powell, District 2 Commissioner
Gregg Poole, District 3 Commissioner
Jeff Stowe, District 4 Commissioner

From: Beth Garmon, Director of Planning & Zoning

Date: October 28, 2024

Subject: **5820 McEver Road | Amend Conditions of Zoning** | on a 3.57± acre tract | **Proposed Use: Gas station and convenience store | Nabeel Group of Companies, Inc, applicant**

The request before you is the request of Nabeel Group of Companies, Inc to amend conditions of zoning to allow a full access drive off McEver Road for a proposed gas station and convenience store. This item is located within Commission District 2.

At their August 5, 2024 meeting, the Hall County Planning Commission voted to recommend **approval with twelve (12) conditions (4-0, Varner absent).**

Staff recommendation: **Approval, with conditions**, as the proposed use is consistent with the previous approval.

There were **four (4) comments submitted** in advance of the Planning Commission meeting and **seven (7) people spoke in opposition during the public hearing.**

Planning Commission Conditions:

1. The property shall be developed in accordance with the site plan received June 14, 2024, and as described in the project narrative dated June 14, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. The development shall be served by sewer provided by the City of Flowery Branch.
3. A fence, a minimum of 8 feet in height with barbed wire on top, shall be constructed on a berm, a minimum of 3 feet in height, along the entirety of the rear property line adjacent to Silverthorn Subdivision. The property buffer shall be 50 feet. Landscaping shall be a minimum of

8-foot-tall evergreens staggered in two rows on four-foot centers and shall not be disturbed during construction.

4. The fence shall not be constructed of wood. It shall be opaque and constructed out of PVC, vinyl chain link, or a similar material.
5. The applicant shall continue the screening behind the proposed convenience store with fast-growing evergreens from the northeastern corner and following the proposed driveway to the western boundary line.
6. All development shall adhere to the Gateway Corridor standards and all building materials and color shall be submitted to and approved by the Hall County Director of Planning and Zoning.
7. The convenience store shall close at 10:00 p.m. and no deliveries shall take place after 10:00 p.m.
8. The developer shall coordinate with the Hall County Engineering Department to provide a sidewalk adjacent to both McEver Road and Lights Ferry Road rights-of-way. Sidewalk width and design shall align with future road improvement plans.
9. Access to the development shall be approved by the Hall County Engineering Department and all traffic engineering standards shall be met.
10. The access along McEver Road shall be located such that it allows tax parcel 08119 000003A clear ingress and egress from that parcel's residential driveway.
11. 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 Official Code of Hall County, as well as any other agencies or reviewing departments, including, but not limited to Environmental Health, Fire Marshal, and Hall County Engineering.
12. All conditions of zoning shall be made a part of any plats or construction plans created for the project.

**HALL COUNTY PLANNING COMMISSION
RECOMMENDATION REPORT**

Applicant Nabeel Group of Companies, Inc

Request Use Subject to County Commission Approval |
Amend Conditions of Zoning for a Gas station
and convenience store

Proposed Use Gas station and convenience store

Size 3.57± acres

Zoning Highway Business (H-B, 17.150)

Location **5820 McEver Road** | Tax Parcels 08119 000003

Commission District Two

Planning Commission Date August 5, 2024

Staff Recommendation **Approval, with conditions**, as the proposed use
is consistent with the previous approval.

Record Number.....HZCU24-0022

Planning Commission Recommendation.....**Approval, with conditions**

Vote: 4-0 (Varner absent)

Planning Commission Conditions:

1. The property shall be developed in accordance with the site plan received June 14, 2024, and as described in the project narrative dated June 14, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. The development shall be served by sewer provided by the City of Flowery Branch.
3. A fence, a minimum of 8 feet in height with barbed wire on top, shall be constructed on a berm, a minimum of 3 feet in height, along the entirety of the rear property line adjacent to Silverthorn Subdivision. The property buffer shall be 50 feet. Landscaping shall be a minimum of 8-foot-tall evergreens staggered in two rows on four-foot centers and shall not be disturbed during construction.
4. The fence shall not be constructed of wood. It shall be opaque and constructed out of PVC, vinyl chain link, or a similar material.

5. The applicant shall continue the screening behind the proposed convenience store with fast-growing evergreens from the northeastern corner and following the proposed driveway to the western boundary line.
6. All development shall adhere to the Gateway Corridor standards and all building materials and color shall be submitted to and approved by the Hall County Director of Planning and Zoning.
7. The convenience store shall close at 10:00 p.m. and no deliveries shall take place after 10:00 p.m.
8. The developer shall coordinate with the Hall County Engineering Department to provide a sidewalk adjacent to both McEver Road and Lights Ferry Road rights-of-way. Sidewalk width and design shall align with future road improvement plans.
9. Access to the development shall be approved by the Hall County Engineering Department and all traffic engineering standards shall be met.
10. The access along McEver Road shall be located such that it allows tax parcel 08119 000003A clear ingress and egress from that parcel's residential driveway.
11. 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 Official Code of Hall County, as well as any other agencies or reviewing departments, including, but not limited to Environmental Health, Fire Marshal, and Hall County Engineering.
12. All conditions of zoning shall be made a part of any plats or construction plans created for the project.

Excerpts from the minutes of the August 5, 2024 meeting

Applicant's Presentation:

Katie Greenway, Planning and Zoning Administrator, presented a summary of the request.

Chuck Ross, 10 Lumpkin Street, Lawrenceville, presented the request.

Public Forum:

Cliff McGlamry, 6353 Lights Ferry Road, Flowery Branch, spoke in opposition. He stated that there are plenty of existing gas stations for this community and that he has concerns regarding the hours of operations, and the fast traveling traffic.

Win Fletcher, 5913 Thornhill Place, Flowery Branch, spoke in opposition. Concerns include the proposed turn lane on McEver Road, the line of sight from the Silverthorn subdivision, the roundabout that will keep traffic flowing past their subdivision entrance, and traffic safety.

Timothy Gail, 5918 Terrace Lakee Point, Flowery Branch, spoke in opposition. Concerns are pedestrian safety, the future land use designation not supporting this use, hours of operation, and noises.

Lila Weaver, 5806 Silverthorn Drive, Flowery Branch, spoke in opposition. Concerns are the continued growth on McEver Road, safety due to the sun blinding drivers in the morning coming out of the Silverthorn subdivision, increased traffic, and the speed limit on McEver Road.

Shelly Andrews, 5913 Thornhills Place, Flowery Branch, spoke in opposition. Concerns are inconsistency in the submitted site plan and changes in the conditions of zoning, the safety of the intersection at McEver and Lightsferry, general traffic safety, and the proposed diesel station shown on the site plan.

Jay Kelley, 6023 Terrace Lake Pointe, Flowery Branch, spoke in opposition. Concerns are changing the conditions that were previously approved for this property such as the berm, trees, fence and barbed wire.

Sally Marks, 5810 Silverthorn Drive, Flowery Branch, spoke in opposition. Concerns are the US EPA recommending 1,000 feet prior to being in close proximity of a sensitive area such as the pool for safety. She also spoke about her concern of bringing in human trafficking with the proposed gas station and convenience store.

Rebuttal

The applicant stated that the roundabout construction is to begin around July of next year, that the conditions require that the hours of operation end at 10pm every day, and that all EPA regulations will be followed. The applicant also stated that he was under the impression that the speed limit will decrease to 45 mph once the roundabout is prepared and that removing the requested condition will let them proceed with permitting, but it is subject to the board's approval.

Planning Commission Comments:

Mr. Braswell stated that there were comments in opposition submitted by Shawn Fields, Ron Cholaj, Alic Cholaj, and Donna Cash prior to the meeting. Ms. Garmon stated that the request was initiated by the applicants, not the county. Mr. Braswell stated that it is the right of the applicant to make the request and the applicant will cover the cost of this change. Mr. Hunt stated that approval of this amended condition will send them to the County Engineering Department for approval. Mr. Braswell stated that the site plan needs to have a revised date and conditions need to be added to the plan before going in front of the Board of Commissioners.

Motion: A motion to approve, with conditions was made by Mr. Hunt and seconded by Mr. Sosebee. Vote: 4-0 (Varner absent)

Conditions:

1. The property shall be developed in accordance with the site plan received June 14, 2024, and as described in the project narrative dated June 14, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. The development shall be served by sewer provided by the City of Flowery Branch.

3. A fence, a minimum of 8 feet in height with barbed wire on top, shall be constructed on a berm, a minimum of 3 feet in height, along the entirety of the rear property line adjacent to Silverthorn Subdivision. The property buffer shall be 50 feet. Landscaping shall be a minimum of 8 foot tall evergreens staggered in two rows on four foot centers and shall not be disturbed during construction.
4. The fence shall not be constructed of wood. It shall be opaque and constructed out of PVC, vinyl chain link, or a similar material.
5. The applicant shall continue the screening behind the proposed convenience store with fast-growing evergreens from the northeastern corner and following the proposed driveway to the western boundary line.
6. All development shall adhere to the Gateway Corridor standards and all building materials and color shall be submitted to and approved by the Hall County Director of Planning and Zoning.
7. The convenience store shall close at 10:00 p.m. and no deliveries shall take place after 10:00 p.m.
8. The developer shall coordinate with the Hall County Engineering Department to provide a sidewalk adjacent to both McEver Road and Lights Ferry Road rights-of-way. Sidewalk width and design shall align with future road improvement plans.
9. Access to the development shall be approved by the Hall County Engineering Department and all traffic engineering standards shall be met.
10. The access along McEver Road shall be located such that it allows tax parcel 08119 000003A clear ingress and egress from that parcel's residential driveway.
11. 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 Official Code of Hall County, as well as any other agencies or reviewing departments, including, but not limited to Environmental Health, Fire Marshal, and Hall County Engineering.
12. All conditions of zoning shall be made a part of any plats or construction plans created for the project.

Staff Recommended Conditions:

1. The property shall be developed in accordance with the site plan dated June 24, 2022 and as described in the project narrative dated June 14, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. The development shall be served by sewer provided by the City of Flowery Branch.
3. A fence, a minimum of 8 feet in height with barbed wire on top, shall be constructed on a berm, a minimum of 3 feet in height, along the entirety of the rear property line adjacent to Silverthorn Subdivision. The property buffer shall be 50 feet. Landscaping shall be a minimum of 8-foot-tall evergreens staggered in two rows on four foot centers and shall not be disturbed during construction.

4. The fence shall not be constructed of wood. It shall be opaque and constructed out of PVC, vinyl chain link, or a similar material.
5. The applicant shall continue the screening behind the proposed convenience store with fast-growing evergreens from the northeastern corner and following the proposed driveway to the western boundary line.
6. All development shall adhere to the Gateway Corridor standards and all building materials and color shall be submitted to and approved by the Hall County Director of Planning and Zoning.
7. The convenience store shall close at 10:00 p.m. and no deliveries shall take place after 10:00 p.m.
8. The Developer shall coordinate with the Hall County Engineering Department to provide a sidewalk adjacent to both McEver Road and Lights Ferry Road rights-of-way. Sidewalk width and design shall align with future road improvement plans.
9. Access to the development shall be approved by the Hall County Engineering Department and all traffic engineering standards shall be met.
10. The access along McEver Road shall be located such that it allows tax parcel 08119 000003A clear ingress and egress from that parcel's residential driveway.
11. 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 Official Code of Hall County, as well as any other agencies or reviewing departments, including, but not limited to Environmental Health, Fire Marshal, and Hall County Engineering.
12. All conditions of zoning shall be made a part of any plats or construction plans created for the subdivision.

Summary Analysis

The applicant is requesting to amend zoning conditions on a 3.57± acre tract, currently zoned Highway-Business (H-B, 17.150), to allow for the implementation of one full access drive with a deceleration lane and left turn lane off McEver Road, and for one full access drive that does not include a deceleration lane or a left turn lane off Lights Ferry Road. The property is currently undeveloped.

The subject property was originally rezoned from Agricultural Residential-III (AR-III, 17.110) to Highway-Business (H-B, 17.150) on November 30, 2021, for the development of a gas station and convenience store with the following 9 conditions (ZON2021-0007):

1. The development shall be served by sewer provided by the City of Flowery Branch.

2. A fence, a minimum of 8 feet in height with barbed wire on top, shall be constructed on a berm, a minimum of 3 feet in height, along the entirety of the rear property line adjacent to Silverthorn Subdivision. The property buffer shall be 50 feet. Landscaping shall be a minimum of 8 foot tall evergreens staggered in two rows on four foot centers and shall not be disturbed during construction.
3. The fence shall not be constructed of wood. It shall be opaque and constructed out of PVC, vinyl chain link, or a similar material.
4. The applicant shall continue the screening behind the proposed convenience store with fast-growing evergreens from the northeastern corner following the proposed driveway to the western boundary line.
5. McEver Road shall be a right turn exit only and with the location determined by Hall County Traffic Engineering. The entrance shall be placed in a location that will allow Ms. Cash to access her own driveway.
6. All development shall adhere to the Gateway Corridor standards and all building materials and color shall be submitted to and approved by the Hall County Planning Director.
7. Applicant shall provide a topographic map and an updated site plan to the Board of Commissioners in advance of their meeting on October 28, 2021, so that staff may have time to review and comment.
8. The convenience store shall close at 10:00 p.m. and no deliveries shall take place after 10:00 p.m.
9. Sidewalks shall be required.

The applicant is requesting to amend the conditions of the Highway Business (H-B) zoning to allow for a full access drive and deceleration lane off McEver Road as well as a full access drive with no deceleration lane and no left turn lane off of Lights Ferry Road. Per the narrative, the applicant states that these modifications will optimize traffic flow and improve accessibility for the site.

The submitted site plan appears to be consistent with the previous application, with the distinction that the new site plan reflects the addition of a second fuel canopy with 3 diesel gas pumps. The narrative states that an 8 foot high fence constructed on a minimum 3 foot high berm will be installed; however, the narrative does not include the barbed wire on top as per Condition #2, nor is the fence or berm reflected on the site plan. Also, the site plan does not reflect the location of sidewalks as required by Condition #9.

Water services will be provided by the City of Gainesville Department of Water Resources with service confirmed in an email dated June 13, 2024. As the property falls within the Flowery Branch sewer district, a letter from the City of Flowery Branch dated June 13, 2024 states that the project could be served by sewer dependent on the following: "...expected sewer plant modifications and new plant are completed, [and] approval from city council and supporting departments [is granted]." If public sewer is not available, the Environmental Health Department will require the development to meet all commercial septic system permitting requirements.

Zoning Analysis

When considering a zoning amendment to the zoning maps, the following items must be considered:

1. Whether the zoning proposal will permit a use that is suitable in view of the use, development and zoning of adjacent and nearby property; **The requested use is consistent with the previous approval for the rezoning of the property on November 30, 2021.**

2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **No, it is not anticipated that the proposed development will adversely affect adjacent properties. Coordination with and approval from Hall County Traffic Engineering is required to ensure all regulations are met.**
3. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned; **The property has reasonable economic use as currently zoned Highway Business (H-B, 17.150).**
4. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, or utilities; **It is not anticipated that the proposed zoning use will result in an excessive or burdensome use of existing infrastructure. The proposal has received availability letters for both water and sewer to serve this development.**
5. Whether the zoning proposal is in conformity with the policy and intent of the future land use plan for the physical development of the area; **The zoning designation has been established by previous board action with the original approval of the development. The requested modification does not significantly impact the designated future land use of the area.**
6. The extent to which property values are diminished by the existing zoning restrictions; **Staff is unable to determine the extent to which property values are diminished by the existing zoning restrictions.**
7. The extent to which the destruction of the subject property's value under the existing zoning promotes the health, safety, morals or general welfare of the public; **Staff is unable to comment on the impact of property values without a full market analysis. Multiple factors impact property value including construction types, proposed uses, and maintenance. Often it is difficult to determine the effect of a development on adjacent properties until the development is completed.**
8. The relative gain to the public as compared to the hardship imposed upon the individual property owner; **Staff has not identified a hardship imposed on the property owner as the property is currently zoned.**
9. The length of time the property has been vacant as zoned considered in the context of land development in the area in the vicinity of the property; **The property is undeveloped, and satellite imagery indicates that no development has existed on the property since 1999. Additionally, there are no records of building permits or land disturbance permits for the property.**
10. Whether there are other existing or changing conditions affecting the use or development of the property which give supporting grounds for either approval or disapproval of the zoning proposal; **Hall County Engineering currently has a planned project for the intersection of McEver Road and Lights Ferry Road which will incorporate a roundabout and realignment of Lights Ferry Road. These changes may or may not affect the use and development of the property.**

11. Whether the change would create an isolated district unrelated to the surrounding districts; **The current request to amend zoning conditions of the Highway Business (H-B, 17.150) zoning will not create an isolated district.**
12. Whether the present zoning district boundaries are illogically drawn in relation to existing conditions in the area; **There is no evidence that the present zoning district boundaries are illogically drawn.**
13. Whether the change requested is out of scale with the needs of the county as a whole or the immediate neighborhood; **The request is not out of scale with the needs of the immediate neighborhood or the county as a whole.**
14. Whether it is impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned; **The existing zoning of the subject site supports the proposed use; however, the proposal of a full access drive to the development from McEver Road requires the amendment of the existing zoning conditions.**
15. Whether the need for rezoning could be handled instead by a variance request to the zoning board of adjustment; **The request could not be handled alternatively as a variance.**
16. Whether there would be an ecological or pollution impact resulting from major modifications to the land if the request is granted; **Any land disturbance activities on the property shall be required to go through the land development permitting process, and as a result are subject to local, state, and federal regulations. As a result, there are no anticipated ecological or pollution impacts resulting from any modification to the land if the request is granted.**
17. Whether there is reasonable evidence based upon existing and anticipated land use that would indicate a mistake was made in the original zoning of the property; **There is no indication that a mistake was made in the original zoning.**

The **Highway Business (H-B, 17.150) zoning district** allows for a variety of commercial uses to meet residents' needs. Development should conform to the existing character and development pattern of the surrounding area. The proposed use of a gas station and convenience store is consistent with the surrounding development pattern.

17.380.050. - Submission requirements

- A. Any person or persons requesting a change in the official zoning map or use subject to approval of the county commission shall file an application with a plat or map of the property attached thereto, together with payment of such fees set forth in chapter 17.30 to cover administrative and advertising costs, in the planning department office. Such person or persons or their authorized agent shall appear in person at the public hearing held to consider the district change. **The proposal meets the requirement. The applicant has paid the appropriate fees and understands that someone must be present at both the Hall County Planning Commission meeting and the voting meeting of the Hall County Board of Commissioners.**

- B. All applications for a change of zoning classification or use subject to approval of the county commission shall include:
 - 1. A narrative statement identifying the existing and proposed use of the property and addressing each of the criteria set forth in section 17.380.060.C of this section [chapter]. **Proposal does provide a narrative outlining amendment of conditions requested; however, the applicant has not prepared a response to each of the criteria listed in 17.380.060.C.**
 - 2. A site plan drawn to scale designating the area covered by the application and identifying existing and proposed buildings and uses, adjacent existing land uses, zoning on contiguous parcels, including those across an abutting public right-of-way, and any other significant site improvements proposed to accommodate the proposed use or buffer adjacent uses, etc., or a plat of the subject property where no specific land use is proposed. In cases where only a plat or map is provided and no land use is proposed, the planning commission and county commission shall evaluate the application based on the most intense possible land use permitted in the proposed district. **The proposal does meet the requirement. The applicant has provided a site plan and included much of the necessary information to properly assess the development. However, information about adjacent parcels is limited.**
- C. For any application for a slow rate land treatment system (see chapter 17.20), the following additional requirements apply. **The proposed development intends to utilize public sewer and water; as such, this is not applicable. If public sewer is not available, the Environmental Health Department will require the development to meet all commercial septic system permitting requirements.**
- D. For any application proposing the development of 100 or more residential dwelling units, a traffic impact study shall be submitted prior to consideration of the application by the planning commission. At the applicant's expense, the traffic impact study shall be prepared by a professional engineer in accordance with requirements established by the Hall County Engineering Department. The engineering department shall review the traffic impact study and forward any comments to the Hall County Planning Commission. **The proposed development does not contain any residential dwelling units, and as such is exempt from this requirement**

Development Support and Constraints

Hall County Environmental Health

In an email dated June 28, 2024, Emily McGahee stated “If public sewer not available, development must meet all Environmental Health commercial septic system permitting requirements if able to be permitted by Environmental Health. Wastewater treatment and disposal may be required to be permitted through EPD. Further determination will be made during the civil plan review process. A detailed business plan must be submitted to Hall County Environmental Health for review. Tourist Accommodation permit/plan review and/or Food Service permit/plan review may be required after review of business plan.”

Hall County Fire Marshal

In an email dated July 2, 2024, John Hornick, NPQ Fire Service Plans Examiner 1, stated the following:
“The Hall County Fire Marshal’s Office has no comments as proposed.”

Hall County Public Works and Utilities

In a memorandum from Public Works and Utilities dated July 05, 2024, Bill Nash, Director of Public Works, stated the following:

Engineering:

This site may require a stormwater management report should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.

Traffic:

Driveway to be reviewed during plan review.

Utilities:

No Hall County sewer in area.

Georgia Department of Transportation

In an email dated July 03, 2024, Veronica Chavers, D1TO Civil Engineer 3, stated that GDOT coordination is not required.

Jennifer Rivera (Administration)

From: Beth Garmon (CDI: Planning)
Sent: Monday, August 26, 2024 3:35 PM
To: Jennifer Rivera (Administration)
Subject: FW: Request to Table Request for Change in Conditions of Zoning, Record Number HZCU24-0022, 5820 McEver Road

Good afternoon, Jennifer.

Could you please add this email to the file for Nabeel Group, 3820 McEver Road, which is scheduled for BOC on Tuesday, September 10th?

Thank you,
Beth

Beth Garmon

Director of Planning and Zoning
Hall County Community Development and Infrastructure
(office) 770-531-6809
(direct) 770-297-2626
bgarmon@hallcounty.org

All **ZONING, PLAT**, and **BUILDING PERMIT** submittals may be submitted online through [Accela](#). Plat inquiries may be submitted to plats@hallcounty.org. Zoning and general inquiries may be submitted to planning@hallcounty.org.



From: Chuck Ross <cross@powelledwards.com>
Sent: Monday, August 26, 2024 3:12 PM
To: Beth Garmon (CDI: Planning) <bgarmon@hallcounty.org>
Subject: Request to Table Request for Change in Conditions of Zoning, Record Number HZCU24-0022, 5820 McEver Road

You don't often get email from cross@powelledwards.com. [Learn why this is important](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Ms. Garmon,

Thank you for the return call. I represent Nabeel Group of Companies in the above matter pending before the Hall County Board of Commissioners. I have a conflict for the September 10, 2024, Board of Commissioners' Meeting

that I cannot resolve. I am respectfully requesting that the Public Hearing be tabled to the October 10, 2024, Commission Meeting. Thank you for your kind consideration.

Chuck Ross

W. Charles “Chuck” Ross, Partner

Phone: (770) 962-0100 | Fax: (770) 963-3424

Post Office Box 1390, Lawrenceville, GA 30046

www.PowellEdwards.com



Voted Best of Gwinnett, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023

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PLANNING AND DEVELOPMENT DEPARTMENT
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504
MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30503
t: 770-531-6809 | f: 770-531-3902



CONDITIONAL USE APPLICATION

Applicant (Name & Mailing Address)

NABEEL GROUP OF COMPANIES, INC.

4850 Sugarloaf Pkwy 209-313 Lawrenceville, GA 30044

Phone 770-855-5149

Email Address NABEEL@NGC.US

Proposed Use GASOLINE STATION AND CONVENIENCE STORE

Property Owner (Name & Mailing Address)

PHILLIP W WILLIAMS

6054 LIGHTS FERRY ROAD

FLOWERY BRANCH 30542

Phone 770-540-1379

Email Address _____

Contact Person (Name & Mailing Address)

SANIYA VIRANI

4850 SUGARLOAF PARKWAY SUITE 209-313

LAWRENCEVILLE GA 30044

Phone 770-855-6356

Email Address SANIYA@NGC.US

Tax Parcel Number 08119 000003

Location Address 5820 MCEVER ROAD FLOWERY BRANCH, GA 30542

Status of Applicant

- Owner
- Option to Purchase
- Area Resident
- Other

Zoning: _____

Acreage ~3.63 acres

Requested Action

Permissive Use:

HCPC HCC

Fee: \$ _____

Receipt #: _____

Check #: _____

I hereby certify that the above information and all attached information are true and correct.

Sign Date: 05/24/2024

Applicant must complete all information above. Failure to complete this section will result in the refusal of the application. The Planning Department has 15 days to review all applications and will set the dates for each application. If the application is found insufficient, an agenda date will not be set until the required information is submitted. Please note that the Planning Commission and County Commission dates are tentative.

Application Withdrawal: I hereby withdraw the application.

Sign _____ Date: _____

Staff Use Only

Application Date: _____ Taken by: _____

Tentative Planning Commission Date: _____ Tentative County Commission Date: _____

County Commission District: _____

PLANNING AND DEVELOPMENT DEPARTMENT
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504
MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30503
t: 770-531-6809 | f: 770-531-3902



AUTHORIZATION OF PROPERTY OWNERS

Note: If the applicant is the property owner, please disregard this form.

Name of owner(s) PHILLIP W WILLIAMS *P W W*

Address 6054 LIGHTS FERRY ROAD *Flowery Branch,* ~~MARIETTA~~ GA 30542

Phone Number 770-540-1379

Name of applicant(s) NABEEL GROUP OF COMPANIES, INC

Address 4850 SUGARLOAF PARKWAY SUITE 209-313
LAWRENCEVILLE, GA 30044

Phone Number 770-855-6356

I swear that I am the owner of the property which is the subject matter of the attached applications as shown in the records of Hall County, Georgia.

I authorize the person named above to act as applicant in the pursuit of a rezoning, permissive use, or variance of this property.

Signature of Owner(s) *Phillip W Williams*

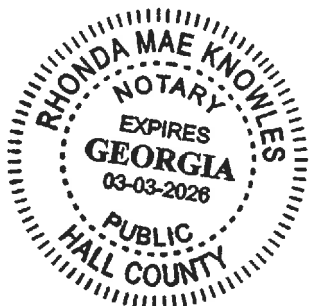
Personally appeared before me

who swears that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

Rhonda Mae Knowles
Notary Public

05/24/2024

Date



PLANNING AND DEVELOPMENT DEPARTMENT
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA. 30504
MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30502
t 770-531-6809 | f 770-531-3902



CAMPAIGN CONTRIBUTIONS DISCLOSURE FORM

This form must be completed by the applicant and property owner, or person representing the property owner, for all zoning actions.

OCGA § 36-67A-3[C] Disclosure of campaign contributions:

(b) When any applicant for zoning action has made, within two years immediately preceding the filing of the applicant's application for the zoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:

- (3) The name and official position of the local government official to whom the campaign contribution was made; and
- (4) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.

(b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the zoning action is first filed. (Code 1981, Section OCGA § 36-67A-3[C], enacted by GA L. 1986, page 1269, Section 1, GA L. 1991, page 1365, Section 1).

I hereby certify that I have read the above and that:

I have** I have not

within the two years immediately preceding this date, made any contribution(s) aggregating \$250.00 or more to any local government official involved in the review or consideration of this application.

****If you have made such contributions, you must provide the data required below within ten (10) days of filing this application.**

Name of Official(s): _____ Office: _____

Dollar Amount: _____ Date of Contribution: _____

Applicant's/Owner's Signature: _____ Date: 06/07/2024

Applicant's/Owner's Name (Printed): NABEEL MEMON

PLANNING AND DEVELOPMENT DEPARTMENT
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504
MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30503
t: 770-531-6809 | f: 770-531-3902



CAMPAIGN CONTRIBUTIONS DISCLOSURE FORM

This form must be completed by the applicant and property owner, or person representing the property owner, for all zoning actions.

OCGA § 36-67A-3[C] Disclosure of campaign contributions:

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(3) The name and official position of the local government official to whom the campaign contribution was made; and

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I hereby certify that I have read the above and that:

I have** _____ I have not

within the two years immediately preceding this date, made any contribution(s) aggregating \$250.00 or more to any local government official involved in the review or consideration of this application.

****If you have made such contributions, you must provide the data required below within ten (10) days of filing this application.**

Name of Official(s): _____

Office: _____

Dollar Amount: _____

Date of Contribution: _____

Applicant's/Owner's Signature: Phillip Williams

Date: Jan 24 2024

Applicant's/Owner's Name (Printed): Phillip Williams For Estate of Eleanor Williams



Friday, June 14, 2024

To Hall County Planning and Development:

Re: Narrative for Parcel 08119000003

Dear Sir/Madam:

This letter serves as a written report describing the existing and proposed use of the property. We, Nabeel Group of Companies, INC., are applying for a Change in Condition/Conditional Use for the proposed site located at **5820 McEver Road Flowery Branch GA 30542, Hall County.**

The proposal presents a comprehensive site plan for the establishment of a 4500 square foot convenience store and a gasoline station, within the Hall County limits. **This property is zoned H-B (Highway Business)** and within the Gateway Corridor overlay district. Notably, the plan advocates for the implementation of one full access drive with deceleration lane and left turn lane off McEver Road and one full access drive with NO deceleration and left turn lane off Lights Ferry Road to optimize traffic flow and enhance accessibility.

Key Components:

1. Convenience Store Layout: The 4500 square foot convenience store and tenant spaces are meticulously designed to provide ample retail space for merchandise display, cashier stations, restroom facilities, and storage areas. Emphasis is placed on customer convenience and efficient circulation within the stores. Site will contain under the canopy lighting as well as wall pack lighting on the building and parking lot lighting poles, all designed in accordance with the Hall County Planning and Development.

2. Gasoline Station: Integrated into the site plan is a gasoline station equipped with multiple fuel dispensers, compliant with safety regulations, and featuring designated areas for fueling, parking, and maneuvering. Environmental safeguards, such as spill containment measures, are incorporated to mitigate potential risks.

3. Access: A central feature of this proposal is the inclusion of one full access drive with deceleration lane and left turn lane off McEver Road and one full access drive with NO deceleration and left turn lane off Lights Ferry Road to optimize traffic flow and enhance accessibility.



Friday, June 14, 2024

4. Parking and Circulation: The site plan includes a designated parking area with adequate spaces for customers and staff, facilitating seamless vehicular circulation within the premises. Barrier-free access and designated parking spaces for individuals with disabilities are integrated to ensure inclusivity and compliance with accessibility standards.

5. Landscaping and Aesthetics: A landscape design is incorporated to enhance the visual appeal of the site and mitigate environmental impacts. Green spaces, trees, and shrubbery are strategically positioned to provide shade, improve air quality, and create a welcoming atmosphere for customers. Adjacent Silverton Subdivision properties will be protected by a minimum 8-foot-high fence constructed on a minimum 3-foot-high berm. A 50-foot buffer will exist between this proposed development and adjacent Silverton Subdivision properties. Landscape plantings will be minimum 8 feet tall evergreens staggered in two rows on 4-foot centers. The remaining adjacent properties will contain a 30-foot undisturbed buffer.

6. Operating Hours: The operational hours for the Gasoline Station will be from 6 AM to 10 PM adhering to regulations stated in clause 8.

7. Water: Water will be provided by the City of Gainesville and Sewer provided by City of Flowery Branch.

8. Compliance and Regulation:

The proposed site plan adheres to all relevant zoning ordinances, building codes, and regulatory requirements stipulated by the Hall County development department. Environmental impact assessments, traffic studies, and safety analyses have been conducted to ensure full compliance and mitigate potential concerns.

Thank you,

Sincerely,

Nabeel Memon
Chief Executive Officer
NGC Holdings, LLC



Narrative

RE: Parcel 08119000003

To Hall County Planning and Development:

This letter serves as a written report describing the existing and proposed use of the property. We, Nabeel Group of Companies, INC., are applying for a Change in Condition/Conditional Use for the proposed site located at **5820 McEver Road Flowery Branch GA 30542, Hall County.**

The proposal presents a comprehensive site plan for the establishment of a 4500 square foot convenience store and two 1500 square tenant spaces, incorporating a gasoline station, within the Hall County limits. **This property is zoned H-B (Highway Business)** and within the Gateway Corridor overlay district. Notably, the plan advocates for the implementation of dual right-in/right-out access points to optimize traffic flow and enhance accessibility.

Key Components:

1. Convenience Store Layout: The 4500 square foot convenience store and tenant spaces are meticulously designed to provide ample retail space for merchandise display, cashier stations, restroom facilities, and storage areas. Emphasis is placed on customer convenience and efficient circulation within the stores. Site will contain under the canopy lighting as well as wall pack lighting on the building and parking lot lighting poles, all designed in accordance with the Hall County Planning and Development.

2. Gasoline Station: Integrated into the site plan is a gasoline station equipped with multiple fuel dispensers, compliant with safety regulations, and featuring designated areas for fueling, parking, and maneuvering. Environmental safeguards, such as spill containment measures, are incorporated to mitigate potential risks.

3. Dual Right-In/Right-Out Access: A central feature of this proposal is the inclusion of two dedicated right-in/right-out access points, strategically positioned to optimize traffic flow and minimize congestion. The 2 right in right outs would mark a change in clause 5 stating, "McEver Road shall be a right turn exit only with the location determined by Hall County Traffic



Engineering. The entrance shall be placed in a location that will allow Ms. Cash to access her own driveway.” The new access points proposed will allow for easy traffic flow and access to the said C-Store.

4. Parking and Circulation: The site plan includes a designated parking area with adequate spaces for customers and staff, facilitating seamless vehicular circulation within the premises. Barrier-free access and designated parking spaces for individuals with disabilities are integrated to ensure inclusivity and compliance with accessibility standards.

5. Landscaping and Aesthetics: A landscape design is incorporated to enhance the visual appeal of the site and mitigate environmental impacts. Green spaces, trees, and shrubbery are strategically positioned to provide shade, improve air quality, and create a welcoming atmosphere for customers. Adjacent Siverton Subdivision properties will be protected by a minimum 8-foot-high fence constructed on a minimum 3-foot-high berm. A 50-foot buffer will exist between this proposed development and adjacent Silvertown Subdivision properties. Landscape plantings will be minimum 8 feet tall evergreens staggered in two rows on 4-foot centers. The remaining adjacent properties will contain a 30-foot undisturbed buffer.

6. Operating Hours: The operational hours for the Gasoline Station will be from 6 AM to 10 PM adhering to regulations stated in clause 8.

7. Water: Water will be provided by the City of Gainesville and Sewer provided by City of Flowery Branch. Site Plan Proposal for a 4500 Square Foot Convenience Store (Gasoline Station) with Dual Right-In/Right-Out Access

Compliance and Regulation:

The proposed site plan adheres to all relevant zoning ordinances, building codes, and regulatory requirements stipulated by the Hall County development department. Environmental impact assessments, traffic studies, and safety analyses have been conducted to ensure full compliance and mitigate potential concerns.

Conclusion:

In summary, this site plan proposal outlines a comprehensive framework for the establishment of a 4500 square foot convenience store with a gasoline station and two 1500 square foot tenant spaces in Hall County. We respectfully submit this proposal for your review and consideration, with the hope of obtaining approval from the Hall County development department for our Change in Condition/Conditional Use request.

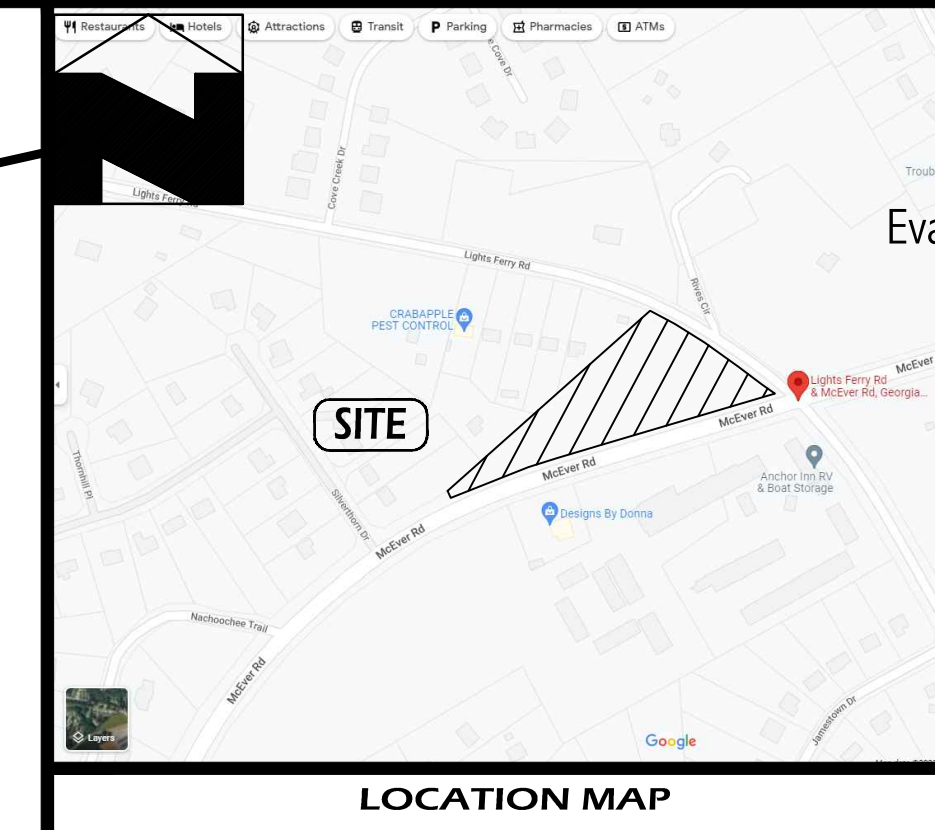
June 5, 2024



Thank you,

Nabeel Memon

Nabeel Group of Companies, INC.



RECEIVED OCTOBER 29, 2024

Evans Design Group, Inc.
Civil Engineering /
Site Planning /
Land Development Services
4755 Summer Song Court
Buford, GA 30519
(Ph) 678.207.6830
jevans@evansdg.com



PROJECT NAME
**McEVER
C-STORE**

**5820 McEVER RD.
L.I. 119, 8th DIST.
HALL COUNTY GA**

DATE:
6/24/22

DESIGN BY JME
DRAWN BY JME
CHECKED BY JME

Not Released For Construction
 Released For Construction



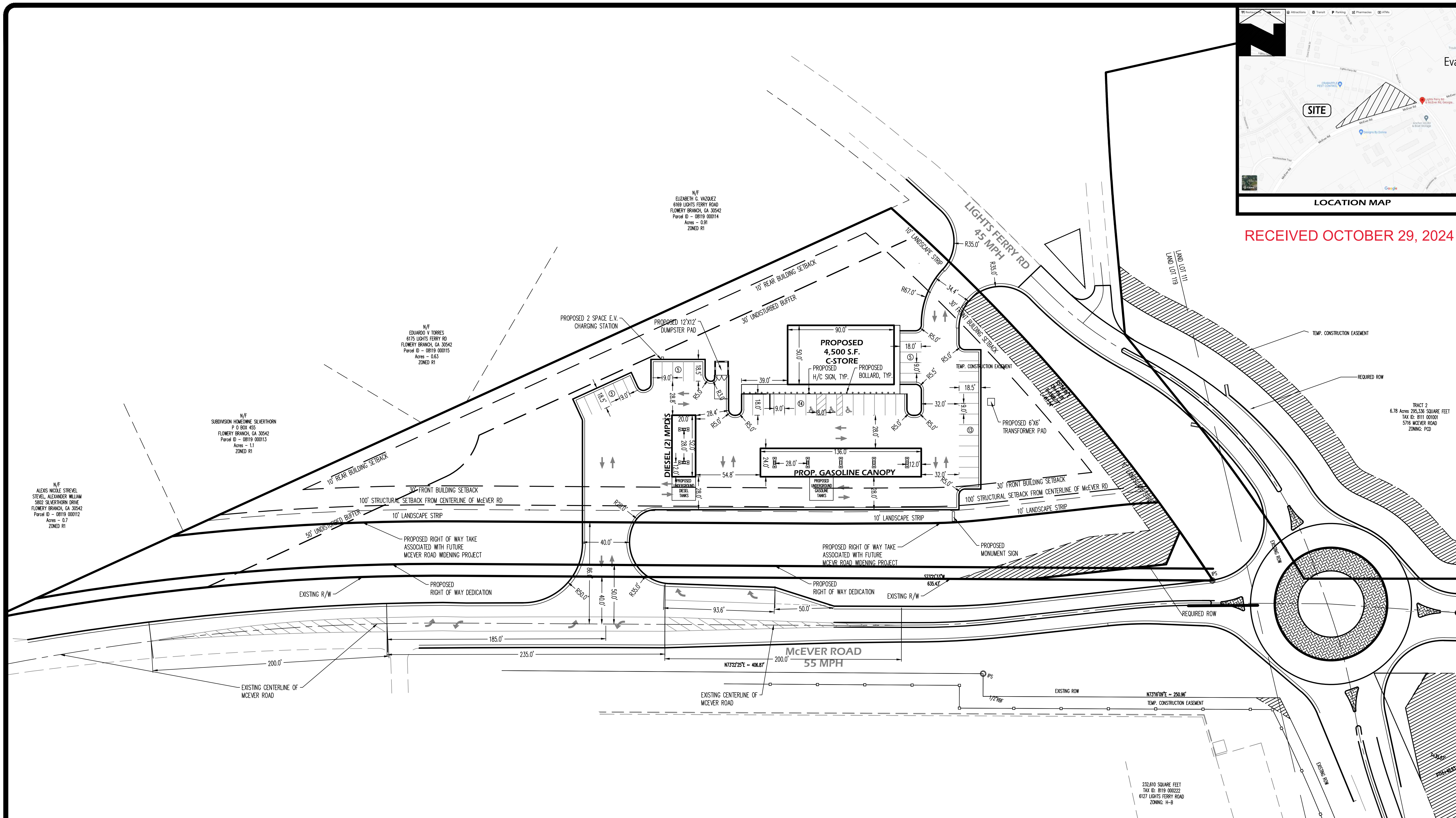
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REVISIONS

NO.	DATE	DESCRIPTION

JOB NUMBER:
22-031

SHEET TITLE
SITE PLAN
C-4



ZONING DATA TABLE:

CURRENT ZONING:	H-B
PROPOSED ZONING:	N/A
OVERLAY DISTRICT:	GATEWAY CORRIDOR OVERLY DIST.
PROPOSED USE ALLOWED IN ZONING:	YES
MINIMUM LOT AREA:	15,000
MINIMUM LOT WIDTH:	100'
MINIMUM ROAD FRONTAGE:	
MAXIMUM BUILDING HEIGHT:	3 STORES
MAXIMUM COVER:	?
BUILDING SETBACKS:	
FRONT:	30'
SIDE:	30' ON CORNER LOT
REAR:	10'
LANDSCAPE STRIPS:	
ALONG ROW:	10'
OTHER:	N/A
BUFFERS:	
ZONING BUFFER:	30' ABUTTING RESIDENTIAL ZONING, 50' ADJACENT TO SILVERTHORN SUBDIVISION. SEE REZONING CASE LETTER FOR DETAILS.
OTHER:	

THIS PROPERTY DOES NOT LIE IN A 100-YR FLOOD ZONE AS SHOWN ON FIRM COMMUNITY PANEL NO. 13139022806/13139022836. DATED APRIL 4, 2018.

PARKING REQUIREMENTS:

COUNTY REQUIREMENT:	REQUIRED MAXIMUM	REQUIRED MINIMUM	TOTAL PARKING
CONVENIENCE STORE			
C-STORE 1 SPACE PER 200 S.F. (MIN) (4,500 S.F.)		23	43*
TOTAL		23	43*

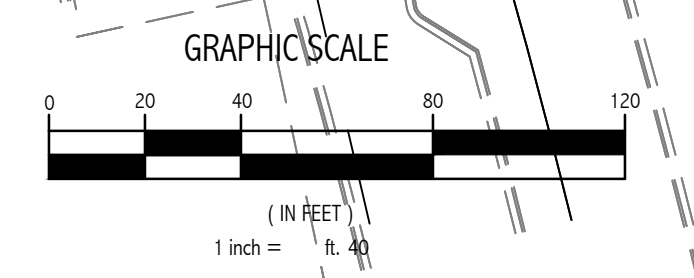
* INCLUDES 3 A.D.A. SPACES (3 REQUIRED)
SURVEY NOTE:
THIS CONCEPTUAL PLAN HAS BEEN PREPARED WITHOUT THE BENEFIT OF A SURVEY. THIS CONCEPTUAL PLAN IS NOT AN EXACT DEPICTION OF FINAL FEATURES AND QUANTITIES (WALLS, POND LINERS, RETAINING WALLS, UTILITIES, ETC.). YIELD DEPICTED WITHIN THIS CONCEPTUAL PLAN IS PRELIMINARY AND SUBJECT TO CHANGE PENDING FINAL ZONING, ENVIRONMENTAL, DRAINAGE, UTILITY, AND/OR FLOODPLAIN ANALYSIS. THEREFORE, THIS PLAN SHALL BE REGARDED AS AN ESTIMATE OF THE FEASIBILITY OF THIS PROJECT AND MAY NOT REFLECT ALL REGULATORY REQUIREMENTS AND CONSTRAINTS.



UTILITY DISCLAIMER:
IN ADDITION TO SHOWING THE STRUCTURES TO BE BUILT UNDER THIS CONTRACT, THE DRAWINGS SHOW CERTAIN INFORMATION OBTAINED BY THE ENGINEER REGARDING THE PIPES, POLE LINES, CONDUITS, AND OTHER STRUCTURES WHICH EXIST ALONG THE LINE OF THE WORK, BOTH AT AND BELOW THE SURFACE OF THE GROUND. THE ENGINEER AND THE OWNER EXPRESSLY DISCLAIM ANY RESPONSIBILITY FOR THE ACCURACY OR COMPLETENESS OF THE INFORMATION GIVEN ON THE DRAWINGS WITH REGARD TO EXISTING STRUCTURES, AND THE CONTRACTOR WILL NOT BE ENTITLED TO ANY EXTRA COMPENSATION ON ACCOUNT OF ANY INACCURACY OR INCOMPLETENESS OF SUCH INFORMATION, SAID STRUCTURES BEING INDICATED ONLY FOR THE CONVENIENCE OF THE CONTRACTOR, WHO MUST VERIFY THE INFORMATION TO HIS OWN SATISFACTION. THE GIVING OF THIS INFORMATION UPON THE CONTRACT DRAWINGS WILL NOT RELIEVE THE CONTRACTOR OF HIS OBLIGATION TO SUPPORT AND PROTECT ALL PIPES, CONDUITS, AND OTHER STRUCTURES. THE CONTRACTOR SHALL LOCATE ALL UNDERGROUND OBSTRUCTIONS PRIOR TO EXCAVATION SO AS TO PREVENT ANY DAMAGE TO THOSE SERVICES OR OTHER UTILITIES. ANY SUCH DAMAGES MUST BE REPAIRED WITHOUT DELAY AND THE COST OF SUCH REPAIRS MUST BE BORNE BY THE CONTRACTOR.

OWNER/DEVELOPER:
NAME
ADDRESS

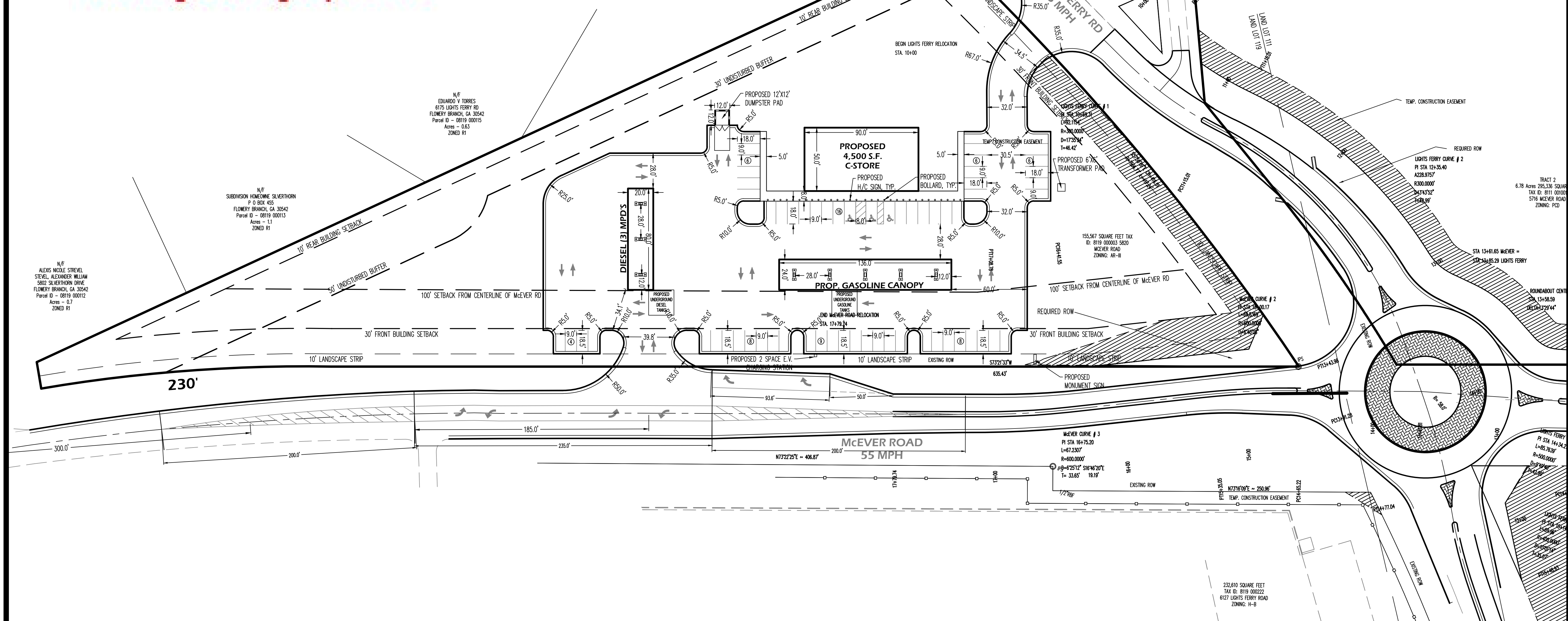
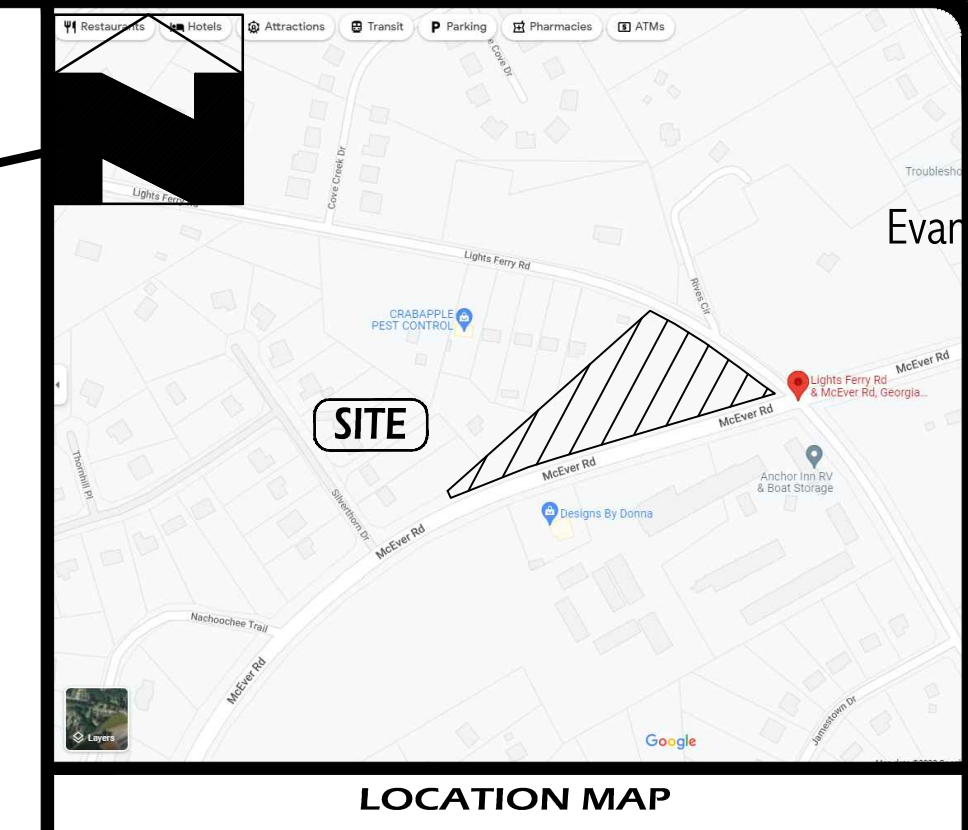
PHONE
EMAIL
24-HR CONTACT:
NAME
PHONE
EMAIL
ENGINEER:
EVANS DESIGN GROUP, INC
4755 SUMMER SONG COURT
BUFORD, GA 30519
678.207.6830 (Ph)
CONTACT: JON M. EVANS, P.E.



RECEIVED

JUNE 14 2024

Planning & Zoning Department



UTILITY DISCLAIMER:
 IN ADDITION TO SHOWING THE STRUCTURES TO BE BUILT UNDER THIS CONTRACT, THE DRAWINGS SHOW CERTAIN INFORMATION OBTAINED BY THE ENGINEER REGARDING THE PIPES, POLE LINES, CONDUITS, AND OTHER STRUCTURES WHICH EXIST ALONG THE LINE OF THE WORK, BOTH AT AND BELOW THE SURFACE OF THE GROUND. THE ENGINEER AND THE OWNER EXPRESSLY DISCLAIM ANY RESPONSIBILITY FOR THE ACCURACY OR COMPLETENESS OF THE INFORMATION GIVEN ON THE DRAWINGS WITH REGARD TO EXISTING STRUCTURES, AND THE CONTRACTOR WILL NOT BE ENTITLED TO ANY EXTRA COMPENSATION ON ACCOUNT OF ANY INACCURACY OR INCOMPLETENESS OF SUCH INFORMATION, SAID STRUCTURES BEING INDICATED ONLY FOR THE CONVENIENCE OF THE CONTRACTOR, WHO MUST VERIFY THE INFORMATION TO HIS OWN SATISFACTION. THE GIVING OF THIS INFORMATION UPON THE CONTRACT DRAWINGS WILL NOT RELIEVE THE CONTRACTOR OF HIS OBLIGATION TO SUPPORT AND PROTECT ALL PIPES, CONDUITS, AND OTHER STRUCTURES. THE CONTRACTOR SHALL LOCATE ALL UNDERGROUND OBSTRUCTIONS PRIOR TO EXCAVATION SO AS TO PREVENT ANY DAMAGE TO THOSE SERVICES OR OTHER UTILITIES. ANY SUCH DAMAGES MUST BE REPAIRED WITHOUT DELAY AND THE COST OF SUCH REPAIRS MUST BE BORNE BY THE CONTRACTOR.

ZONING DATA TABLE:

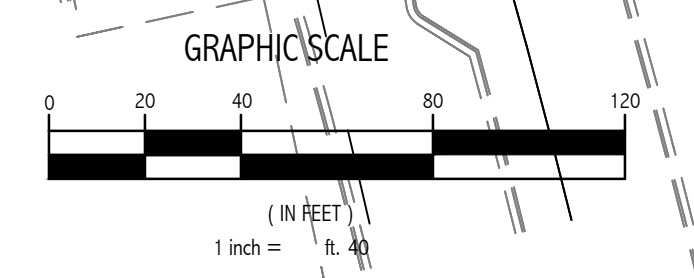
CURRENT ZONING:	H-B
PROPOSED ZONING:	N/A
OVERLAY DISTRICT:	GATEWAY CORRIDOR OVERLY DIST.
PROPOSED USE ALLOWED IN ZONING:	YES
MINIMUM LOT AREA:	15,000
MINIMUM LOT WIDTH:	100'
MINIMUM ROAD FRONTAGE:	
MAXIMUM BUILDING HEIGHT:	3 STORES
MAXIMUM COVER:	?
BUILDING SETBACKS:	
FRONT:	30'
SIDE:	30' ON CORNER LOT
REAR:	10'
LANDSCAPE STRIPS:	
ALONG ROW:	10'
OTHER:	N/A
BUFFERS:	
ZONING BUFFER:	30' ABUTTING RESIDENTIAL ZONING, 50' ADJACENT TO SILVERTHORN SUBDIVISION. SEE REZONING CASE LETTER FOR DETAILS.
OTHER:	
THIS PROPERTY DOES NOT LIE IN A 100-YR FLOOD ZONE AS SHOWN ON FIRM COMMUNITY PANEL NO. 13139C0280G/13139C0283G, DATED APRIL 4, 2018.	

PARKING REQUIREMENTS:

COUNTY REQUIREMENT:	REQUIRED MAXIMUM	REQUIRED MINIMUM	TOTAL PARKING
CONVENIENCE STORE & RETAIL SPACE			
C-STORE 1 SPACE PER 200 SF. (MIN) (4,500 S.F.)		23	57*
TOTAL		51	57*

* INCLUDES 3 A.D.A. SPACES (3 REQUIRED)

OWNER/DEVELOPER:
 NAME
 ADDRESS
 PHONE
 EMAIL
24-HR CONTACT:
 NAME
 PHONE
 EMAIL
ENGINEER:
 EVANS DESIGN GROUP, INC
 4755 SUMMER SONG COURT
 BUFORD, GA 30519
 678.207.6830 (Ph)
 CONTACT: JON M. EVANS, P.E.



Evans Design Group, Inc.
 Civil Engineering /
 Site Planning /
 Land Development Services
 4755 Summer Song Court
 Buford, GA 30519
 (Ph) 678.207.6830
 jevans@evansdg.com



PROJECT NAME
McEVER C-STORE

5820 McEVER RD.
L.I. 119, 8th DIST.
HALL COUNTY GA

DATE:
6/24/22

DESIGN BY JME
DRAWN BY JME
CHECKED BY JME

Not Released For Construction
 Released For Construction



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REVISIONS

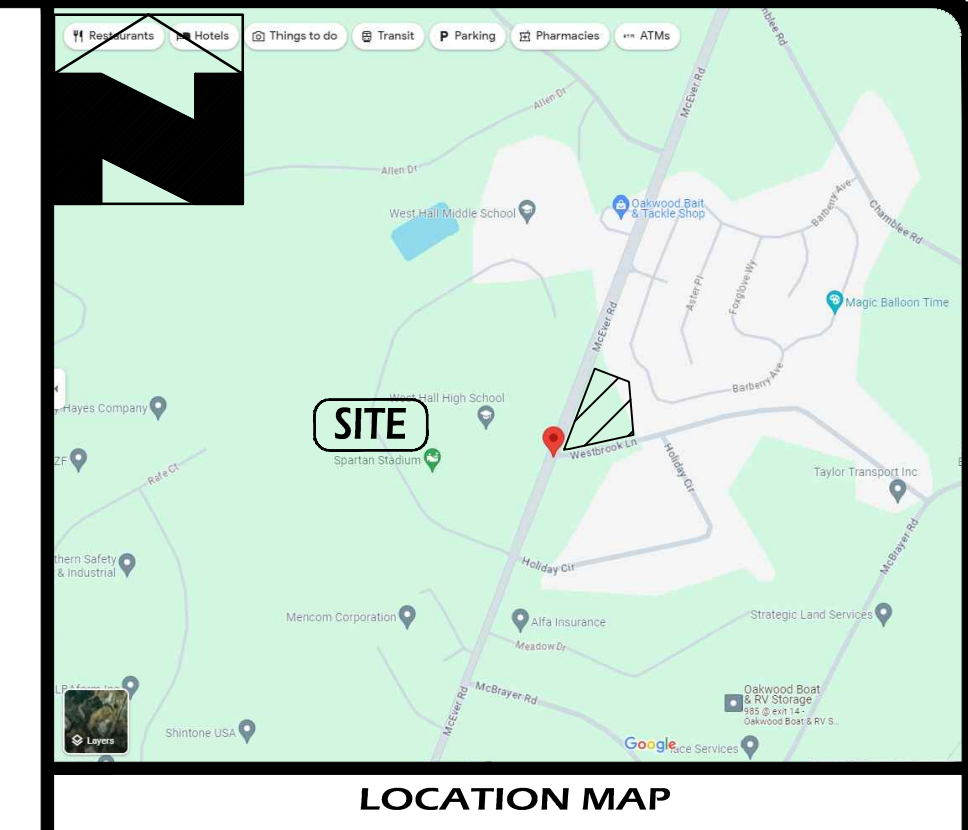
JOB NUMBER:
22-031

SHEET TITLE
SITE PLAN
C-4

PARKING REQUIREMENTS:

CITY REQUIREMENT:	MINIMUM PARKING	PROVIDED PARKING
C-STORE @ 4,500 S.F.		
1 SPACES PER 200 SF.	23	27
RETAIL @ 3,750 S.F.		
1 SPACES PER 200 SF.	19	20
RESTAURANT @ 1,250 S.F.		
1 SPACES PER 100 SF.	13	14
TOTAL	55	61*

* INCLUDES 3 A.D.A. SPACES (3 REQUIRED)



ZONING DATA TABLE:

CURRENT ZONING:	C-2
PROPOSED ZONING:	OAKWOOD CORRIDOR OVERLAY
OVERLAY DISTRICT:	OAKWOOD CORRIDOR OVERLAY
PROPOSED USE ALLOWED IN ZONING:	YES
MINIMUM LOT AREA:	40,000 S.F.
MINIMUM LOT WIDTH:	50'
MINIMUM ROAD FRONTAGE:	N/A
MAXIMUM BUILDING HEIGHT:	80'
MAXIMUM COVER:	60%
BUILDING SETBACKS:	
FRONT:	60' ARTERIAL/COLLECTOR (40' ALL OTHER)
SIDE:	5'
REAR:	10'
LANDSCAPE STRIPS:	
ALONG ROW:	
OTHER:	
BUFFERS:	75' ABUTTING RESIDENTIAL
ZONING BUFFER:	
OTHER:	

THIS PROPERTY DOES NOT LIE IN A 100-YR FLOOD ZONE AS SHOWN ON FIRM COMMUNITY PANEL NO. 13139C0283G DATED APRIL 04, 2018.

Evans Design Group, Inc.
Civil Engineering /
Site Planning /
Land Development Services
4755 Summer Song Court
Buford, GA 30519
(Ph) 678.207.6830
jevans@evansdg.com

REGISTERED PROFESSIONAL ENGINEER
JON M. EVANS
GSWCC LEVEL II CERT. # 10877

PROJECT NAME
MCEVER RD C-STORE & RETAIL

MCEVER RD
L.I. 075, 8th DIST.
HALL COUNTY
GEORGIA

DATE:
01-16-24

DESIGN BY: **JME** DRAWN BY: **JME** CHECKED BY: **JME**

Not Released For Construction
 Released For Construction

OWNER/DEVELOPER

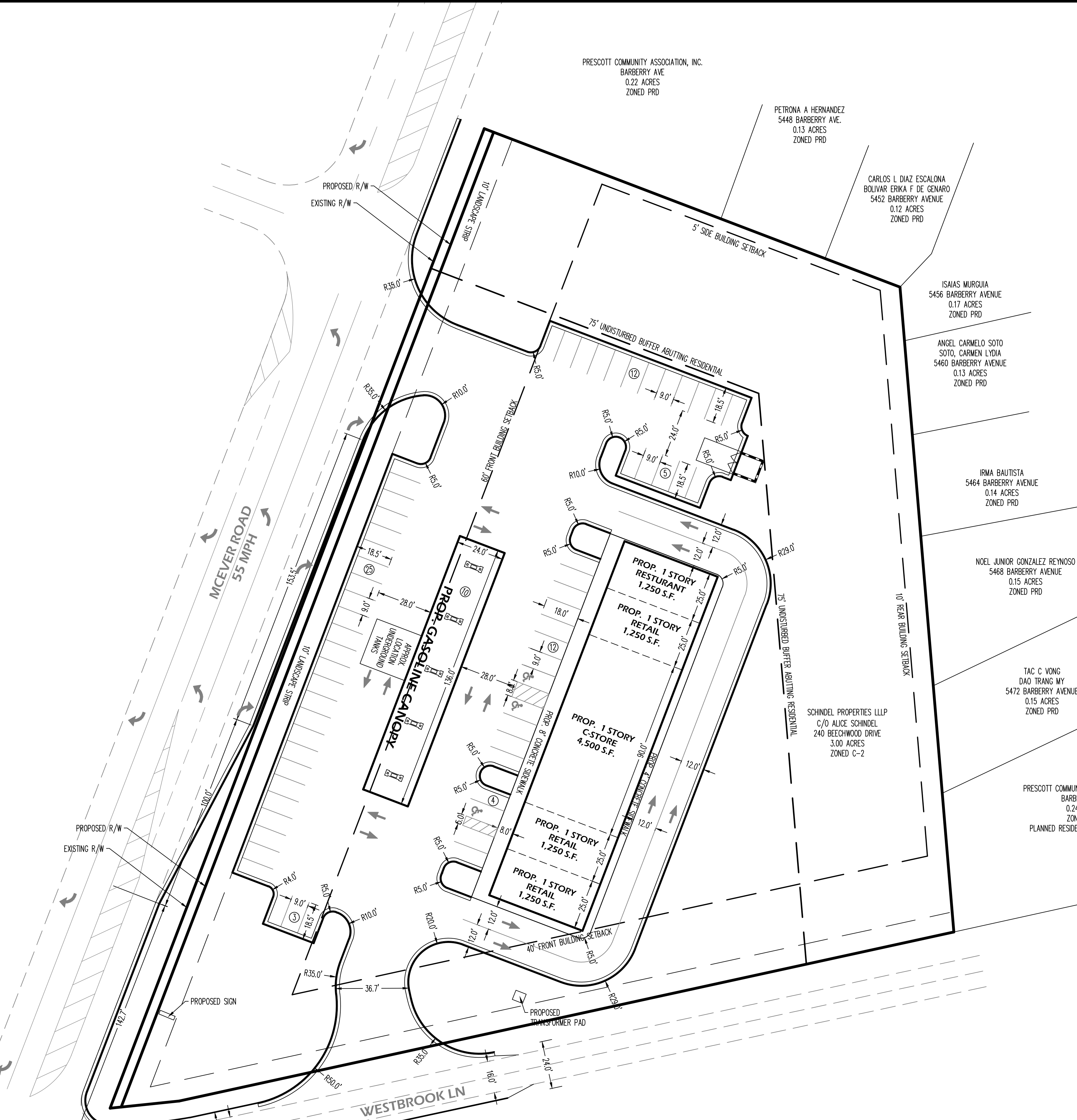
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REVISIONS

NO.	DESCRIPTION

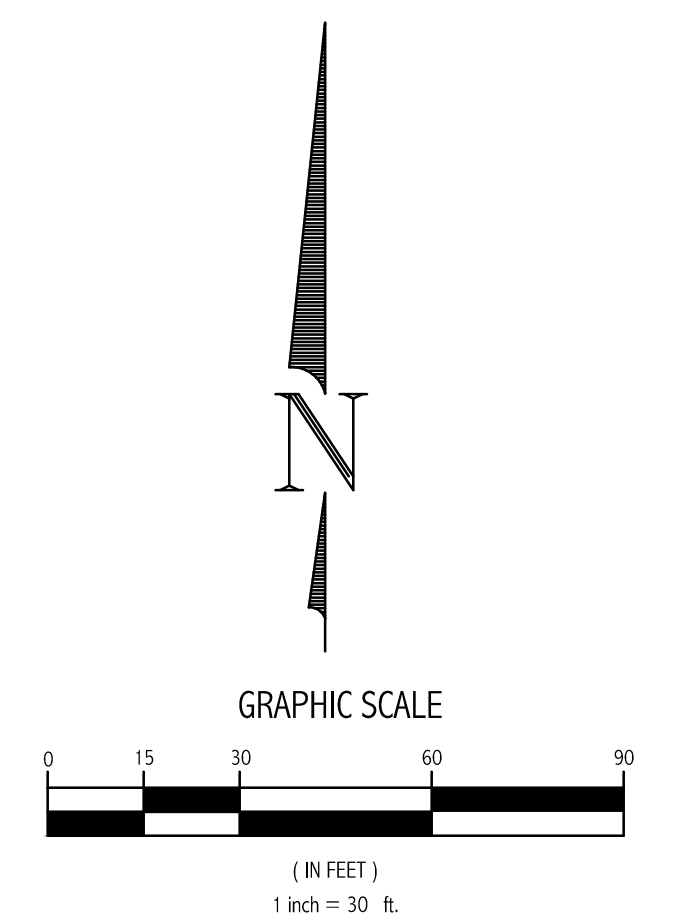
JOB NUMBER:
24-004

SHEET TITLE
SITE PLAN
C-4



OWNER/DEVELOPER:
NAME
ADDRESS

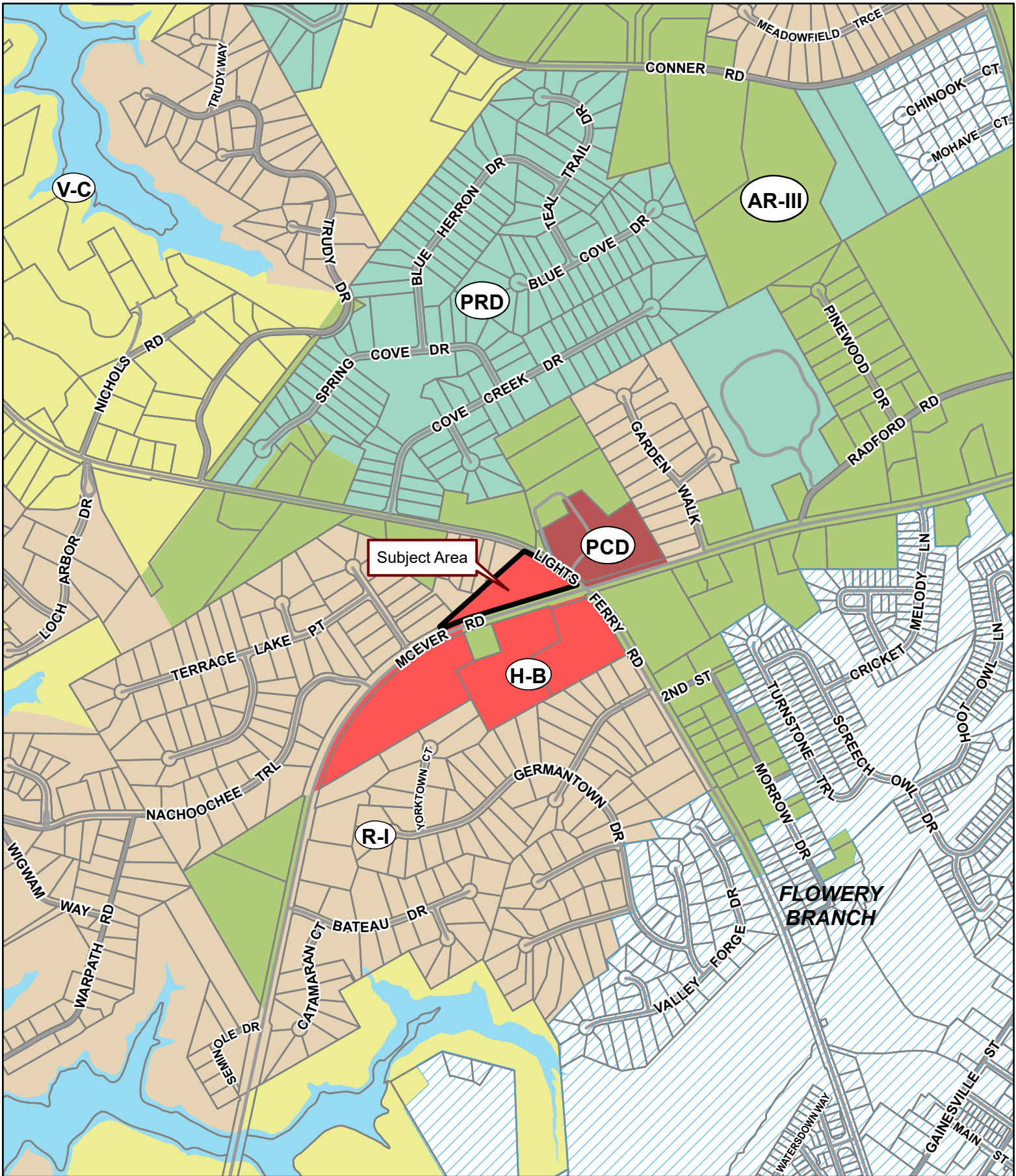
PHONE
EMAIL
24-HR CONTACT:
NAME
PHONE
EMAIL
ENGINEER:
EVANS DESIGN GROUP, INC
4755 SUMMER SONG COURT
BUFORD, GA 30519
678.207.6830 (Ph)
CONTACT: JON M. EVANS, P.E.



NOTE:
THIS CONCEPTUAL PLAN HAS BEEN PREPARED WITHOUT THE BENEFIT OF A SURVEY. THIS CONCEPTUAL PLAN IS NOT AN EXACT DEPICTION OF FINAL FEATURES AND QUANTITIES. LOCATE ALL UNDERGROUND OBSTRUCTIONS PRIOR TO EXCAVATION SO AS TO PREVENT ANY DAMAGE TO THOSE SERVICES OR OTHER UTILITIES. ANY SUCH DAMAGES MUST BE REPAIRED WITHOUT DELAY AND THE COST OF SUCH REPAIRS MUST BE BORNE BY THE CONTRACTOR.

Georgia811
Utilities Protection Center, Inc.
Know what's below.
Call before you dig.

UTILITY DISCLAIMER:
IN ADDITION TO SHOWING THE STRUCTURES TO BE BUILT UNDER THIS CONTRACT, THE DRAWINGS SHOW CERTAIN INFORMATION OBTAINED BY THE ENGINEER REGARDING THE PIPES, POLE LINES, CONDUITS, AND OTHER STRUCTURES WHICH EXIST ALONG THE LINE OF THE WORK, BOTH AT AND BELOW THE SURFACE OF THE GROUND. THE ENGINEER AND THE OWNER EXPRESSLY DISCLAIM ANY RESPONSIBILITY FOR THE ACCURACY OR COMPLETENESS OF THE INFORMATION GIVEN ON THE DRAWINGS WITH REGARD TO EXISTING STRUCTURES, AND THE CONTRACTOR WILL NOT BE ENTITLED TO ANY EXTRA COMPENSATION ON ACCOUNT OF ANY INACCURACY OR INCOMPLETENESS OF SUCH INFORMATION, SAID STRUCTURES BEING INDICATED ONLY FOR THE CONVENIENCE OF THE CONTRACTOR, WHO MUST VERIFY THE INFORMATION TO HIS OWN SATISFACTION. THE GIVING OF THIS INFORMATION UPON THE CONTRACT DRAWINGS WILL NOT RELIEVE THE CONTRACTOR OF HIS OBLIGATION TO SUPPORT AND PROTECT ALL PIPES, CONDUITS, AND OTHER STRUCTURES. THE CONTRACTOR SHALL LOCATE ALL UNDERGROUND OBSTRUCTIONS PRIOR TO EXCAVATION SO AS TO PREVENT ANY DAMAGE TO THOSE SERVICES OR OTHER UTILITIES. ANY SUCH DAMAGES MUST BE REPAIRED WITHOUT DELAY AND THE COST OF SUCH REPAIRS MUST BE BORNE BY THE CONTRACTOR.



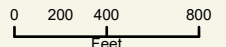
Applicant: NABEEL GROUP OF COMPANIES, INC.

Tax Parcel #: 08119 000003

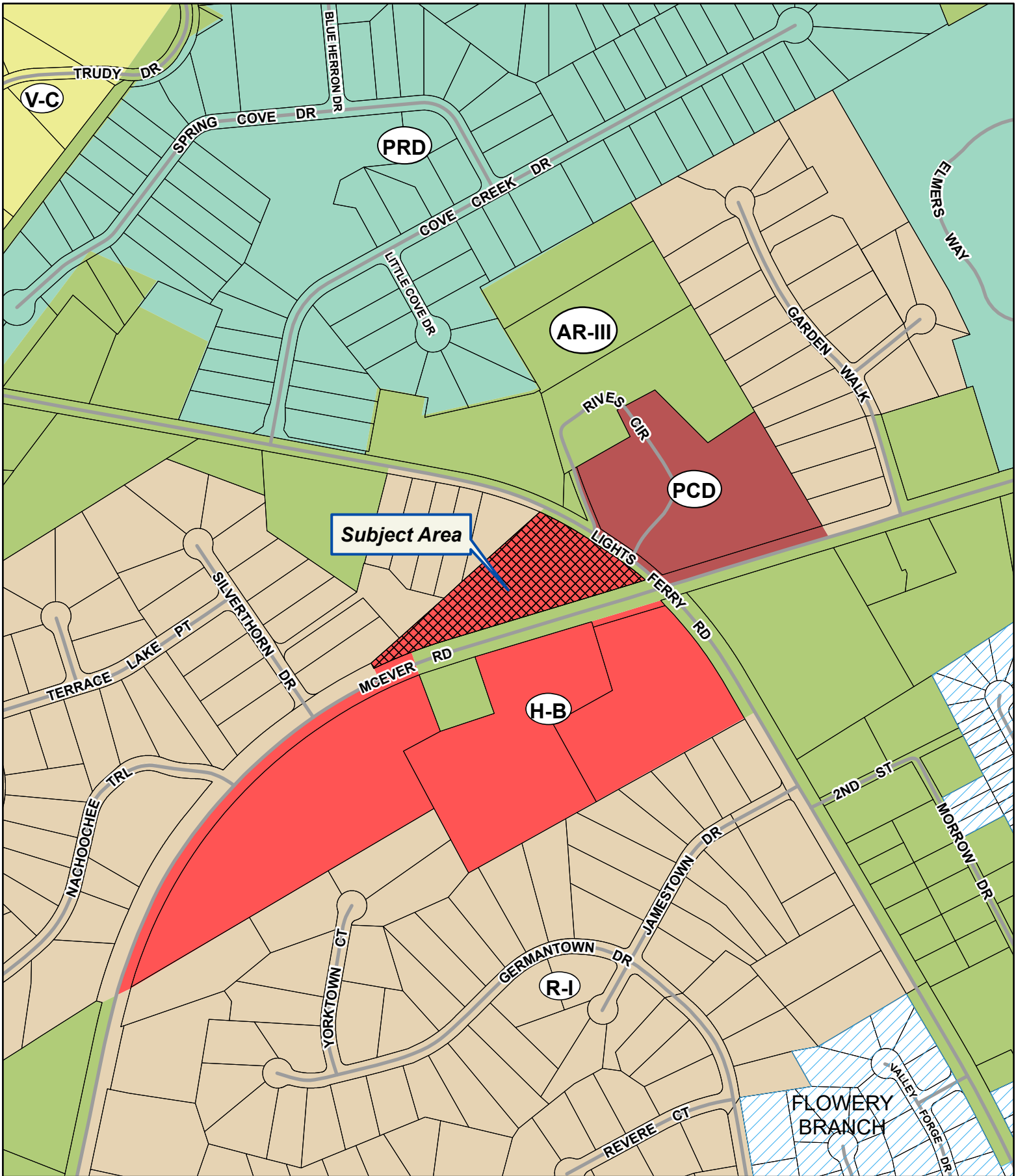
Location: 5820 MCEVER ROAD, FLOWERY BRANCH, GA 30542

Commission District 2

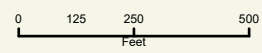
PC Mtg. Date: 08/05/2024



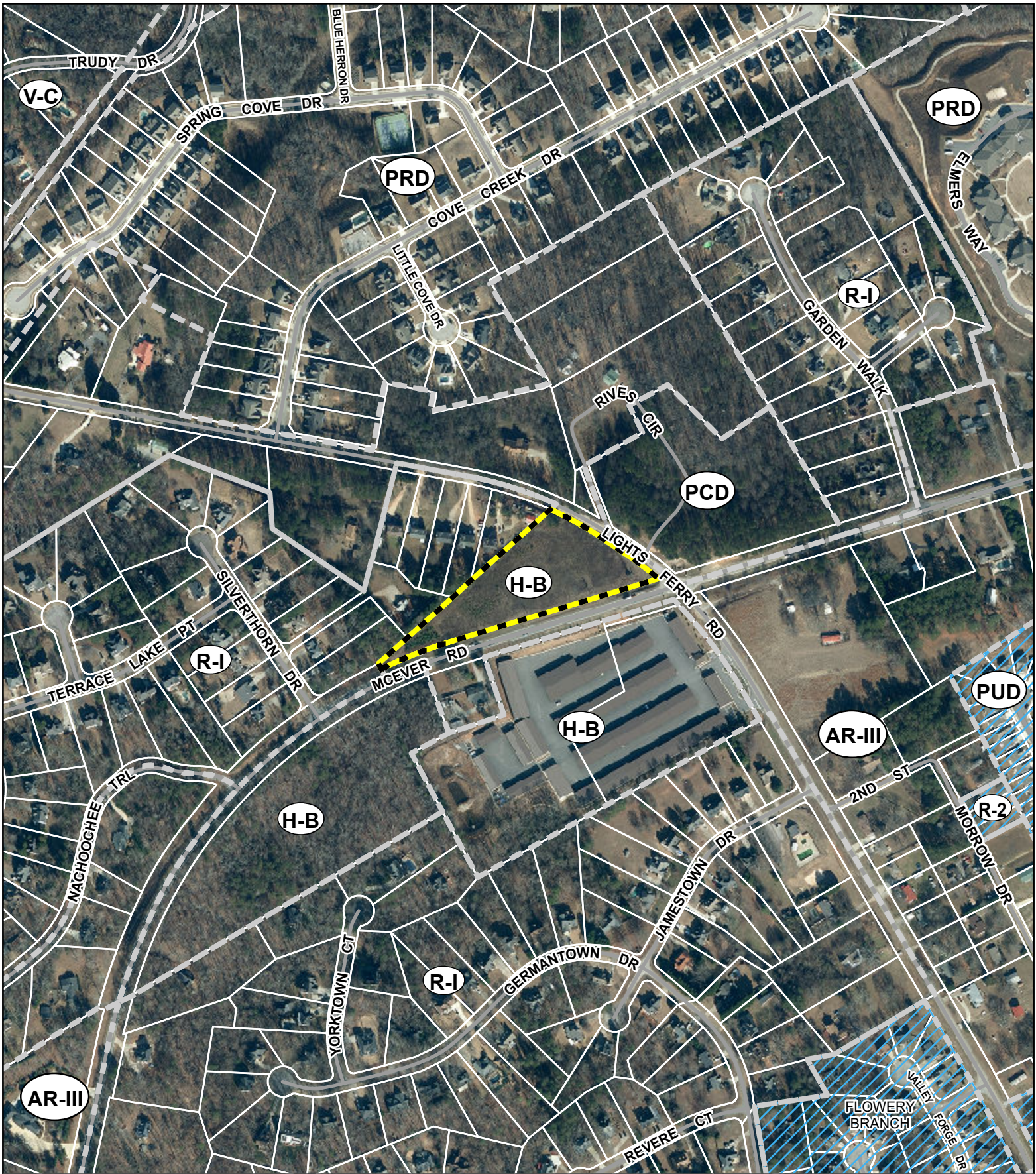
- Zoning Boundary
 - ▭ City Limits
 - Subject Area
 - Structure
- N



Applicant: NABEEL GROUP OF COMPANIES, INC.
Tax Parcel #: 08119 000003
Location: 5820 MCEVER ROAD, FLOWERY BRANCH, GA 30542
Commission District 2 **PC Mtg. Date: 08/05/2024**



- Zoning Boundary
 - ▨ City Limits
 - ▨ Subject Area
 - Structure
- N
↑



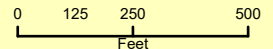
Applicant: NABEEL GROUP OF COMPANIES, INC.




Tax Parcel #: 08119 000003

Location: 5820 MCEVER ROAD, FLOWERY BRANCH, GA 30542

Commission District 2

PC Mtg. Date: 08/05/2024



-  Zoning Boundary
-  City Limits
-  Subject Area



Anael Dominguez (CDI: Planning)

From: Emily McGahee (Environmental Health)
Sent: Friday, June 28, 2024 10:26 AM
To: Anael Dominguez (CDI: Planning); Beth Garmon (CDI: Planning); Katie L. Greenway (CDI: Planning)
Cc: Kelly Hairston (Environmental Health); Chad Harper (Environmental Health)
Subject: HCPC Tentative Agenda 8.5.24

Please find Environmental Health comments below:

Item 1, 0/3454 Gillsville Hwy, Chowdhury: All proposed lots must meet Hall County Board of Health Lot Size Resolution requirements. Please note that Zoning approval does not imply approval from other county departments. Further determination will be made during the plat review process.

Item 2A,B,C, 1954 Mountain View Road, Matheny: Must meet all residential permitting requirements.

Item 3A,B, 3193 Wallace Road, Del Toro: Must meet all residential permitting requirements.

Item 4A,B,C, 5248 Byers Road, Villeda: All proposed structures must meet all residential permitting requirements and/or required setbacks to existing septic system.

Item 5, 3117 Athens Hwy, Agile Cold Storage: No comment.

Item 6, 5820 McEver Road, Nabeel: If public sewer not available, development must meet all Environmental Health commercial septic system permitting requirements if able to be permitted by Environmental Health. Wastewater treatment and disposal may be required to be permitted through EPD. Further determination will be made during the civil plan review process. A detailed business plan must be submitted to Hall County Environmental Health for review. Tourist Accommodation permit/plan review and/or Food Service permit/plan review may be required after review of business plan.

Item 7, 2052 Spring Road, Ruelas: No comment. Public sewer.

Item 8A,B, 5181 Dudley Hill Road, Campbell: All proposed lots must meet Hall County Board of Health Lot Size Resolution requirements. Please note that Zoning approval does not imply approval from other county departments. Further determination will be made during the plat review process.

Item 9, 4518/4520 Cagle Road, Rochester: If public sewer not available, development must meet all Environmental Health commercial septic system permitting requirements if able to be permitted by Environmental Health. Further determination will be made during the civil plan review process. A detailed business plan must be submitted to Hall County Environmental Health for review.

Item 10, 5991 Swansey Road, Abernathy: No comment. Public sewer

Emily McGahee
Hall County Environmental Health
Hall County Government Center

2875 Browns Bridge Road
Mailing: PO Box 5901
Gainesville, GA 30504
(770) 531-3973 (phone)
emcgahee@hallcounty.org

<http://dph.georgia.gov/environmental-health> (State Website)
<http://www.phdistrict2.org/HallCounty.htm> (District Website)
<https://www.hallcounty.org/192/Environmental-Health> (County Website & Forms)

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Anael Dominguez (CDI: Planning)

From: Chavers, Veronica E <VChavers@dot.ga.gov>
Sent: Wednesday, July 3, 2024 1:56 PM
To: Anael Dominguez (CDI: Planning); Beth Garmon (CDI: Planning)
Subject: RE: Tentative Planning Agenda for August 5, 2024

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

See responses in red, below.

From: Anael Dominguez (CDI: Planning) <adominguez@hallcounty.org>
Sent: Thursday, June 27, 2024 10:48 AM
Subject: Tentative Planning Agenda for August 5, 2024

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning –

Here is the Tentative Agenda and Maps for the **Monday, August 5, 2024** Hall County Planning Commission Meeting.

Please use the links to review the documents and respond with comments to Hall County Planning and Development. Failure to provide comments in a timely manner may result in the information not being included in the staff report.

When submitting comments, please include the name of the applicant along with the address of the property with the corresponding comment.

Comments are due by **Friday, July 5th**. Email comments to Beth (bgarmon@hallcounty.org) and Ana (adominguez@hallcounty.org).

CALL TO ORDER

AGENDA REVIEW

APPROVAL OF MINUTES – July 15, 2024

OLD BUSINESS

1. [0 & 3454 Gillsville Highway | Rezone | from Agricultural Residential IV \(AR-IV\) to Planned Residential Development \(PRD\) | on a combined 30.78± acre tract located on the south side of Gillsville Highway \(GA-323\), approximately 370 feet from its intersection with East Hall Road | Zoned AR-IV; Tax Parcels 15016 000158A & 000028C | Proposed Use: 20-lot residential subdivision | ** Commission District 3 | Sabina Chowdhury, applicant](#) Access on SR 323 will require GDOT coordination.

NEW BUSINESS

2. [\(A\) 1954 Mountain View Road | Variance | 17.240.010. to reduce the front yard setback along Memorial Park Place | on a 0.37± acre tract located on the east side of Mountain View Road at its intersection with Memorial Park Place | Zoned R-II; Tax Parcel 08009 007001 | Proposed Use: Single-family residence | * Commission District 4 | Randy L. Matheny, applicant](#) No GDOT coordination required

- (B) 1954 Mountain View Road | Variance | 17.240.010.** to reduce the front yard setback along Mountain View Road | on a 0.37± acre tract located on the east side of Mountain View Road at its intersection with Memorial Park Place | Zoned R-II; Tax Parcel 08009 007001 | **Proposed Use: Single-family residence** | * Commission District 4 | **Randy L. Matheny, applicant** **No GDOT coordination required**
- (C) 1954 Mountain View Road | Variance | 17.240.010.** to reduce the rear yard setback | on a 0.37± acre tract located on the east side of Mountain View Road at its intersection with Memorial Park Place | Zoned R-II; Tax Parcel 08009 007001 | **Proposed Use: Single-family residence** | * Commission District 4 | **Randy L. Matheny, applicant** **No GDOT coordination required**
3. **(A) 3193 Wallace Road | Variance | 17.240.010.** to reduce the front yard setback | on a 0.49± acre tract located on the east side of Wallace Road at its intersection with Baker Road | Zoned AR-IV; Tax Parcel 15024 000058 | **Proposed Use: Single-family residence** | * Commission District 3 | **Julia Del Toro, applicant**
(B) 3193 Wallace Road | Variance | 17.240.010. to reduce the rear yard setback | on a 0.49± acre tract located on the east side of Wallace Road at its intersection with Baker Road | Zoned AR-IV; Tax Parcel 15024 000058 | **Proposed Use: Single-family residence** | * Commission District 3 | **Julia Del Toro, applicant** **No GDOT coordination required**
4. **(A) 5248 Byers Road | Variance | 17.240.010.** to reduce the right side yard setback | on a 0.61± acre tract located west side of Byers Road, approximately 941 feet from its intersection with Flat Creek Road | Zoned AR-III; Tax Parcel 08077 001017 | **Proposed Use: Detached garage** | * Commission District 2 | **Hector J & Teresa Villeda, applicant** **No GDOT coordination required**
(B) 5248 Byers Road | Variance | 17.240.010. to reduce the rear yard setback | on a 0.61± acre tract located west side of Byers Road, approximately 941 feet from its intersection with Flat Creek Road | Zoned AR-III; Tax Parcel 08077 001017 | **Proposed Use: Detached garage** | * Commission District 2 | **Hector J & Teresa Villeda, applicant** **No GDOT coordination required**
(C) 5248 Byers Road | Variance | 17.240.010. to reduce the rear yard setback | on a 0.61± acre tract located west side of Byers Road, approximately 941 feet from its intersection with Flat Creek Road | Zoned AR-III; Tax Parcel 08077 001017 | **Proposed Use: Single-family residence** | * Commission District 2 | **Hector J & Teresa Villeda, applicant** **No GDOT coordination required**
5. **3117 Athens Highway | Variance | 17.420.060.** to allow for additional wall signs | on a 34.52± acre tract located on the north side of Athens Highway (GA-129) at its intersection with Roy Parks Road | Zoned I-I (GCOD); Tax Parcel 15024 000036 | **Purpose: Wall sign** | * Commission District 3 | **Agile Cold Storage c/o John Blan, applicant** **No GDOT coordination required**
6. **5820 McEver Road | Amend Conditions of Zoning** | on a 3.57± acre tract located on the west side of McEver Road at its intersection with Lights Ferry Road | Zoned H-B, Tax Parcel 08119 000003 | **Proposed Use: Gas station and convenience store** | ** Commission District 2 | **Nabeel Group of Companies, Inc, applicant** **No GDOT coordination required**
7. **2052 Spring Road | Reestablishment of a Nonconforming Use** | on a 0.19± acre tract located on the north side of Spring Road, approximately 237 feet from its intersection with Skelton Road | Zoned H-B, Tax Parcel 00122 002010 | **Proposed Use: Single-family residence** | ** Commission District 4 | **Ashley Xitlaly Ruelas, applicant** **No GDOT coordination required**
8. **(A) 5181 Dudley Hill Road | Rezone** | from Agricultural Residential III (AR-III) to Residential-I-Low-Density (R-I-L) | on a 47.61± acre tract located on the west side of Dudley Hill Road at its intersection with Waterwood Drive | Zoned AR-III; Tax Parcel 11131 000001A | **Proposed Use: 20-lot single-family development** | ** Commission District 2 | **Blum & Campbell, LLC c/o Jody Campbell, applicant** **No GDOT coordination required**
(B) 5181 Dudley Hill Road | Use Subject to County Commission Approval | 17.70.040 for a subdivision | on a 47.61± acre tract located on the west side of Dudley Hill Road at its intersection with Waterwood Drive | Zoned AR-III; Tax Parcel 11131 000001A | **Proposed Use: 20-lot single-family development** | ** Commission District 2 | **Blum & Campbell, LLC c/o Jody Campbell, applicant** **No GDOT coordination required**
(C) 5181 Dudley Hill Road | Variance | 12.40.180. to allow for a common access drive to serve more than five lots | on a 47.61± acre tract located on the west side of Dudley Hill Road at its intersection with Waterwood Drive | Zoned AR-III; Tax Parcel 11131 000001A | **Proposed Use: 20-lot single-family development** | ** Commission District 2 | **Blum & Campbell, LLC c/o Jody Campbell, applicant** **No GDOT coordination required**

9. [\(A\) 4518 & 4520 Cagle Road | Rezone | from Agricultural Residential III \(AR-III\) to Light Industrial \(I-I\) & Gateway Corridors Overlay District \(GCOD\) | on a 16.61± combined tract located on the west side of Cornelia Highway, approximately 870 feet from its intersection with Cagle Road | Zoned AR-IV, Tax Parcel 15007 000030 & 15007 000031 | Proposed Use: Permitted uses in light industrial zoning district | ** Commission District 3 | Rochester|DCCM, applicant](#) Access on SR 365 will require GDOT coordination.
10. [\(B\) 4518 & 4520 Cagle Road | Use Subject to County Commission | 17.420.050 for outdoor storage within GCOD | on a 16.61± combined tract located on the west side of Cornelia Highway, approximately 870 feet from its intersection with Cagle Road | Zoned AR-IV, Tax Parcel 15007 000030 & 15007 000031 | Proposed Use: Outdoor storage | ** Commission District 3 | Rochester|DCCM, applicant](#) Access on SR 365 will require GDOT coordination.

[5991 Swansey Road | Amend Conditions of Zoning | on a 38.45 ± acre tract located on the south side of Swansey Road approximately 476 feet from its intersection with Circle Four Ranch | Zoned PRD, Tax Parcel 15048 000034 | Proposed Use: 100-lot subdivision | ** Commission District 1 | Abernathy Engineering Group, applicant](#) No GDOT coordination required

*The Planning Commission's decision will be the final action taken unless appealed to the Board of Commissioners. To do so, file an application with the Planning Department within 30 days of the Planning Commission's decision.

The Hall County Board of Commissioners will hear appeals at a public hearing **Thursday, September 12, 2024**, at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

The Planning Commission's recommendation will be forwarded to the Board of Commissioners for final action at a public hearing on **Thursday, September 12, 2024. The Board will meet at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

Thank you,
 Ana Dominguez
 Planning Commission Clerk
 Hall County Community Development and Infrastructure
 (770) 531-6810 | www.hallcounty.org



Human trafficking impacts every corner of the globe, including our state and local communities. Georgia DOT is committed to end human trafficking in Georgia through education enabling its employees and the public to recognize the signs of human trafficking and how to react in order to help make a change. To learn more about the warning signs of human trafficking, visit <https://doas.ga.gov/human-resources-administration/human-trafficking-awareness/trafficking-in-georgia>. To report any suspicious activity, call the Georgia Human Trafficking Hotline at 866-363-4842. Let's band together to end human trafficking in Georgia.



Hall County Government
COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
PUBLIC WORKS AND UTILITIES

MEMORANDUM

To: Randi Doveton, Director of Planning and Development

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

From: Bill Nash, Director of Public Works and Utilities

Date: July 5, 2024

t: 770.531.6800 | f: 770.531.3945

Subject: August 5, 2024 - Hall County Planning Commission Agenda

PUBLIC WORKS AND
UTILITIES DIRECTOR
Bill Nash, P.E.

Please be advised that our office has reviewed the Hall County Planning Commission agenda for the August 5, 2024 meeting. Upon review, we provide the following comments.

OLD BUSINESS

1. [0 & 3454 Gillsville Highway | Rezone | from Agricultural Residential IV \(AR-IV\) to Planned Residential Development \(PRD\) | on a combined 30.78± acre tract located on the south side of Gillsville Highway \(GA-323\), approximately 370 feet from its intersection with East Hall Road | Zoned AR-IV; Tax Parcels 15016 000158A & 000028C | Proposed Use: 20-lot residential subdivision | ** Commission District 3 | Sabina Chowdhury, applicant](#)
 - a. **Engineering:** This site may require a stormwater management report should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage. Show stream buffer and impervious setback from wrested vegetation not centerline of stream Show FEMA and Hall County studied Flood plains that are present on site.
 - b. **Traffic:** GA DOT driveway permit required
 - c. **Utilities:** NO sanitary sewer in area.

NEW BUSINESS

2. [\(A\) 1954 Mountain View Road | Variance | 17.240.010. to reduce the front yard setback along Memorial Park Place | on a 0.37± acre tract located on the east side of Mountain View Road at its intersection with Memorial Park Place | Zoned R-II; Tax Parcel 08009 007001 | Proposed Use: Single-family residence | * Commission District 4 | Randy L. Matheny, applicant](#)
[\(B\) 1954 Mountain View Road | Variance | 17.240.010. to reduce the front yard setback along Mountain View Road | on a 0.37± acre tract located on the east side of Mountain View Road at its intersection with Memorial Park Place | Zoned R-II; Tax Parcel 08009 007001 | Proposed Use: Single-family residence | * Commission District 4 | Randy L. Matheny, applicant](#)
[\(C\) 1954 Mountain View Road | Variance | 17.240.010. to reduce the rear yard setback | on a 0.37± acre tract located on the east side of Mountain View Road at its intersection with Memorial Park Place | Zoned R-II; Tax Parcel 08009 007001 | Proposed Use: Single-family residence | * Commission District 4 | Randy L. Matheny, applicant](#)

- a. **Engineering:** No comment
 - b. **Traffic:** No comment.
 - c. **Utilities:** No comment.
3. [\(A\) 3193 Wallace Road | Variance | 17.240.010. to reduce the front yard setback | on a 0.49± acre tract located on the east side of Wallace Road at its intersection with Baker Road | Zoned AR-IV; Tax Parcel 15024 000058 | Proposed Use: Single-family residence | * Commission District 3 | Julia Del Toro, applicant](#)
[\(B\) 3193 Wallace Road | Variance | 17.240.010. to reduce the rear yard setback | on a 0.49± acre tract located on the east side of Wallace Road at its intersection with Baker Road | Zoned AR-IV; Tax Parcel 15024 000058 | Proposed Use: Single-family residence | * Commission District 3 | Julia Del Toro, applicant](#)
- a. **Engineering:** No comment
 - b. **Traffic:** No comment.
 - c. **Utilities:** No comment.
4. [\(A\) 5248 Byers Road | Variance | 17.240.010. to reduce the right side yard setback | on a 0.61± acre tract located west side of Byers Road, approximately 941 feet from its intersection with Flat Creek Road | Zoned AR-III; Tax Parcel 08077 001017 | Proposed Use: Detached garage | * Commission District 2 | Hector J & Teresa Villeda, applicant](#)
[\(B\) 5248 Byers Road | Variance | 17.240.010. to reduce the rear yard setback | on a 0.61± acre tract located west side of Byers Road, approximately 941 feet from its intersection with Flat Creek Road | Zoned AR-III; Tax Parcel 08077 001017 | Proposed Use: Detached garage | * Commission District 2 | Hector J & Teresa Villeda, applicant](#)
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- a. **Engineering:** Drainage easement may be changed, but must enter and exit in the place as the final plat PB:40 PG:242.
 - b. **Traffic:** No comment.
 - c. **Utilities:** No comment.
5. [3117 Athens Highway | Variance | 17.420.060. to allow for additional wall signs | on a 34.52± acre tract located on the north side of Athens Highway \(GA-129\) at its intersection with Roy Parks Road | Zoned I-I \(GCOD\); Tax Parcel 15024 000036 | Purpose: Wall sign | * Commission District 3 | Agile Cold Storage c/o John Blan, applicant](#)
- a. **Engineering:** No comment
 - b. **Traffic:** No comment.
 - c. **Utilities:** No comment.

6. [5820 McEver Road | Amend Conditions of Zoning | on a 3.57± acre tract located on the west side of McEver Road at its intersection with Lights Ferry Road | Zoned H-B, Tax Parcel 08119 000003 | Proposed Use: Gas station and convenience store | ** Commission District 2 | Nabeel Group of Companies, Inc, applicant](#)
 - a. **Engineering:** This site may require a stormwater management report should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
 - b. **Traffic:** Driveway to be reviewed during plan review
 - c. **Utilities:** No Hall County sewer in area.

7. [2052 Spring Road | Reestablishment of a Nonconforming Use | on a 0.19± acre tract located on the north side of Spring Road, approximately 237 feet from its intersection with Skelton Road | Zoned H-B, Tax Parcel 00122 002010 | Proposed Use: Single-family residence | ** Commission District 4 | Ashley Xitlaly Ruelas, applicant](#)
 - a. **Engineering:** No comment
 - b. **Traffic:** No comment.
 - c. **Utilities:** No comment.

8. [\(A\) 5181 Dudley Hill Road | Rezone | from Agricultural Residential III \(AR-III\) to Residential-I-Low-Density \(R-I-L\) | on a 47.61± acre tract located on the west side of Dudley Hill Road at its intersection with Waterwood Drive | Zoned AR-III; Tax Parcel 11131 000001A | Proposed Use: 20-lot single-family development | ** Commission District 2 | Blum & Campbell, LLC c/o Jody Campbell, applicant](#)
 - a. **Engineering:** Show stream buffer and impervious setback from wooded vegetation not centerline of stream.
As this subdivision is greater than 6 lots on an existing road a stormwater management report prepared by a professional engineer will be required.
Show FEMA and Hall County studied Flood plains that are present on site.
 - b. **Traffic:** Provide sight distance for each drive
Common access drive will need to meet County standards and go through the development review process.
 - c. **Utilities:** No comment.

9. [\(A\) 4518 & 4520 Cagle Road | Rezone | from Agricultural Residential III \(AR-III\) to Light Industrial \(I-I\) & Gateway Corridors Overlay District \(GCOD\) | on a 16.61± combined tract located on the west side of Cornelia Highway, approximately 870 feet from its intersection with Cagle Road | Zoned AR-IV, Tax Parcel 15007 000030 & 15007 000031 | Proposed Use: Permitted uses in light industrial zoning district | ** Commission District 3 | Rochester|DCCM, applicant](#)
[\(B\) 4518 & 4520 Cagle Road | Use Subject to County Commission 17.420.050 for outdoor storage within GCOD | on a 16.61± combined tract located on the west side of Cornelia Highway, approximately 870 feet from its intersection with Cagle Road | Zoned AR-IV, Tax Parcel 15007 000030 & 15007 000031 | Proposed Use: Outdoor storage | ** Commission District 3 | Rochester|DCCM, applicant](#)

- a. **Engineering:** Show stream buffer and impervious setback from wretched vegetation not centerline of stream
This site may require a stormwater management report should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage
- b. **Traffic:** GA DOT permit required
- c. **Utilities:** Sanitary sewer on SR 365

10. [5991 Swansey Road | Amend Conditions of Zoning | on a 38.45 ± acre tract located on the south side of Swansey Road approximately 476 feet from its intersection with Circle Four Ranch | Zoned PRD, Tax Parcel 15048 000034 | Proposed Use: 100-lot subdivision | ** Commission District 1 | Abernathy Engineering Group, applicant](#)

- a. **Engineering:** This site may require a stormwater management report should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage
Show stream buffer and impervious setback from wretched vegetation not centerline of stream
Show FEMA and Hall County studied Flood plains that are present on site.
- b. **Traffic:** Needs to be reviewed by legal
- c. **Utilities:** No comment.

Anael Dominguez (CDI: Planning)

From: John Hornick (Fire Services)
Sent: Tuesday, July 2, 2024 4:13 PM
To: Anael Dominguez (CDI: Planning)
Cc: Beth Garmon (CDI: Planning)
Subject: Fire Comment

Monday, August 5, 2024 Hall County Planning Commission Meeting.

1. [5820 McEver Road | Amend Conditions of Zoning | on a 3.57± acre tract located on the west side of McEver Road at its intersection with Lights Ferry Road | Zoned H-B, Tax Parcel 08119 000003 | Proposed Use: Gas station and convenience store | ** Commission District 2 | Nabeel Group of Companies, Inc, applicant](#)

The Hall County Fire Marshal's Office has no comments as proposed.

Regards,

John Hornick, NPQ Fire Service Plans Examiner 1
Lieutenant, Hall County Fire Rescue
Hall County Government
Main: 770-531-6838 | Cell: 404-597-0083
Website: www.Hallcounty.org



Print

Board of Commissioners Work Session Comments - August 5, 2024 - Submission #99137

Date Submitted: 8/4/2024

Comments completed in the form below will be submitted into the record for the April 8, 2024 Work Session of the Hall County Board of Commissioners.

First Name*

Last Name*

Address1*

Address2

City*

State*

Zip*

Your Comments*

Dear Members of the Planning Commission,

I am writing to express my strong opposition to the proposed amendment to the zoning conditions for 5820 McEver Road, allowing the construction of a gas station and convenience store by the Nabeel Group of Companies Inc. As homeowners in the adjacent Silverthorn subdivision, we have several concerns based on local county and state zoning and environmental ordinances, which I believe support the rejection of this proposal.

Firstly, the proposed left turn in (middle lane) going northeast poses a significant traffic hazard. According to local traffic regulations, any development must not compromise the safety of existing road users. The curve on McEver Road, combined with the speed of traffic and the sun's position during winter, creates a dangerous situation for residents entering and exiting our neighborhood. This change is in direct conflict with the Hall County Zoning Ordinance's emphasis on maintaining safe and efficient transportation systems (Hall County Zoning Ordinance, Article 10).

Furthermore, the proximity of the gas station to our neighborhood pool raises serious concerns about environmental pollution and safety. The Comprehensive Zoning Ordinance for Hall County mandates that commercial developments must not negatively impact adjacent residential areas. The potential for fuel spills, water runoff, and increased noise and air pollution from late-night fueling and garbage truck activities directly contravenes these regulations. This development would also pose a risk of unauthorized access to our pool property, leading to safety and security issues.

Additionally, the proposal does not sufficiently address the required buffering and landscaping between the commercial site and our residential area. According to the Hall County Environmental Ordinances, adequate fencing, tree planting, and landscaping are mandatory to minimize visual and noise impacts. The proposed site plan lacks these essential features, further exacerbating the potential negative impact on our community.

The diesel pumping station proposed to be located near our pool is particularly concerning. Diesel exhaust contains harmful pollutants that can severely affect air quality and public health. The Environmental Protection Agency (EPA) has guidelines that emphasize minimizing public exposure to diesel emissions, especially in residential areas. Allowing this diesel station would be a clear violation of these health guidelines and environmental standards.

Lastly, the proposed operating hours of the gas station will lead to increased noise and disturbances during late night and early morning hours, affecting the quality of life in our neighborhood. The Hall County Noise Ordinance sets strict limits on permissible noise levels, particularly during night-time hours. The expected increase in traffic and activity at the gas station would undoubtedly lead to frequent breaches of these noise limits.

In conclusion, the proposed gas station and convenience store at 5820 McEver Road present numerous risks and conflicts with existing zoning and environmental regulations. I urge the Planning Commission to consider these points carefully and reject the amendment to the zoning conditions. Protecting the safety, health, and quality of life for residents in our community should be the priority.

Thank you for your attention to this matter.

Sincerely,

Shawn & Tara Fields
6002 Terrace Lake Point
Flowery Branch, GA 30542
shawn_fields@bellsouth.net, tara_fields@bellsouth.net

404-578-7898, 404-271-5450

Please write your comments in the box above.

File Upload

No file chosen

If you have files, such as photos, videos or text documents to include with your comments, upload them in the box above.

Follow-up Communication

Shawn_fields@bellsouth.net

Would you like a Hall County staff member to follow up with you? If so, please leave your email address or phone number in the box above. Otherwise, leave this box blank.

Print

Planning Commission Comments - Aug. 5, 2024 - Submission #99058

Date Submitted: 7/31/2024

Comments completed in the form below will be submitted into the record for the April 1, 2024 meeting of the Hall County Planning Commission.

First Name*

Donna

Last Name*

Cash

Address1*

5837 Mcever Rd

Address2

City*

Flowery Branch

State*

GA

Zip*

30542-3102

Zoning Item for Comment*

5820 McEver Road | Amend Conditions of Zoning

Select from the list below which zoning item you would like to register a comment on. Items are listed in the order in which they appear on the agenda.

Your Comments*

I have concerns about the proposed gas station and convenience store at 5820 McEver Road at Lights Ferry Road. I own the property across McEver Road from the proposed gas station and convenience store.

Currently, it is difficult to turn out of my driveway directly due to the amount of traffic and motorists' high speeds. Adding a gas station and store will negatively affect this even more. If I am having trouble turning while there are two lanes of traffic, how will I turn out of the driveway? If you add another lane, it will be dangerous as I try to exit my driveway.

The infrastructure at the nearby traffic light at McEver and Lights Ferry is poor when turning left off of Lights Ferry in either direction due to the skew of the streets.

Lastly, I am concerned about my safety due to the crime problems at gas stations. My house is secluded and surrounded by a Boat and RV storage facility. While this facility is well built and maintained, my house is secluded, and no neighbors may see strangers approaching my property.

Please write your comments in the box above.

File Upload

IMG.jpeg

If you have files, such as photos, videos or text documents to include with your comments, upload them in the box above.

Would you like follow-up communication?

donna@designsbydonnaatlanta.com

Please leave an email address and/or phone number if you would like a Hall County staff member to follow-up with you.

Print

Planning Commission Comments - Aug. 5, 2024 - Submission #99132

Date Submitted: 8/4/2024

Comments completed in the form below will be submitted into the record for the April 1, 2024 meeting of the Hall County Planning Commission.

First Name*

Ron

Last Name*

Cholaj

Address1*

6040 Mill Rose Trace

Address2

City*

Flowery Branch

State*

Georgia

Zip*

30542

Zoning Item for Comment*

5820 McEver Road | Amend Conditions of Zoning

Select from the list below which zoning item you would like to register a comment on. Items are listed in the order in which they appear on the agenda.

Your Comments*

I'll try to keep this short as I'm sure you're getting a lot of comments. In a nutshell, I'm against any change in zoning for this property for the same reasons as before. The matter has already been settled previously. Residents of the area shouldn't have to keep filing objections.

If the site is built upon, then a single entrance on Lights Ferry is adequate for safety and other reasons. This arrangement works fine for the Anchor property across the road. If the owner doesn't like it, then he shouldn't have purchased the property. Also, he has the option to sell it based on the zoning restrictions.

Thank you in advance for looking after the best interests of the residents in the immediate area.

Best regards,

Ron Cholaj

Please write your comments in the box above.

Print

Planning Commission Comments - Aug. 5, 2024 - Submission #99133

Date Submitted: 8/4/2024

Comments completed in the form below will be submitted into the record for the April 1, 2024 meeting of the Hall County Planning Commission.

First Name*

Alice

Last Name*

Cholaj

Address1*

6040 Mill Rose Trace

Address2

City*

Flowery Branch

State*

Georgia

Zip*

30542

Zoning Item for Comment*

5820 McEver Road | Amend Conditions of Zoning

Select from the list below which zoning item you would like to register a comment on. Items are listed in the order in which they appear on the agenda.

Your Comments*

Zoning for this location has already been debated and settled previously. The same reasons as before still apply. As a resident of this neighborhood, I should not have to keep repeating the same process because the conditions have not changed. If anything, the conditions have gotten worse. The speeds on McEver Road have gotten even faster, never mind how dangerous the curve already is. And that's not even taking into consideration the detrimental environmental effects having a gas station practically on residential property will entail. The owner of this property should have been well aware of the limitations of this lot, and therefore, was not forced to buy it. If he doesn't want to comply to what has already been settled, he is free to sell the property.

Please write your comments in the box above.

ZONING NOTICE

AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO
THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: **NABEEL GROUP OF COMPANIES, INC**

REQUEST: **AMEND CONDITIONS OF ZONING FOR A GAS
STATION AND CONVENIENCE STORE**

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION
Date: **AUG 05, 2024**

Time: **5:15 PM**

&

COUNTY COMMISSION
Date: **SEPT 10 2024**

Time: **6:00 PM**

HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809

Jul 12, 2024 11:34:26
6162 Lights Ferry Road
Flowery Branch
Hall County
Georgia

ZONING NOTICE

AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: **NABEEL GROUP OF COMPANIES, INC**

REQUEST: **AMEND CONDITIONS OF ZONING FOR A GAS STATION AND CONVENIENCE STORE**

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION	&	COUNTY COMMISSION
Date: AUG 05, 2024		Date: SEPT 10, 2024
Time: 5:15 PM		Time: 6:00 PM

HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809

Jul 12, 2024 11:35:59
5716 McEver Road
Flowery Branch
Hall County
Georgia

Jennifer Rivera (Administration)

From: Beth Garmon (CDI: Planning)
Sent: Wednesday, October 2, 2024 2:01 PM
To: Jennifer Rivera (Administration)
Subject: FW: New request received

Hi Jennifer,

Could you please add the comment below to the file for 5820 McEver Road?

Thank you,
Beth

Beth Garmon

Director of Planning and Zoning
Hall County Community Development and Infrastructure
(office) 770-531-6809
(direct) 770-297-2626
bgarmon@hallcounty.org

All **ZONING, PLAT**, and **BUILDING PERMIT** submittals may be submitted online through [Accela](#). Plat inquiries may be submitted to plats@hallcounty.org. Zoning and general inquiries may be submitted to planning@hallcounty.org.



From: Jordan Hood (Administration) <jordan.hood@hallcounty.org>
Sent: Wednesday, October 2, 2024 1:40 PM
To: Beth Garmon (CDI: Planning) <bgarmon@hallcounty.org>
Subject: Fw: New request received

Good afternoon,

This ticket came in earlier. Please let me know if we can assist or if I need to make anyone else aware.

Best regards,

Jordan Hood

Digital Media Specialist
Hall County Government

O: 770-297-2642
jordan.hood@hallcounty.org

From: Hall County Government <do_not_reply@civicplus.com>
Sent: Wednesday, October 2, 2024 11:53 AM
To: PIO <PIO@hallcounty.org>
Subject: New request received

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Category Planning & Zoning has received a new request.

Here is what we have on file:

All

#1887

Category: Planning & Zoning
Priority: 3
Assigned To: Crowe Sarah
Submitted: 10/2/2024 11:53 AM
Source: Website 172.70.135.162

SUBMITTER

Joe Vinson
6032 Mill Rose Trace
Flowery Branch, GA 30542

[View Request](#)

CONTACT

joevinson2327@gmail.com
7705197677

5820 McEver Road
Flowery Branch, Georgia 30542

REQUEST DETAILS

Description

Traffic concerns caused by the proposed gas station and convenience store on the corner of Lightsferry and McEver roads. This intersection is overwhelmed as it is and until the road is widened or a roundabout is put in no future businesses should be approved for this corner.

Your Information

Name
Joe Vinson
Fax Number
Email Address
joevinson2327@gmail.com
Preferred Contact Method
email

ZONING NOTICE

AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: NABEEL GROUP OF COMPANIES, INC

REQUEST: AMEND CONDITIONS OF ZONING FOR A GAS STATION AND CONVENIENCE STORE

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION

Date: AUG 05, 2024

Time: 8:15 PM

COUNTY COMMISSION

Date: Nov. 14, 2024

Time: 6:00 PM

HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809

ZONING NOTICE

AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: **NABEEL GROUP OF COMPANIES, INC**

REQUEST: **AMEND CONDITIONS OF ZONING FOR A GAS STATION AND CONVENIENCE STORE**

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION

Date: **AUG 05, 2024**

Time: **5:15 PM**

COUNTY COMMISSION

Date: **Nov. 14, 2024**

Time: **6:00 PM**

HALL COUNTY GOVERNMENT CENTER, 287 CROWNS BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809

ZONING NOTICE

AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: **NABEEL GROUP OF COMPANIES, INC**

REQUEST: **AMEND CONDITIONS OF ZONING FOR A GAS STATION AND CONVENIENCE STORE**

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION

Date: **AUG 05, 2024**

Time: **5:15 PM**

COUNTY COMMISSION

Date: **Nov. 14, 2024**

Time: **6:00 PM**

HALL COUNTY GOVERNMENT CENTER, 287 CROWNS BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809



AGENDA ITEM

Planning & Zoning

REPORT TO: Work Session (11/12/24)

REPORT TO: Voting Meeting (11/14/24)

ITEM NO: 591/2024

SUBJECT: **0 & 3454 Gillsville Highway | Rezone** | from Agricultural Residential IV (AR-IV) to Planned Residential Development (PRD) | on a combined 30.78± acre tract located on the south side of Gillsville Highway (GA-323), approximately 370 feet from its intersection with East Hall Road | Zoned AR-IV; Tax Parcels 15016 000158A & 000028C | **Proposed Use: 20-lot residential subdivision** | Commission District 3 | **Sabina Chowdhury, applicant** NOTE: Tabled at the September 10, 2024 Voting Meeting until the October 24, 2024 Voting Meeting. NOTE: Tabled at the October 24, 2024 Voting Meeting until the November 14, 2024 Voting Meeting.

Meetings:

Work Session Date: 11/12/24

Voting Meeting Date: 11/14/24

Executive Summary:

Presenter: BG
Recommendation:

Approval, with conditions:

1. The property shall be developed in accordance with the site plan dated June 7, 2024, and as described in the project narrative dated May 15, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. The development shall be limited to no more than 20 single-family lots.
3. The minimum heated floor area (HFA) shall be 2,400 square feet for all residential units.
4. Each lot within the development shall be served by individual on-site septic systems. Each lot must follow Environmental Health regulations.
5. There shall be a mandatory Homeowners' Association (HOA).
6. All designated open space within the development shall be commonly held, and not held by any individual homeowner(s).
7. All interior roads shall be designed and constructed to Hall County standards. Coordination and approval from Hall County Engineering shall be required. The developer shall be responsible for all costs associated with improvements necessary for access to the development and the entrance from Gillsville Highway. The entrance shall be designed and constructed according to Georgia Department of Transportation (GDOT) standards and requirements.
8. All stream buffers must be fully within Homeowners' Association common space and shall not encroach onto any individual residential building lot.
9. No variances or development exceptions are granted as part of this request unless explicitly listed herein. The development shall be compliant with the Official Code of Hall County.
10. The following statement regarding the potential impacts of agricultural operation 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."
11. All conditions of zoning shall be made a part of any plats or development plans created for the subdivision.

Purpose of Request:

0 & 3454 Gillsville Highway | Rezone | from Agricultural Residential IV (AR-IV) to Planned Residential Development (PRD) | on a combined 30.78± acre tract located on the south side of Gillsville Highway (GA-323), approximately 370 feet from its intersection with East Hall Road | Zoned AR-IV; Tax Parcels 15016 000158A & 000028C | **Proposed Use: 20-lot residential subdivision** | Commission District 3 | **Sabina Chowdhury, applicant**

History:

Facts and Issues:

Options:

Funding Requested	\$ 0.00
Are funds within current budget?	No
Source of Funds	
Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?	No
Has it been reviewed by the County Attorney?	Yes
Is there a deadline for this item?	

Approvals:

Submit	Approve	Attorney	Administration
KE	BG	WLI	CR
Clerk			
JR			

Attachments:

Board Memo
Recommendation Report
Application
Updated Narrative
Original Narrative

Updated Site Plan
Original Combined Site Plans
Maps
Renderings
Soil Study
Legal Description
Environmental Health Comments
GDOT Comments
Public Works Comments
Fire Comments
Public Comments
Email from Steve Gilliam - Road and Lot Size Concerns
Email from Steve Gilliam with Site Plans - Roadway Concerns - rec'd 11/6/2024
Notice Sign Photo



Hall County Government

COMMUNITY DEVELOPMENT & INFRASTRUCTURE PLANNING AND ZONING

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

PLANNING AND ZONING
DIRECTOR
Beth Garmon

To: Richard Higgins, Chairman
Kathy Cooper, District 1 Commissioner
Billy Powell, District 2 Commissioner
Gregg Poole, District 3 Commissioner
Jeff Stowe, District 4 Commissioner

From: Beth Garmon, Director of Planning & Zoning

Date: October 21, 2024

Subject: **0 & 3454 Gillsville Highway | Rezone** | from Agricultural Residential IV (AR-IV) to Planned Residential Development (PRD) | on a combined 30.78± acre tract | **Proposed Use: 20-lot residential subdivision | Sabina Chowdhury, applicant**

The request before you is the request of Sabina Chowdhury to rezone from Agricultural Residential IV (AR-IV) to Planned Residential Development (PRD) to allow a 20-lot residential subdivision. This item is located within Commission District 3.

At their August 5, 2024 meeting, the Hall County Planning Commission voted to recommend **approval with eleven (11) conditions (3-1, Pilcher opposed and Varner absent).**

Staff recommendation: **Approval**, with conditions, as the proposed use is consistent with the “Rural” future land use classification in the Comprehensive Plan.

Public Comment:

- June 3, 2024 HCPC: **Twelve (12) comments** were submitted in advance of the meeting and **six (6) people spoke in opposition** during the public hearing
- August 8, 2024 HCPC: **Two (2) comments** were submitted in advance of the meeting and **three (3) people spoke in opposition** during the public hearing.

Planning Commission Conditions:

1. The property shall be developed in accordance with the site plan dated June 7, 2024, and as described in the project narrative dated May 15, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.

2. The development shall be limited to no more than 20 single-family lots.
3. The minimum heated floor area (HFA) shall be 2,400 square feet for all residential units.
4. Each lot within the development shall be served by individual on-site septic systems. Each lot must follow Environmental Health regulations.
5. There shall be a mandatory Homeowners' Association (HOA).
6. All designated open space within the development shall be commonly held, and not held by any individual homeowner(s).
7. All interior roads shall be designed and constructed to Hall County standards. Coordination and approval from Hall County Engineering shall be required. The developer shall be responsible for all costs associated with improvements necessary for access to the development and the entrance from Gillsville Highway. The entrance shall be designed and constructed according to Georgia Department of Transportation (GDOT) standards and requirements.
8. All stream buffers must be fully within Homeowners' Association common space and shall not encroach onto any individual residential building lot.
9. No variances or development exceptions are granted as part of this request unless explicitly listed herein. The development shall be compliant with the Official Code of Hall County.
10. The following statement regarding the potential impacts of agricultural operation 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.”
11. All conditions of zoning shall be made a part of any plats or development plans created for the subdivision.

**HALL COUNTY PLANNING COMMISSION
RECOMMENDATION REPORT**

Applicant Sabina Chowdhury

Request Rezone | from Agricultural Residential-IV (AR-IV, 17.120) to Planned Residential Development (PRD, 17.180.060)

Proposed Use 20-lot residential subdivision

Size 30.78± acres

Zoning Current: Agricultural Residential-IV (AR-IV, 17.120) | Proposed: Planned Residential Development (PRD, 17.180.060)

Location **0 & 3454 Gillsville Highway** | Tax parcels 15016 000158A & 000028C

Commission District Three

Planning Commission Date Tabled from June 28, 2024 to August 5, 2024

Staff Recommendation **Approval**, with conditions, as the proposed use is consistent with the “Rural” future land use classification in the Comprehensive Plan.

Record Number HZON24-0011

Planning Commission Recommendation..... **Approval, with conditions**

Vote: 3-1 (Pilcher opposed and Varner absent)

Planning Commission Conditions:

1. The property shall be developed in accordance with the site plan dated June 7, 2024, and as described in the project narrative dated May 15, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. The development shall be limited to no more than 20 single-family lots.
3. The minimum heated floor area (HFA) shall be 2,400 square feet for all residential units.
4. Each lot within the development shall be served by individual on-site septic systems. Each lot must follow Environmental Health regulations.
5. There shall be a mandatory Homeowners’ Association (HOA).

6. All designated open space within the development shall be commonly held, and not held by any individual homeowner(s).
7. All interior roads shall be designed and constructed to Hall County standards. Coordination and approval from Hall County Engineering shall be required. The developer shall be responsible for all costs associated with improvements necessary for access to the development and the entrance from Gillsville Highway. The entrance shall be designed and constructed according to Georgia Department of Transportation (GDOT) standards and requirements.
8. All stream buffers must be fully within Homeowners' Association common space and shall not encroach onto any individual residential building lot.
9. No variances or development exceptions are granted as part of this request unless explicitly listed herein. The development shall be compliant with the Official Code of Hall County.
10. The following statement regarding the potential impacts of agricultural operation 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."
11. All conditions of zoning shall be made a part of any plats or development plans created for the subdivision.

Excerpts from the minutes of the August 5, 2024 meeting

Applicant's Presentation:

Katie Greenway, Planning and Zoning Administrator, presented a summary of the request.

Steve Gilliam, 640 Jesse Jewell Parkway, Gainesville, presented the request. The applicant stated that traffic recommendations are to install a 200-foot deceleration lane or a 100-foot passing lane. The applicant stated that if the development is reduced from 20 lots to 18 lots, there is a chance that the passing lane may not be required by GDOT; therefore, they are requesting an amendment in the recommended condition. He requested that the condition be less specific and changed to state "The entrance shall be designed and constructed to GDOT standards and requirements" so that if they propose a reduction in lots from 20 to 18, they will only have to make the improvements required by GDOT.

Public Forum:

Doug Stephens, 4124 Campground Road, Gillsville, spoke in opposition. Concerns were the design of the East Hall Road intersection, traffic, and safety.

Lynn Marrietta, 3941 Gillsville Highway, Gillsville, spoke in opposition. Concerns were line of sight, the road curve that leads into a hill creating high speeds, and safety.

Anna Hewell, 3396 Gillsville Highway, Gainesville, spoke in opposition. Concerns were increased traffic, traffic safety, and septic tank impact on wells.

Rebuttal

The applicant stated that the GDOT requirements will be followed and that the septic tanks will be installed based on EPD standards and requirements.

Planning Commission Comments:

Mr. Hunt stated that the road will have to follow GDOT since it is a state road. Mr. Hunt questioned the speed limit on the road. The applicant stated that he has heard 45 and 50 mph but that the recommendation in speed will have to be made by GDOT. Mr. Hunt questioned whether there is a 500 foot line of sight with the 45 mph speed limit. The applicant confirmed this. Mr. Hunt asked if the left hand turn lane would not be required if the development was reduced from 20 to 18 lot. The applicant stated that it may or may not be required by GDOT if there are only 18 lots. Mr. Hunt clarified if the applicant was requesting 20 or 18 lots. The applicant stated that they are still requesting 20 lots, but it could be reduced to 18 lots and GDOT may not require the left hand turn lane. Mr. Hunt stated that with the line of sight being addressed he is comfortable approving the request.

Motion: A motion to approve, with conditions was made by Mr. Hunt and seconded by Mr. Sosebee.

Vote: 3-1 (Pilcher opposed and Varner absent)

Conditions:

1. The property shall be developed in accordance with the site plan dated June 7, 2024, and as described in the project narrative dated May 15, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. The development shall be limited to no more than 20 single-family lots.
3. The minimum heated floor area (HFA) shall be 2,400 square feet for all residential units.
4. Each lot within the development shall be served by individual on-site septic systems. Each lot must follow Environmental Health regulations.
5. There shall be a mandatory Homeowners' Association (HOA).
6. All designated open space within the development shall be commonly held, and not held by any individual homeowner(s).
7. All interior roads shall be designed and constructed to Hall County standards. Coordination and approval from Hall County Engineering shall be required. The developer shall be responsible for all costs associated with improvements necessary for access to the development and the entrance from Gillsville Highway. The entrance shall be designed and constructed according to Georgia Department of Transportation (GDOT) standards and requirements.
8. All stream buffers must be fully within Homeowners' Association common space and shall not encroach onto any individual residential building lot.
9. No variances or development exceptions are granted as part of this request unless explicitly listed herein. The development shall be compliant with the Official Code of Hall County.

10. The following statement regarding the potential impacts of agricultural operation 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.”
11. All conditions of zoning shall be made a part of any plats or development plans created for the subdivision.

Excerpts from the minutes of the June 3, 2024 meeting

Applicant's Presentation:

Katie Greenway, Planning and Zoning Administrator, presented a summary of the request.

Tyler Smith, 340 Jesse Jewell Parkway, Gainesville, presented the request. The applicant discussed the proposed lots as shown on the site plan and further described the development proposal as detailed in the narrative including minimum heated floor area, building materials, open space, amenities, and signage. The applicant stated that the variance they are requesting is for the garage doors facing the street to be allowed to be flush to two feet beyond the front façade of the home. The applicant stated that each home would have private septic systems. Further, the applicant stated that there will be a 50 foot landscape buffer surrounding the property, and all stream buffers will be located outside of all individual lots.

Public Forum:

Jacqueline Parks, 3618 Lebanon Church Road, Gillsville, spoke in opposition. Concerns were contamination to private wells and creek from septic systems, heavy traffic, the dangerous turn on East Hall Road, and the proximity of the proposed entrance to a blind curb after Tadmire Elementary.

Sandra Thompson, 3847 Gillsville Highway, Gillsville, spoke in opposition. Concerns were nearby creek contamination from proposed septic tanks, dangerous turn on East Hall Road, and semi-truck traffic.

Doug Stephens, 4124 Campground Drive, Gillsville, spoke in opposition. Concerns were dangerous intersections, safety, lack of road widening, and wildlife displacement.

Anna Hewell, 3396 Gillsville Highway, Gillsville, spoke in opposition. Concerns were safety, dangerous intersections, impact to existing wells, and the impact to the nearby schools.

Jennifer Marlow, 3630 Lebanon Church Road, Gillsville, spoke in opposition. Concerns were contamination of the creek and wells, stormwater runoff causing erosion, the dangerous intersection, and cut-through traffic making the roadway busy and dangerous.

Deborah Stephens, 4124 Campground Drive, Gillsville, spoke in opposition. Concerns were traffic safety.

Rebuttal

The applicant stated that the property will be served by public water and will not require wells. The applicant stated that the traffic concern will be addressed with Hall County Engineering and GDOT to make sure traffic requirements are met. Furthermore, the applicant states that the development only consists of 20 lots and that Staff did not mention any negative impacts to the immediate area in their analysis.

Planning Commission Comments:

Mr. Hunt questioned if the applicant has been in contact with GDOT. The applicant stated they have not. Mr. Braswell addressed receiving written public comments regarding the request over the weekend by Tara Vandiver, Joanne LaCourse, Donald Snare, Anna Hewell, Gregory & Rhett Marlow, Jennifer Marlow, Jack & Virginia Watson, Amy Cruse, and Jacqueline Parks. The commission expressed their concern for safety due to line of sight. Mr. Braswell requested that the applicant consult with GDOT and Hall County Engineering to make sure the entrance will not cause a hazard and will be able to meet site distance requirements.

Motion: A motion to table to August 5, 2024 was made by Mr. Hunt and seconded by Mr. Varner.

Vote: 5-0

Staff Recommended Conditions:

1. The property shall be developed in accordance with the site plan dated May 17, 2024, and as described in the project narrative submitted on May 17, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. The development shall be limited to 20 single-family homes.
3. The minimum heated floor area (HFA) shall be 2,400 square feet for all residential units.
4. Each lot within the development shall be served by individual on-site septic systems.
5. There shall be a mandatory Homeowners' Association (HOA).
6. All designated open space within the development shall be commonly held, and not held by any individual homeowner(s).
7. All roads shall be designed and constructed to Hall County standards. Coordination and approval from both GDOT and Hall County Engineering shall be required. The developer shall be responsible for all costs associated with improvements necessary for access to the development.
8. All stream buffers must be fully within Homeowners' Association common space and shall not encroach onto any individual residential building lot.
9. No variances or development exceptions are granted as part of this request unless explicitly listed herein. The development shall be compliant with the Official Code of Hall County.

10. The following statement regarding the potential impacts of agricultural operation 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.”
11. All conditions of zoning shall be made a part of any plats or development plans created for the subdivision.

The following should be considered as exceptions to the Official Code of Hall County, and shall warrant further determination by the Board should it choose to approve the submitted narrative and site plan:

17.180.060.B.9.B - Architectural Standards

- Semi-flush. Garage doors shall be oriented towards the street. Garage doors shall be positioned between 5 and 20 feet behind the front wall plane of the residence, extending no more than 40 percent of the width of the residence.
 - The applicant proposes garage doors oriented towards the street, with renderings showing the garage doors positioned both flush and a minimum of 2 feet in front of the front wall plane and a maximum garage door width of 47% of the front façade. This does not meet the standard.

Summary Analysis

The applicant is requesting to rezone a combined 30.87± acres zoned Agricultural Residential-IV (AR-IV, 17.120) to Planned Residential Development (PRD, 17.180.060) for the purpose of developing a 20-lot residential subdivision consisting of single-family detached homes. The total density of the development would be 0.65 units per acre. The property is currently vacant and forested.

The applicant has provided floor plans and elevations for the single-family homes with 2-car and 3-car garage options. The proposed residences will feature a combination of masonry, fiber cement siding materials, and shake siding, with changes in color and building materials on all facades. The submitted site plan states that the proposed residences will be minimum of 2,400 square feet.

The applicant has included a variance request for semi-flush garage placement, with the garage doors placement ranging from a minimum of 2 feet behind the front wall plane to a maximum of 8 feet in front of the front wall plane of the residence. The application also includes a variance request for garage widths measuring no more than 47 percent of the width of residence.

Per the applicant’s narrative and the submitted site plan, the development will provide a total of 11.02 acres of open space, which will include stream buffers, planted and undisturbed exterior buffers, undisturbed areas, access/utility easements, and wetlands. All stream buffers are located outside individual lots.

Per the submitted site plan, the development will be served by one access point, along Gillsville Highway (SR-323), with a proposed internal road consisting of a 50 foot right-of-way. The project narrative states that the subdivision will have one entry monument sign.

The development standards for the project are described in the table below and are compared with the PRD requirements, (17.180.060):

Standard	PRD Requirement (17.180.060)	Proposed Development
Site Area	5 acre minimum	30.87± acres
Number of Units	–	20 detached single-family residences
Density	2 units per acre maximum	0.65 units per acre
Min. Lot Area	8,000 sq. ft.	26,015 sq. ft.
Max. Building Height	–	35 feet
Min. Open Space	30%	45.8%
Exterior Buffer	50 feet	50-foot planted buffer along a majority of the perimeter 50-foot undisturbed buffer along the stream buffers
Front Setback (Internal)	25 feet	25 feet
Side Setback (Internal)	5 feet	5 feet
Rear Setback (Internal)	20 feet	20 feet
Parking	2 spaces for each dwelling unit single family (17.250.020)	Minimum 2 spaces for each dwelling unit
Min. Heated Floor Space	–	2,400 square feet
Garage – % of front façade	40% when recessed a minimum of 5 to 20 feet behind front wall plan of residence	47% of the width of residence, recessed a minimum of 2 feet behind and a maximum of 8 feet in front of the front wall plan of residence *
Minimum Sidewalk Width	5 feet	5 feet
Cluster Mailbox Unit (CBU)	CBU with 3 short-term parking spaces	CBU with 4 short-term parking spaces
Note: Items marked with an asterisk (*) do not conform to 17.180.060.		

Per the submitted narrative, the lots will be served by individual septic systems and water service will be provided by the City of Gainesville. The availability of the water service was confirmed in a letter from the City of Gainesville Water Resources Department dated March 29, 2024.

Any deficiencies identified as part of the plan will be required to comply with the requirements of the PRD unless specially granted by the board in the conditions of approval.

Based on the future land use plan, staff finds the requested zoning designation *is consistent* with the Hall County Comprehensive Plan future land use designation of Rural. The Rural designation envisions low density single-family residential uses. The development has proposed a density of 0.65 dwelling unit per acre, which is less than the recommended maximum of 0.67 dwellings units per acre when served by individual on-site septic systems.

The Rural land use category is characterized by low-density residential development and neighborhoods. The intent of this land use category is to preserve the existing rural character, including agricultural uses and large-lot residential uses, as well as natural and historic features.

Zoning Analysis

When considering a zoning amendment to the zoning maps, the following items must be considered:

1. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property; **The zoning proposal is suitable given the context of the surrounding area and the housing needs of the county. The proposed development has an overall density of 0.65 dwelling units per acre. The surrounding area consists of vacant land and low-density residential and agricultural uses.**
2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **The proposed subdivision will not adversely affect the existing use or usability of adjacent and nearby property.**
3. Whether the property to be affected by the zoning proposal has reasonable economic use as currently zoned. **The property appears to have reasonable economic use as currently zoned.**
4. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, or utilities; **No, it is not anticipated that the proposed zoning use will result in an excessive or burdensome use of local infrastructure. The proposal includes that the City of Gainesville water will serve the development.**
5. Whether the zoning proposal is in conformity with the policy and intent of the land use plan; **The proposed use is consistent with the Comprehensive Plan and the "Rural" land use designation. The recommended density for this character area is 0.67 units per acre (or one dwelling unit per 1.5 acres). The density of the proposed development 0.65 dwelling units per acre.**
6. The extent to which property values are diminished by the existing zoning restrictions; **Staff is unable to determine the extent to which property values are diminished by the existing zoning restrictions.**
7. The extent to which the destruction of the subject property's value under the existing zoning promotes the health, safety, morals or general welfare of the public; **Staff is unable to comment on the impact of property values without a full market analysis. Multiple factors impact property value including construction types, proposed uses, and maintenance. Often it is difficult to determine the effect of a development on adjacent properties until the development is completed.**

8. The relative gain to the public as compared to the hardship imposed upon the individual property owner; **Staff has not identified a hardship imposed on the property owner as the property is currently zoned.**
9. The length of time the property has been vacant as zoned considered in the context of land development in the area in the vicinity of the property; **The property is currently undeveloped, with no record of past improvements upon the land.**
10. Whether there are other existing or changing conditions affecting the use or development of the property which give supporting grounds for either approval or disapproval of the zoning proposal; **Staff is not aware of any changing conditions that affect the use and development of the property.**
11. Whether the change would create an isolated district unrelated to the surrounding districts; **The proposed zoning is a Planned Residential Development (PRD, 17.180.060). Per the Official Code of Hall County, Planned Development Districts (17.180) are to be utilized as a "floating zone" which shall mean that areas will not be pre-designated as planned development districts but rather each such designation shall result from a specific and separate application for amendment. The proposed density is higher than that found on surrounding properties.**
12. Whether the present zoning district boundaries are illogically drawn in relation to existing conditions in the area; **There is no evidence that the present zoning district boundaries are illogically drawn.**
13. Whether the change requested is out of scale with the needs of the county as a whole or the immediate neighborhood; **The use does not appear to be out of scale with the needs of the County as a whole, as there is a need for additional and varied housing.**
14. Whether it is impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned; **There are other properties within the County that support a moderate-density single-family residential uses based on the Future Land Use Map.**
15. Whether the need for rezoning could be handled instead by a variance request to the [Planning Commission]; **The request could not be handled alternatively as a variance.**
16. Whether there would be an ecological or pollution impact resulting from major modifications to the land if the request is granted; **Any land disturbance activities on the property shall be required to go through the land development permitting process and as a result are subject to local, state, and federal regulations. As a result, there should not be an ecological or pollution impact resulting from any modification to the land if the request is granted.**
17. Whether there is reasonable evidence based upon existing and anticipated land use that would indicate a mistake was made in the original zoning of the property; **There is no indication that a mistake was made in the original zoning.**

A Planned Residential Development (PRD, 17.180.060) allows for more flexibility in the design and development of the property. This provides for a mixture of housing types and encourages maximum use of natural features through proper site planning measures. The development should conform to the existing character and development pattern of the surrounding area.

17.380.050. - Submission requirements for a rezoning request

- A. Any person or persons requesting a change in the official zoning map or use subject to approval of the county commission shall file an application with a plat or map of the property attached thereto, together with payment of such fees set forth in chapter 17.30 to cover administrative and advertising costs, in the planning department office. Such person or persons or their authorized agent shall appear in person at the public hearing held to consider the district change. **The proposal meets the requirement, and the applicant understands that someone must be present at both the Hall County Planning Commission meeting and the voting meeting of the Hall County Board of Commissioners.**
- B. All applications for a change of zoning classification or use subject to approval of the county commission shall include:
 - 1. A narrative statement identifying the existing and proposed use of the property and addressing each of the criteria set forth in section 17.380.060.C of this section [chapter]. **The proposal provides a narrative outlining the intent of the request; however, the applicant has not prepared a response to each of the criteria listed in 17.380.060.C.**
 - 2. A site plan drawn to scale designating the area covered by the application and identifying existing and proposed buildings and uses, adjacent existing land uses, zoning on contiguous parcels, including those across an abutting public right-of-way, and any other significant site improvements proposed to accommodate the proposed use or buffer adjacent uses, etc., or a plat of the subject property where no specific land use is proposed. In cases where only a plat or map is provided and no land use is proposed, the planning commission and county commission shall evaluate the application based on the most intense possible land use permitted in the proposed district. **The proposal meets this requirement.**
- C. For any application for a slow rate land treatment system (see chapter 17.20), the following additional requirements apply. **This standard is not applicable to the applicant's request**
- D. For any application proposing the development of 100 or more residential dwelling units, a traffic impact study shall be submitted prior to consideration of the application by the planning commission. At the applicant's expense, the traffic impact study shall be prepared by a professional engineer in accordance with requirements established by the Hall County Engineering Department. The engineering department shall review the traffic impact study and forward any comments to the Hall County Planning Commission. **This standard is not applicable to the applicant's request**

Development Support and Constraints

Hall County Environmental Health

In an email dated April 30, 2024, Emily McGahee stated “All proposed lots must meet Hall County Board of Health Lot Size Resolution requirements. Please note that zoning approval does not imply approval from other county departments. Further determination will be made during the plat review process.”

Hall County Fire Marshal

In an email dated May 1, 2024, John Hornick, NPQ Fire Inspector 1, Plans Review Lieutenant stated “The Hall County Fire Marshal’s Office considers the plan conceptual in nature, and if approved may require modifications during the development review process.”

Hall County Public Works and Utilities

In a memorandum from Public Works and Utilities dated May 2, 2024, Bill Nash, Director, stated the following:

Engineering:

This site may require a stormwater management report should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage. Show FEMA and Hall County studied Flood plains that are present on site show stream buffer and impervious setback from wretched vegetation not centerline of stream.

Traffic:

GDOT permit required for proposed access on SR323.

Utilities:

No Sewer System.

Georgia Department of Transportation

In an email dated May 2, 2024, Veronica Chavers, D1TO Civil Engineer 3, stated, that GDOT coordination is required for access on Gillsville Highway (SR 323).

PLANNING AND DEVELOPMENT DEPARTMENT
 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504
 MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30503
 t: 770-531-6809 | f: 770-531-3902



ZONING APPLICATION

Applicant (Name & Mailing Address)

Sabina Chowdhury

275 Lily Cove Drive

Loganville, GA 30052

Phone 678-206-6500

Email Address ireen5562@gmail.com

Proposed Use 20 - Lot Subdivision

Property Owner (Name & Mailing Address)

Sabina Chowdhury

275 Lily Cove Drive

Loganville, GA 30052

Phone 678-206-6500

Email Address ireen5562@gmail.com

Contact Person (Name & Mailing Address)

Steven P. Gilliam, Attorney

P.O. Box 1098

Gainesville, GA 30503

Phone 770-536-3381

Email Address sgilliam@sgwmfirm.com

Tax Parcel Number 15016000028C and 15016000158A

Location Address 3454 Gillsville Highway, Gainesville, GA 30507

Status of Applicant

Owner

Option to Purchase

Area Resident

Other

Acreage 30.87

Requested Action

Existing Zoning: AR-IV

Rezone to: PRD

Fee: \$ 1,500.00

Receipt #: 277410

Check #: 687

I hereby certify that the above information and all attached information are true and correct.

Sign [Signature]

Date: 04-03-24

Applicant must complete all information above. Failure to complete this section will result in the refusal of the application. The Planning Department has 15 days to review all applications and will set the dates for each application. If the application is found insufficient, an agenda date will not be set until the required information is submitted. Please note that the Planning Commission and County Commission dates are tentative.

Application Withdrawal: I hereby withdraw the application.

Sign _____ Date: _____

Staff Use Only

Application Date: _____ Taken by: _____

Tentative Planning Commission Date: _____ Tentative County Commission Date: _____

County Commission District: _____

PLANNING AND DEVELOPMENT DEPARTMENT
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MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30503
t: 770-531-6809 | f: 770-531-3902



AUTHORIZATION OF PROPERTY OWNERS

Note: If the applicant is the property owner, please disregard this form.

Name of owner(s) Sabina Chowdhury

Address 275 Lily Cove Drive
Loganville, GA 30052

Phone Number 678-206-6500

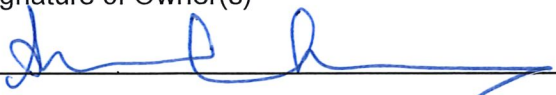
Name of applicant(s) Sabina Chowdhury

Address 275 Lily Cove Drive
Loganville, GA 30052

Phone Number 678-206-6500

I swear that I am the owner of the property which is the subject matter of the attached applications as shown in the records of Hall County, Georgia.

I authorize the person named above to act as applicant in the pursuit of a rezoning, permissive use, or variance of this property.

Signature of Owner(s)


Personally appeared before me
Amanda Graham

who swears that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.


Notary Public

04-03-2024
Date



PLANNING AND DEVELOPMENT DEPARTMENT
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CAMPAIGN CONTRIBUTIONS DISCLOSURE FORM

This form must be completed by the applicant and property owner, or person representing the property owner, for all zoning actions.

OCGA § 36-67A-3[C] Disclosure of campaign contributions:

- (b) When any applicant for zoning action has made, within two years immediately preceding the filing of the applicant's application for the zoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:
 - (3) The name and official position of the local government official to whom the campaign contribution was made; and
 - (4) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.
- (b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the zoning action is first filed. (Code 1981, Section OCGA § 36-67A-3[C], enacted by GA L. 1986, page 1269, Section 1, GA L. 1991, page 1365, Section 1).

I hereby certify that I have read the above and that:


I have** _____ I have not _____

within the two years immediately preceding this date, made any contribution(s) aggregating \$250.00 or more to any local government official involved in the review or consideration of this application.

****If you have made such contributions, you must provide the data required below within ten (10) days of filing this application.**

Name of Official(s): _____ Office: _____

Dollar Amount: _____ Date of Contribution: _____

Applicant's/Owner's Signature:  Date: 04-03-24

Applicant's/Owner's Name (Printed): Sabina Chowdhury



SMITH GILLIAM WILLIAMS & MILES

Amended Project Narrative for

3454 Gillsville Highway – 30.87 +/- acres Revised 5-15-2024

Website: sgwmfirm.com
Phone: 770.536.3381
Fax: 770.531.1481
Mailing Address: P.O. Box 1098
Gainesville, GA 30503

LOCATION – 3454 Gillsville Highway

Gainesville, GA 30507

ACERAGE – 30.87 +/- acres

APPLICANT- Sabina Chowdhury

Steven P. Gilliam, Attorney

SUMMARY

The accompanying application seeks a rezoning from an existing zoning AR-IV to PRD on Parcel 1501600028C and 15016000158A, for a total of 30.87 acres of undeveloped property located on Gillsville Highway, in east Hall County. The intent is to develop a 20 – lot subdivision. The proposed rezoning will allow a feasible product to be supplied to the area that is consistent with the Hall County Comprehensive Land Use Plan for residential use, and appropriate for Hall County's Planned Residential Development (PRD) district for this location. There will be a mandatory Homeowners Association with a Declaration of Restrictive Covenants.

SITE DESCRIPTION

The overall tract has approximately 80 ft of frontage along Gillsville Highway. Domestic water will be provided by the city of Gainesville. Sanitary sewer will be provided by individual septic systems.

ADJACENCIES

The property abuts AR-IV to the North, East, South, and West.

ACCESS

Access to the property is from Gillsville Highway aka State Route no. 323.

Street Address:

Smith Gilliam Williams & Miles, P.A.
340 Jesse Jewell Parkway, Suite 300
Gainesville, GA 30501

PROJECT DIMENSIONAL STANDARDS

Parcel Size	30.87 acres
Proposed Number of Lots	20
Proposed Density	0.65 lots per acre
Proposed Open Space	11.02 acres
Streets	Public
Water and Sewer Provider	Gainesville City Water and Individual Septic Systems
Minimum Lot Size	26,015 sq ft.
Front Setback	25 ft
Side Setback	5 ft
Rear Setback	20 ft
Storm Water Management Areas	1
Minimum Lot Width	100 ft
Minimum Home Square Footage	2,400 sq ft
CBU	1 with 4 off-street parking spots
Amenities	Pedestrian bridge and walking trail
Sidewalks- Both Sides of the Street	5 ft

ARCHITECTURAL MATERIALS & SITE IMPROVEMENTS

All facades of all residences shall be finished with a combination of masonry, fiber cement siding materials, and shake siding. The front facia shall incorporate changes in building material, texture, and/or color. Vinyl siding on all residential buildings shall be prohibited.

Garages shall meet the architectural standards for planned residential developments set forth in section 17.180.060.B.9 by not exceeding 70% of front building width. Architectural elevations and renderings are attached to this application.

ENTRY MONUMENT SIGNAGE

Applicant is requesting permission for an entry monument sign located on the northwest portion of the open space as shown on the Site Plan. The entrance may also include the following structural items: masonry walls, wood or PVC fencing, and illuminated signage in accordance with the Hall County sign ordinance, ornamental sculpture, landscaping, and irrigation.

CLUSTER MAILBOX UNIT (CBU)

The developer shall be responsible for providing CBUs for regular mail service delivery. A CBU is a structure housing multiple mailbox units to serve each residential unit of the development for

the express purpose of regular mail delivery provided by the USPS. Development, maintenance, location, and parking shall be governed by section 17.180.060.B.11 of the Hall County Code. The CBU will be located on Street A shown on the site plan. There will be four off-street parking spaces located at the CBU.

OPEN SPACE

The 75% open space requirement for the PRD standards is satisfied with 11.01 acres of open space as shown on the Site Plan.

BUFFERS AND SETBACKS

Along the perimeter of the individual lots, a 75 ft Impervious Setback, 50 ft Stream Buffer, and a 25 ft State Buffer can be seen on the Site Plan. All stream setback buffers are located outside individual lots.

VARIANCE REQUESTED

Applicant is requesting a variance to allow the garage face to not be recessed behind the front porch or door of the Farmington style home by 5 to 10 ft. The garage will still be set back a minimum of 25' from the right of way. The 2-car garage Farmington style would not exceed 40%; however, the 3-car garage Farmington would constitute 47% of the width of the home. This is estimated to affect one fourth of the proposed lots.

CONCEPTUAL MASTER PLAN

The development of the property shall be controlled by the Conceptual Master Site Plan (the "Site Plan") attached as Exhibit A. The Plan is considered conceptual in nature, and as such may require minor modifications during the engineering and development process. Modifications to the locations and arrangement of lots, roads, amenities, and other improvements that do not conflict with specific standards and requirements of these conditions may be made by applicant, so long as its modifications do not change the land use, increase the overall density of the project, or reduce any established exterior buffers or setbacks.



SMITH GILLIAM WILLIAMS & MILES

Amended Project Narrative for

3454 Gillsville Highway – 30.87 +/- acres

Website: sgwmfirm.com

Phone: 770.536.3381

Fax: 770.531.1481

Mailing Address: P.O. Box 1098
Gainesville, GA 30503

LOCATION – 3454 Gillsville Highway

Gainesville, GA 30507

ACERAGE – 30.87 +/- acres

APPLICANT- Sabina Chowdhury

Steven P. Gilliam, Attorney

SUMMARY

The accompanying application seeks a rezoning from an existing zoning AR-IV to PRD on Parcel 1501600028C and 15016000158A, for a total of 30.87 acres of undeveloped property located on Gillsville Highway, in east Hall County. The intent is to develop a 20 – lot subdivision. The proposed rezoning will allow a feasible product to be supplied to the area that is consistent with the Hall County Comprehensive Land Use Plan for residential use, and appropriate for Hall County's Planned Residential Development (PRD) district for this location. There will be a mandatory Homeowners Association with a Declaration of Restrictive Covenants.

SITE DESCRIPTION

The overall tract has approximately 80 ft of frontage along Gillsville Highway. Domestic water will be provided by the city of Gainesville. Sanitary sewer will be provided by individual septic systems.

ADJACENCIES

The property abuts AR-IV to the North, East, South, and West.

ACCESS

Access to the property is from Gillsville Highway aka State Route no. 323.

Street Address:

Smith Gilliam Williams & Miles, P.A.
340 Jesse Jewell Parkway, Suite 300
Gainesville, GA 30501

PROJECT DIMENSIONAL STANDARDS

Parcel Size	30.87 acres
Proposed Number of Lots	20
Proposed Density	0.65 lots per acre
Proposed Open Space	30%
Streets	Public
Water and Sewer Provider	Gainesville City Water and Individual Septic Systems
Minimum Lot Size	26,015 sq ft.
Front Setback	25 ft
Side Setback	5 ft
Rear Setback	20 ft
Storm Water Management Areas	1
Minimum Lot Width	100 ft
Minimum Home Square Footage	2,400 sq ft
CBU	1 with 4 off-street parking spots
Amenities	Pedestrian bridge and walking trail
Sidewalks- Both Sides of the Street	5 ft

ARCHITECTURAL MATERIALS & SITE IMPROVEMENTS

All facades of all residences shall be finished with a combination of masonry, fiber cement siding materials, and shake siding. The front facia shall incorporate changes in building material, texture, and/or color. Vinyl siding on all residential buildings shall be prohibited.

Garages shall meet the architectural standards for planned residential developments set forth in section 17.180.060.B.9 by not exceeding 70% of front building width. Architectural elevations and renderings are attached to this application.

ENTRY MONUMENT SIGNAGE

Applicant is requesting permission for an entry monument sign located on the northwest portion of the open space as shown on the Site Plan. The entrance may also include the following structural items: masonry walls, wood or PVC fencing, and illuminated signage in accordance with the Hall County sign ordinance, ornamental sculpture, landscaping, and irrigation.

CLUSTER MAILBOX UNIT (CBU)

The developer shall be responsible for providing CBUs for regular mail service delivery. A CBU is a structure housing multiple mailbox units to serve each residential unit of the development for

the express purpose of regular mail delivery provided by the USPS. Development, maintenance, location, and parking shall be governed by section 17.180.060.B.11 of the Hall County Code. The CBU will be located on Street A shown on the site plan. There will be four off-street parking spaces located at the CBU.

OPEN SPACE

The 75% open space requirement for the PRD standards is satisfied with 11.01 acres of open space as shown on the Site Plan.

BUFFERS AND SETBACKS

Along the perimeter of the individual lots, a 75 ft Impervious Setback, 50 ft Stream Buffer, and a 25 ft State Buffer can be seen on the Site Plan. All stream setback buffers are located outside individual lots.

VARIANCE REQUESTED

Applicant is requesting a variance to allow the garage face to not be recessed behind the front porch or door of the Farmington style home by 5 to 10 ft. The garage will still be set back a minimum of 25' from the right of way. The 2-car garage Farmington style would not exceed 40%; however, the 3-car garage Farmington would constitute 47% of the width of the home. This is estimated to affect one fourth of the proposed lots.

CONCEPTUAL MASTER PLAN

The development of the property shall be controlled by the Conceptual Master Site Plan (the "Site Plan") attached as Exhibit A. The Plan is considered conceptual in nature, and as such may require minor modifications during the engineering and development process. Modifications to the locations and arrangement of lots, roads, amenities, and other improvements that do not conflict with specific standards and requirements of these conditions may be made by applicant, so long as its modifications do not change the land use, increase the overall density of the project, or reduce any established exterior buffers or setbacks.

Project Narrative for
3454 Gillsville Highway – 30.87 +/- acres

LOCATION – 3454 Gillsville Highway

Gainesville, GA 30507

ACERAGE – 30.87 +/- acres

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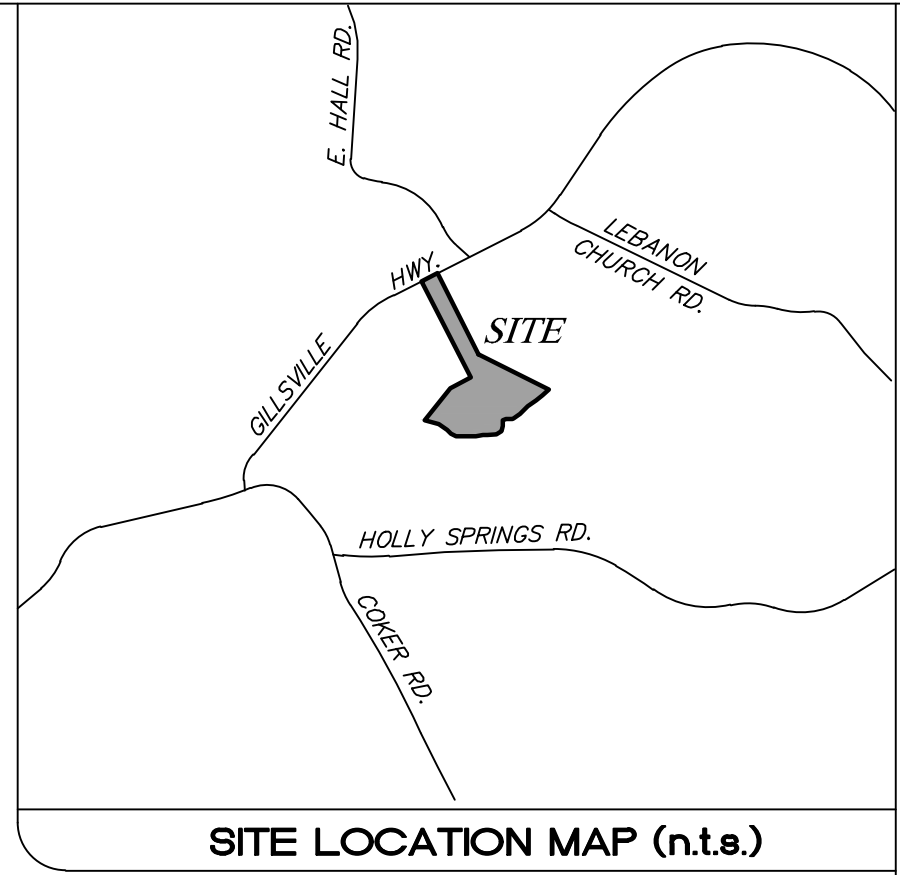
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SIGHT DISTANCE CERTIFICATION GA-323
 I, THE UNDERSIGNED, HEREBY CERTIFY THE SIGHT DISTANCE FOR THE PROJECT IS DESIGNED WITH ADEQUATE DISTANCE. THE REGULATED SPEED LIMIT ON THE APPROACHING THOROUGHFARE IS 45 MPH. THE DESIGNED SIGHT DISTANCE PROVIDES VISIBILITY OF GREATER THAN 500 FT TO THE LEFT & TO THE RIGHT. THE SIGHT DISTANCE SHALL BE MEASURED FROM A POINT OF 15 FEET FROM TRAVEL LANE AT AN EYE LEVEL OF 3.5 FEET AND LOOKING AT AN OBJECT 3.5 FT ABOVE THE CENTERLINE.

Matthew W. Sullins
 SIGNED AND SEALED

6-7-24
 DATE

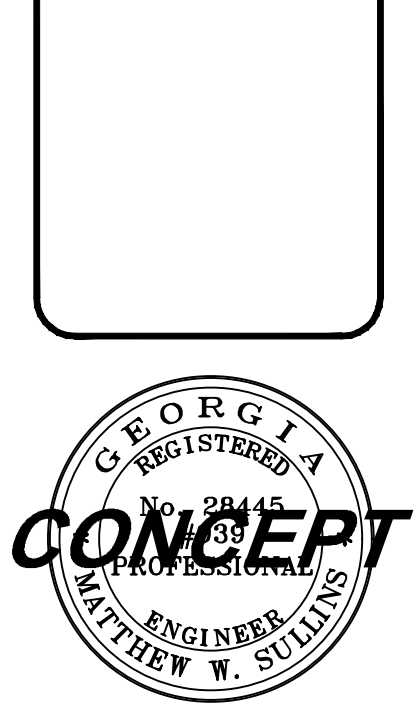


REVISION:	5-15-24	DETACHED SINGLE FAMILY
DATE:	6-7-24	GA DOT SITE DISTANCE

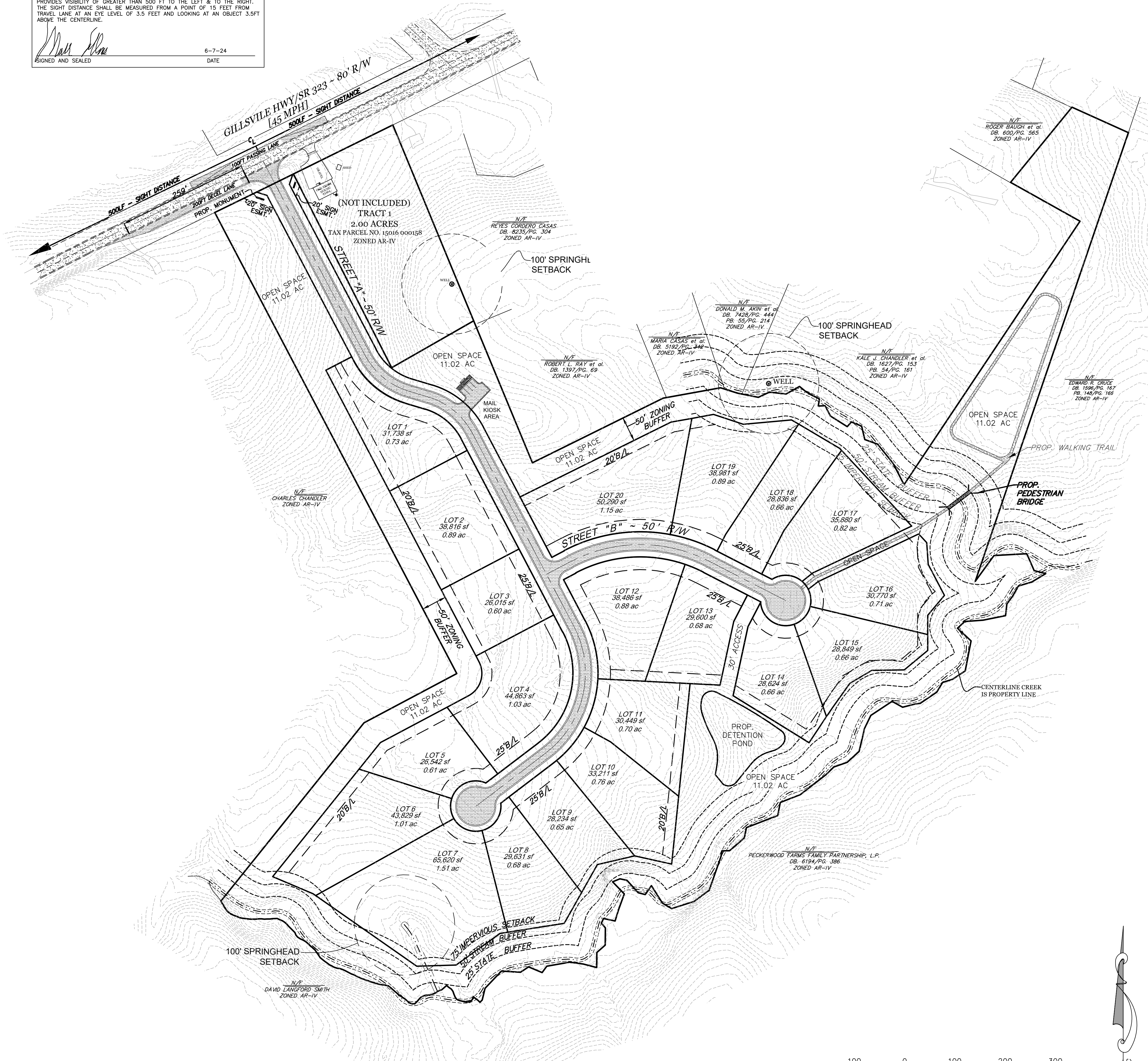
ALL MATERIAL, CONSTRUCTION, AND WORKMANSHIP ON THIS PROJECT SHALL BE IN STRICT ACCORDANCE WITH THE APPROPRIATE LOCAL SPECIFICATIONS AND REQUIREMENTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR NOTIFYING ALL UTILITY OWNERS, DETERMINING THE LOCATION OF ALL EXISTING UNDERGROUND UTILITIES, INCLUDING ALL THOSE NOT SHOWN ON THE PLANS, PRIOR TO CONSTRUCTION AND SHALL BE THE DESIGNER DISCLAIMS ANY RESPONSIBILITY FOR DESIGN CHANGES MADE BY OTHERS. THE CONTRACTOR SHALL CALL THE UTILITIES PROTECTION CENTER THREE WORKING DAYS BEFORE DIGGING. IN METRO ATLANTA DIAL 404/235-5000. THROUGHOUT GEORGIA DIAL 800/882-7411.

302 WEST MAY STREET
 WINNER, GA 30680
Sullins Engineering, LLC
 PHONE: (678) 687-6219
 CONTACT: MATTHEW SULLINS
 CIVIL ENGINEERS ~ LAND PLANNERS

REZONE PLAN FOR:
GILLISVILLE HWY.
 LOCATED IN:
 PARCEL: 028C158 / L.L. 16, 15th DIST.
 HALL COUNTY, GEORGIA



DATE	JOB #
4/17/24	2999
SHEET 1	



- GENERAL NOTES**
- DOMESTIC WATER SUPPLY TO BE CITY OF GAINESVILLE
 - SANITARY SEWER TO BE INDIVIDUAL SEPTIC SYSTEMS
 - CURRENT ZONING: AR-IV
 - PROPOSED ZONING: PRD
 - MINIMUM LOT WIDTH 100FT
 - DENSITY: 20 UNITS/30.87AC = 0.65U/AC
 - TOTAL LENGTH OF NEW R/W = 1,122
 - 2400 MIN. SF HOUSE
 - MANDATORY HOA TO BE REQ.
 - DEVELOPMENT PROPOSES PEDESTRIAN BRIDGE TO OPEN SPACE WITH WALKING TRAILS TO COMPLIMENT
 - MINIMUM LOT SIZE TO BE 26,015SF
 - 9.26AC OF OPEN SPACE REQUIRED. 11.02AC OF OPEN SPACE PROVIDED.

BOUNDARY SURVEY
 -BOUNDARY REFERENCED FROM REED PLANNING & DESIGN DATED 11/15/19

FLOOD NOTE:
 NO FLOOD HAZARD DOES NOT EXIST ON SITE AS PER F.I.R.M. COMMUNITY PANEL No. 13139C0225G, DATED 12/1/22

BUILDING SETBACKS:
 FRONT: 25' FROM R/W OF ROADS
 SIDE: 5' FROM PROPERTY LINES
 REAR: 20' FROM PROPERTY LINES

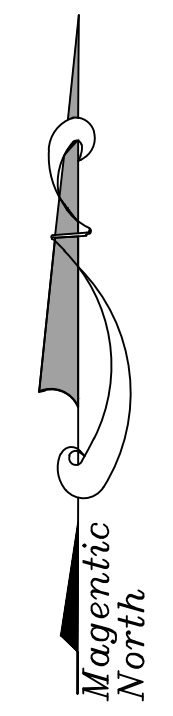
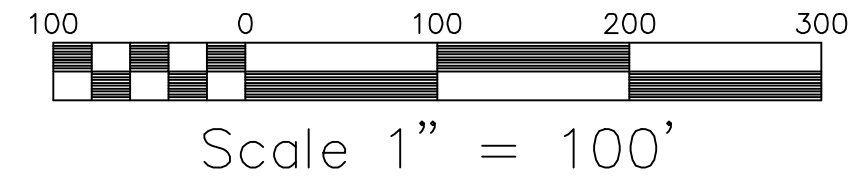
TOTAL AREA: 30.87 AC
OPENSAPCE REQ'D: 9.26 AC
OPENSAPCE PROVIDED: 11.02 AC ⁵⁻¹⁵⁻²⁴

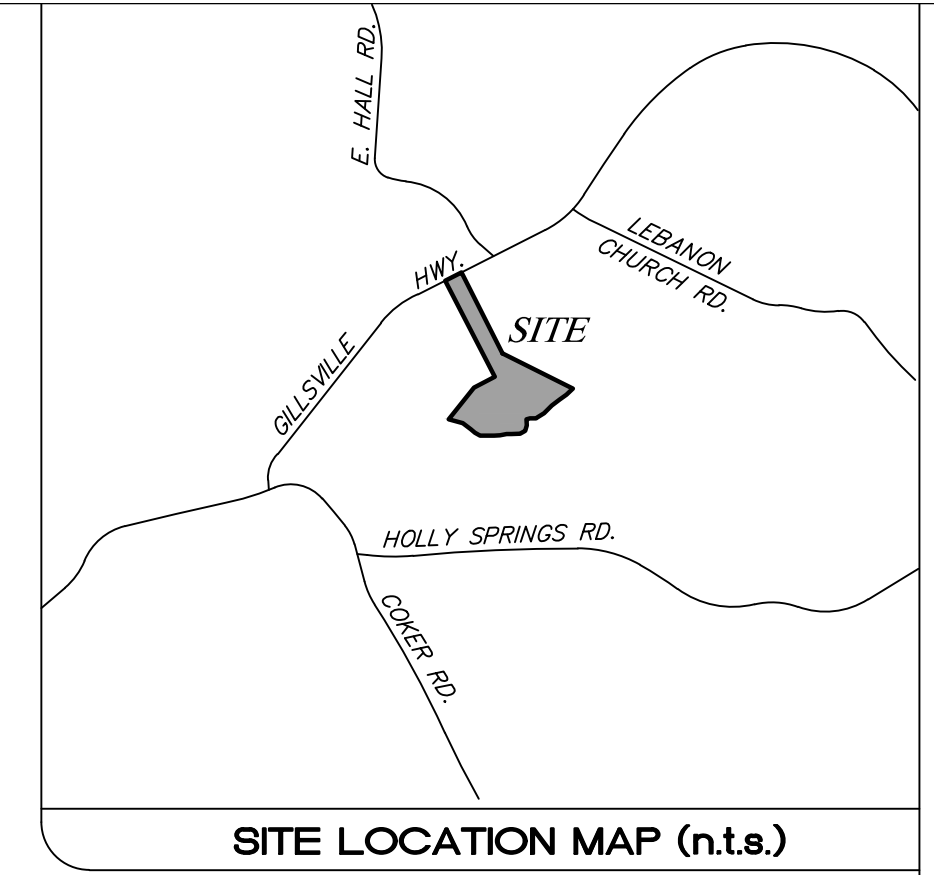
ENTRY MONUMENT SIGNAGE
 APPLICANT IS REQUESTING PERMISSION FOR AN ENTRY MONUMENT TRYP OF SIGN WITH A NATURAL STONE BASE WITH A SIGN SIZE (MONUMENT BASE AND SIGNAGE) TOTALING 42SF.

ENTRANCE MAY INCLUDE THE FOLLOWING STRUCTURAL ITEMS:
 -MASONRY WALLS
 -WOOD OR PVC FENCING
 -ILLUMINATED SIGNAGE IN ACCORDANCE WITH HALL CO. SIGN ORDINANCE
 -ORNAMENTAL SCULPTURE
 -LANDSCAPING AND IRRIGATION

ARCHITECTUAL MATERIALS & SITE IMPROVEMENTS
 THE BUILDER INTENDS TO BUILD: ⁵⁻¹⁵⁻²⁴

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- FRONT FACADES WITH A COMBINATION OF MASONRY & FIBER CEMENT SIDING MATERIALS.
- SIDE&REAR FACADES WITH MASONRY, FIBER CEMENT SIDING, OR SHAKE SIDING
- SODDED YARDS (4 SIDES)





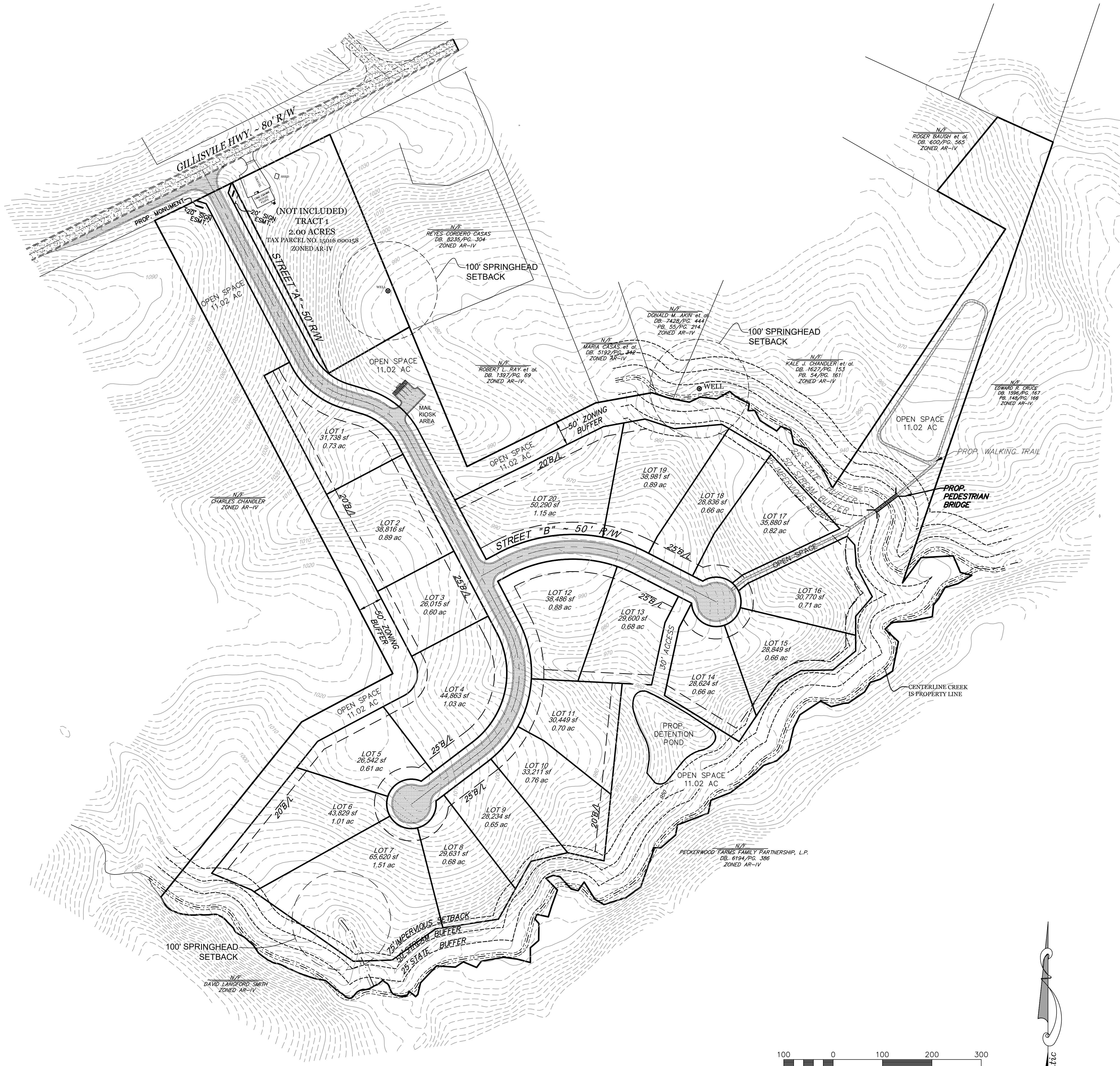
REVISION:	
DATE:	5-15-24
	DETACHED SINGLE FAMILY

ALL MATERIAL, CONSTRUCTION, AND WORKMANSHIP ON THIS PROJECT SHALL BE IN ACCORDANCE WITH THE SPECIFICATIONS AND REQUIREMENTS AND SHALL BE PERFORMED IN A WORKMANLIKE MANNER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR NOTIFYING ALL UTILITY OWNERS, DETERMINING THE LOCATION OF ALL EXISTING UNDERGROUND UTILITIES, INCLUDING BUT NOT LIMITED TO WATER, GAS, AND SEWER, PRIOR TO CONSTRUCTION AND SHALL BE LIABLE FOR ANY DAMAGES DUE TO HIS OPERATION. CONSTRUCTION AND SHALL BE THE DESIGNER DISCLAIMS ANY RESPONSIBILITY FOR DESIGN CHANGES MADE BY OTHERS. THE CONTRACTOR SHALL CALL THE UTILITIES PROTECTION CENTER THREE WORKING DAYS BEFORE DIGGING. IN METRO ATLANTA DIAL 404/395-5000. THROUGHOUT GEORGIA DIAL 800/292-7441.

302 WEST MAY STREET
WINDER, GA. 30680
PHONE: (678) 687-6219

Sullins Engineering, LLC

CONTACT: MATTHEW SULLINS
CIVIL ENGINEERS ~ LAND PLANNERS



GENERAL NOTES

- DOMESTIC WATER SUPPLY TO BE CITY OF GAINESVILLE
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FLOOD NOTE:

NO FLOOD HAZARD DOES NOT EXIST ON SITE AS PER F.I.R.M. COMMUNITY PANEL No. 13139C0225G, DATED 12/1/22

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FRONT: 25' FROM R/W OF ROADS
SIDE: 5' FROM PROPERTY LINES
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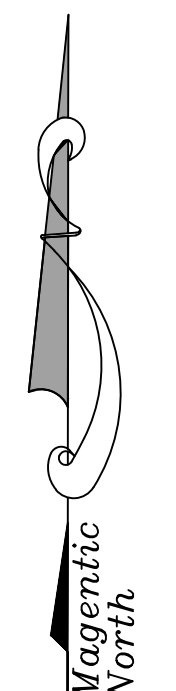
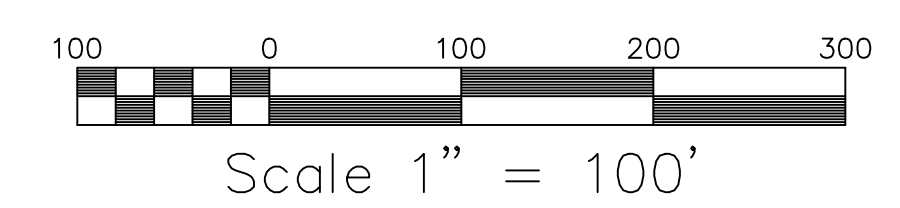
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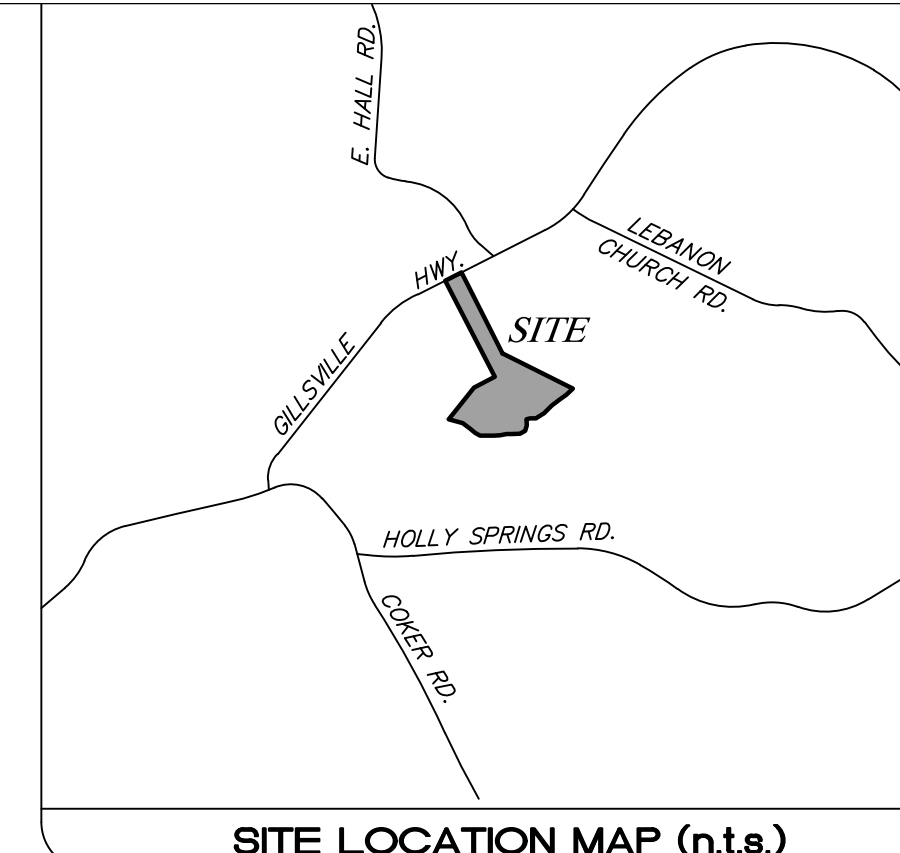
REZONE PLAN FOR:

GILLESVILLE HWY.

LOCATED IN: PARCEL: 028C 159 / L.L. 16, 15th DIST. HALL COUNTY, GEORGIA

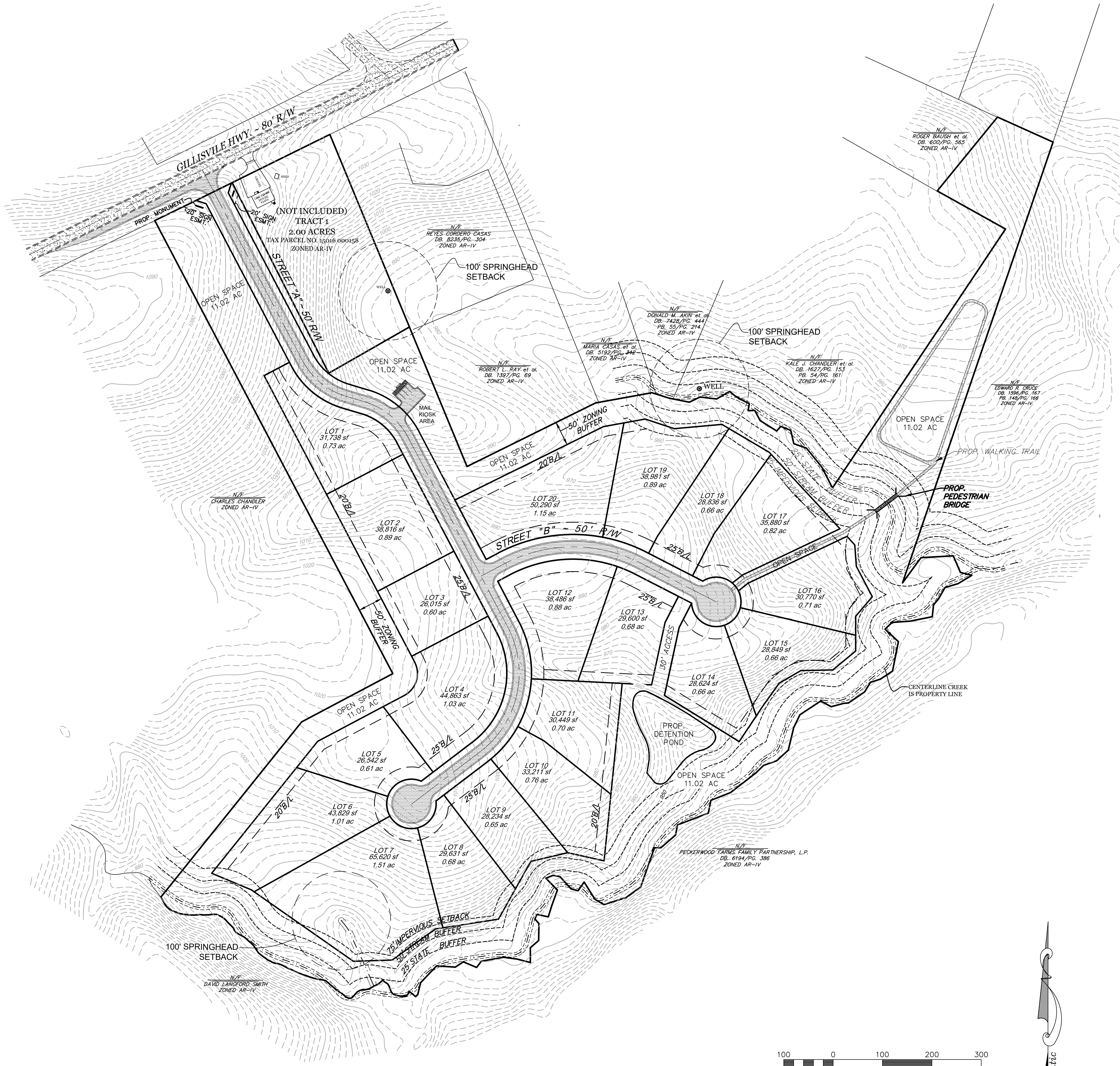


DATE	JOB #
4/17/24	2999
SHEET 1	



REVISION:	
DATE:	

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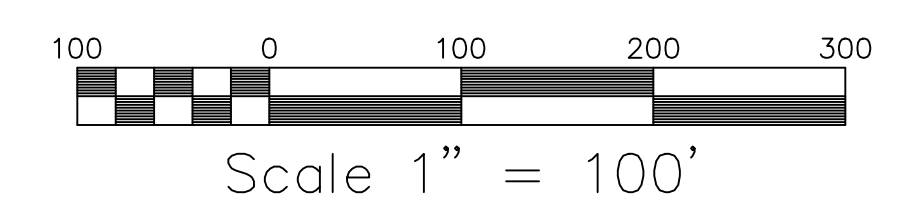
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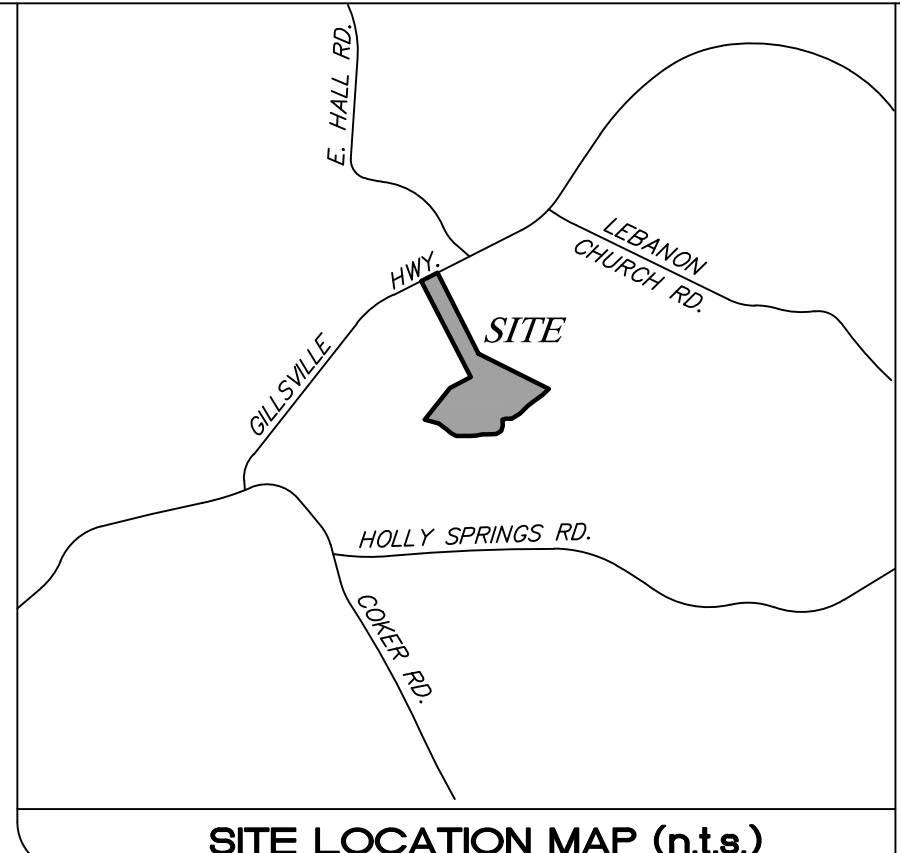
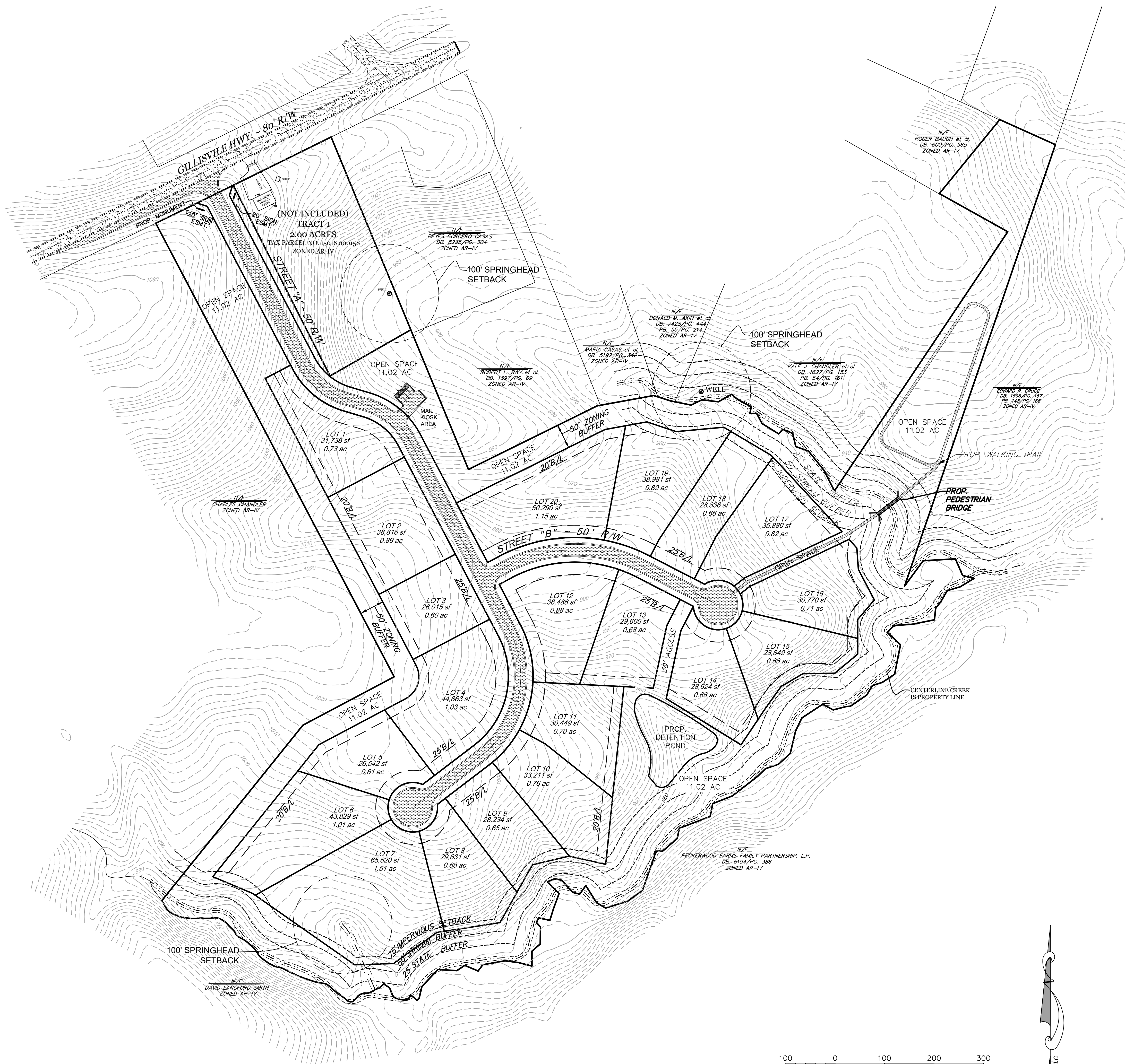


302 WEST MAY STREET
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REZONE PLAN FOR:
GILLESVILLE HWY.
LOCATED IN:
PARCEL: 028C 159 / L.L. 16, 15R DIST.
HALL COUNTY, GEORGIA



DATE	JOB #
4/11/24	2999
SHEET 1	



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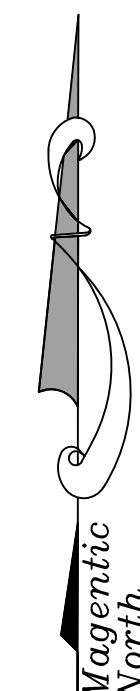
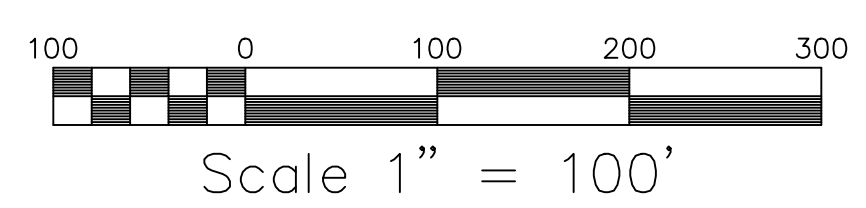
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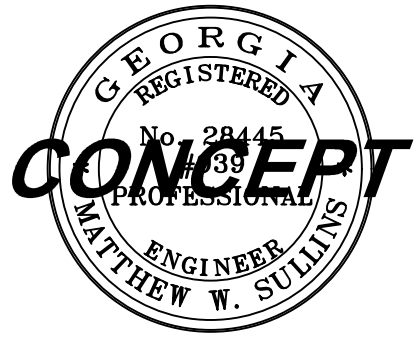


REVISION:	
DATE:	

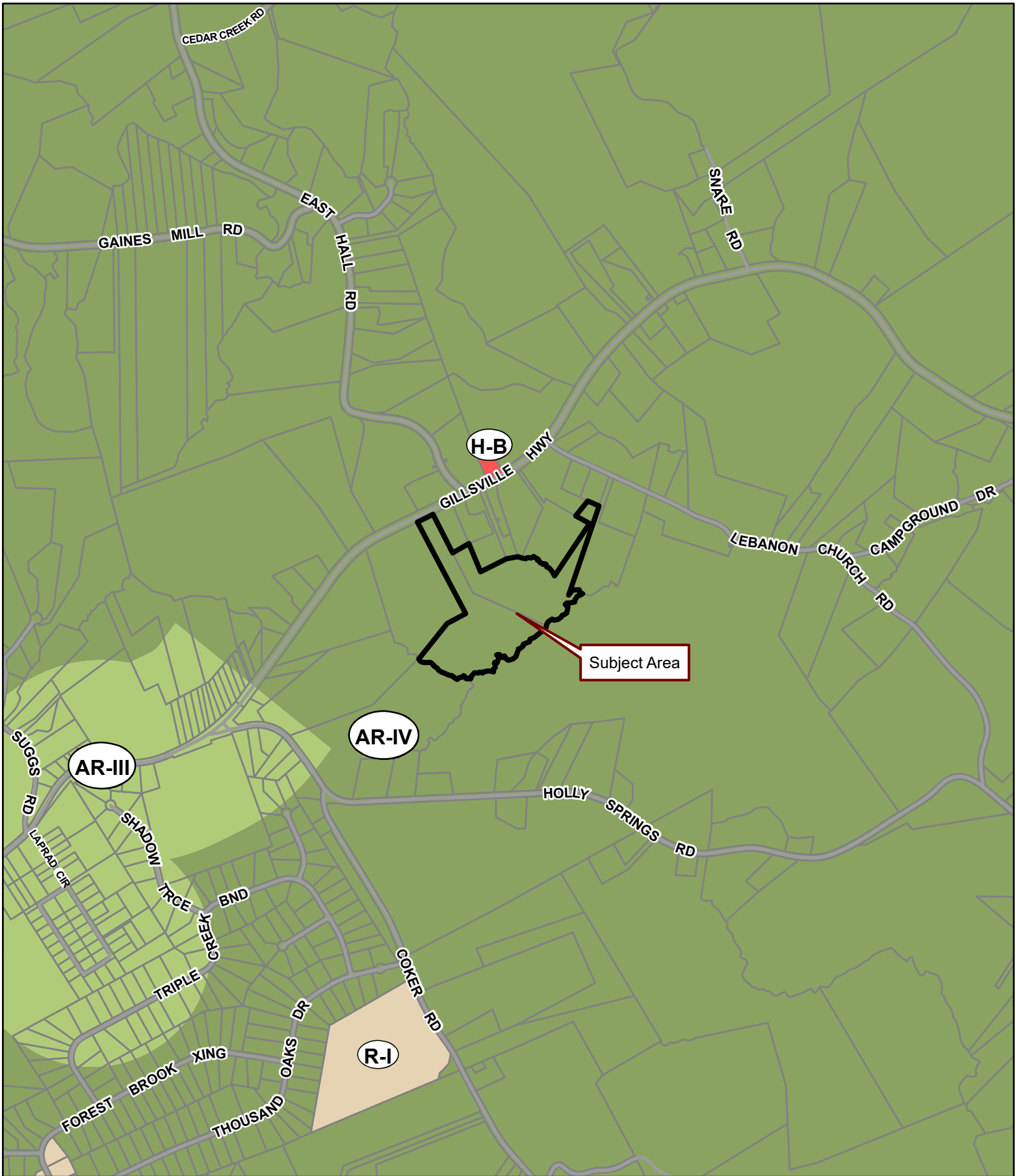
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CONTACT: MATTHEW SULLINS
CIVIL ENGINEERS ~ LAND PLANNERS

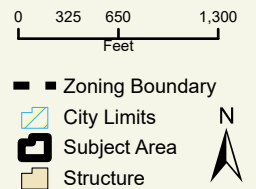
REZONE PLAN FOR:
GILLISVILLE HWY.
LOCATED IN:
PARCEL: 028C 158 / L.L. 16, 15th DIST.
HALL COUNTY, GEORGIA

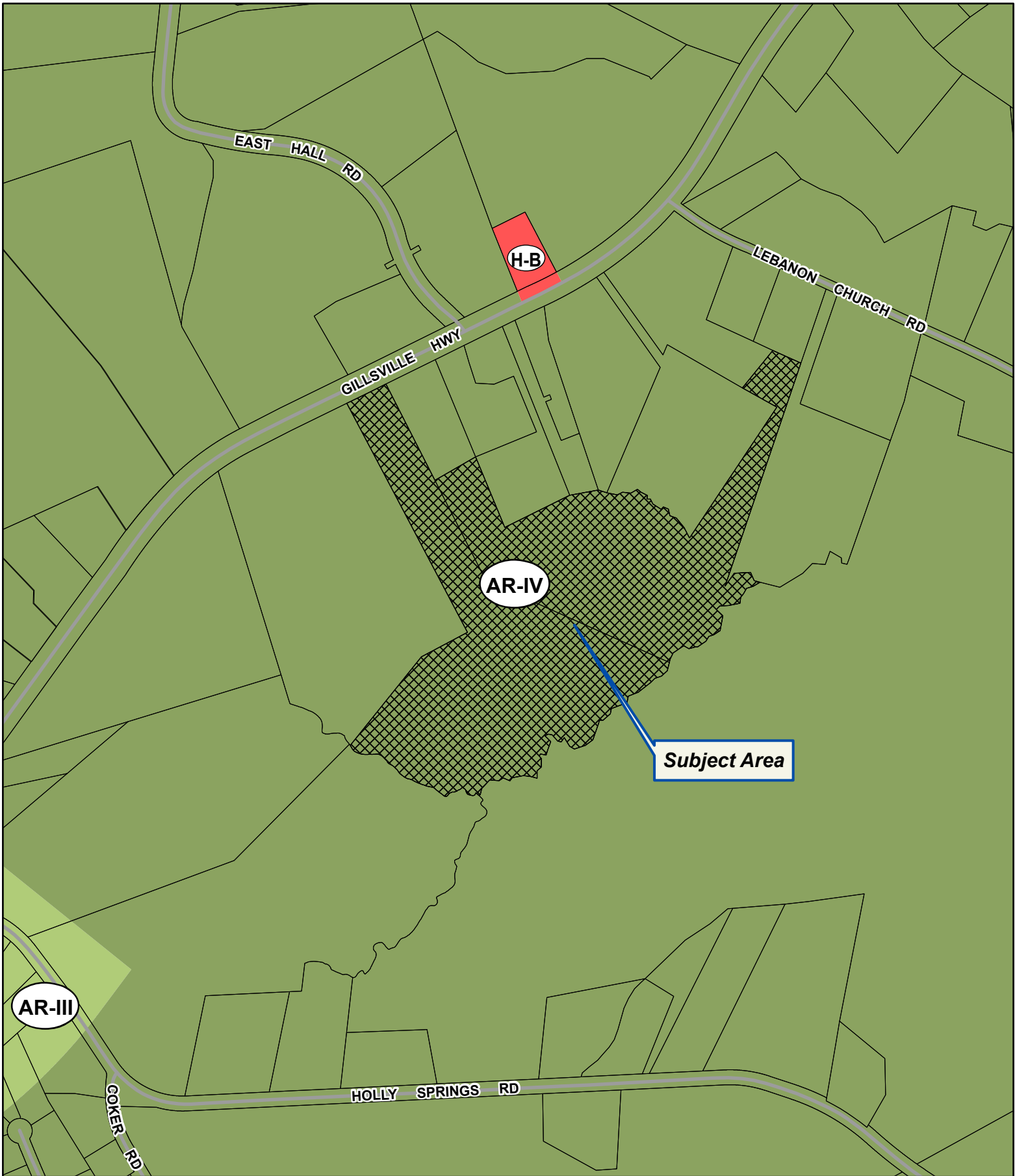


DATE	JOB #
3/29/24	2999
SHEET 1	

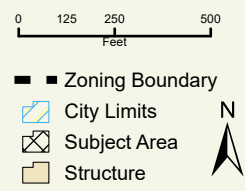


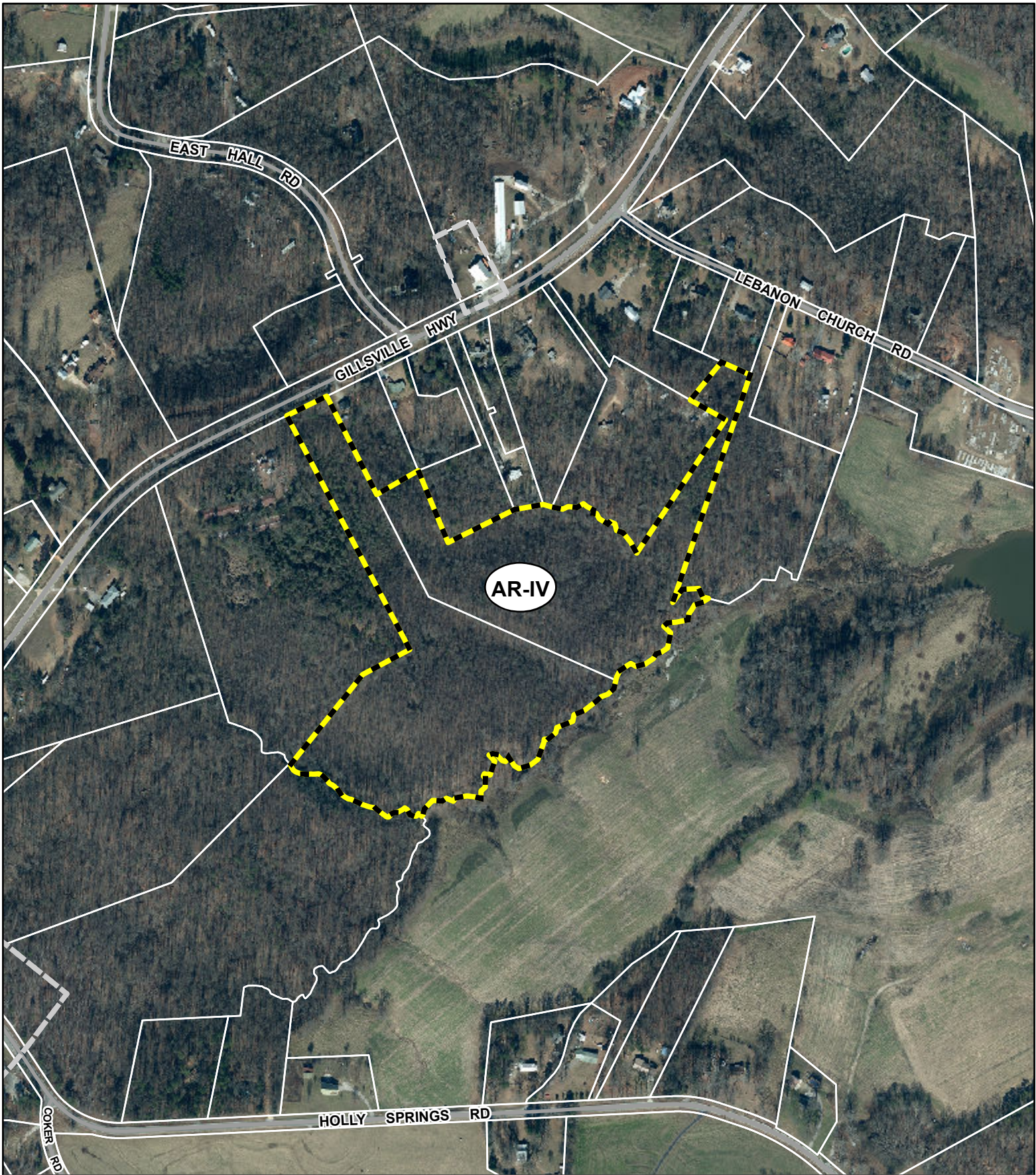
Applicant: SABINA CHOWDHURY
Tax Parcel #: 15016 000158A & 000028C
Location: 0 & 3454 GILLSVILLE HIGHWAY, GAINESVILLE , GA 30507
Commission District 3 **PC Mtg. Date: 06/03/2024**





Applicant: SABINA CHOWDHURY
Tax Parcel #: 15016 000158A & 000028C
Location: 0 & 3454 GILLSVILLE HIGHWAY, GAINESVILLE , GA 30507
Commission District 3 PC Mtg. Date: 06/03/2024





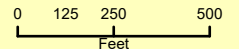
Applicant: SABINA CHOWDHURY

Tax Parcel #: 15016 000158A & 000028C

Location: 0 & 3454 GILLSVILLE HIGHWAY, GAINESVILLE, GA 30507

Commission District 3

PC Mtg. Date: 06/03/2024



- Zoning Boundary
- ▭ City Limits
- ▭ Subject Area



THE FARMINGTON

GEORGIA ESTATES



ELEVATION A



ELEVATION B



ELEVATION C

BUILDING CODE ANALYSIS

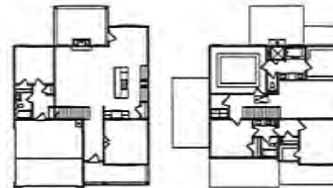
USE GROUP: SINGLE FAMILY DWELLING
CONSTRUCTION CLASS: UNFINISHED
HEIGHT & AREA LIMITATION: 2 STORY MAXIMUM HGT. 35 FT. EGRESS OR RESCUE WINDOWS FROM SLEEPING ROOMS SHALL HAVE A MINIMUM OF 5.7 SQ. FT.
GARAGE/HOUSE CEILING/NOISE ASSEMBLY: 12" GYPSUM BO. WALL & CEILING W/ 30 MINUTE GARAGE/HOUSE DOOR
DECK LOADS: LIVE LOAD: SLEEPING + 30 PSF NON-SLEEPING + 40 PSF DECKS + 40 PSF DEAD LOAD + 10 PSF BASIC WIND SPEED + 80 MPH STAIR LOAD + 40 PSF ROOF LIVE LOAD + 20 PSF LATERAL SOIL PRESSURE + 30 PCF (ASSUMED)
ATTIC VENTILATION (EXAMPLE): 1338 SF / 300 = 133 SF FREE AREA REQ'D RIDGE VENT + 30 LF X .685 FREE AREA LF + 3.31 SF, PROVIDED SOFFIT VENT + 54 LF X .245 FREE AREA LF + 2.43 SF, PROVIDED

NOTE: VERIFY ALL APPLICABLE BUILDING CODES WITH STATE AND LOCAL JURISDICTION PRIOR TO CONSTRUCTION.



DRAWING INDEX

- C200 COVER SHEET
- AU1 ELEVATION 'A' - FRONT LOAD GARAGE
- AU2 ELEVATION 'A' - SIDE LOAD GARAGE
- AU3 ELEVATION 'A' W/ 3RD CAR GARAGE OPT. - FRONT ENTRY
- AU4 ELEVATION 'B' - FRONT LOAD GARAGE
- AU5 ELEVATION 'B' - SIDE LOAD GARAGE
- AU6 ELEVATION 'B' W/ 3RD CAR GARAGE OPT. - FRONT ENTRY
- AU7 ELEVATION 'C' - FRONT LOAD GARAGE
- AU8 ELEVATION 'C' - SIDE LOAD GARAGE
- AU9 ELEVATION 'C' W/ 3RD CAR GARAGE OPT. - FRONT ENTRY
- AS1 SIDES & REAR ELEVATIONS
- AS2 SIDES & REAR ELEVATIONS W/ COVERED PORCH OPT.
- AS3 LEFT SIDE & REAR ELEVATION W/ 3RD CAR GARAGE OPT.
- AS4 SLAB PLAN
- AS5 SLAB PLAN W/ 3RD CAR GARAGE OPT.
- AS6 BASEMENT PLAN
- AS7 BASEMENT PLAN W/ 3RD CAR GARAGE OPT.
- AS8 FOUNDATION DETAILS
- AS9 MAIN FLOOR PLAN
- AS10 MAIN FLOOR PLAN W/ 3RD CAR GARAGE OPT.
- AS11 UPPER FLOOR PLAN
- AS12 ROOF PLAN
- AS13 ROOF PLAN W/ 3RD CAR GARAGE OPT.
- AS14 ELECTRICAL PLAN

FLOOR PLANS



AREA CALCULATION

51' x 48' 
 40' x 48' 

SQUARE FOOTAGE:	
MAIN LEVEL	1540
UPPER LEVEL	1101
TOTAL HEATED	2641
3 CAR GARAGE	64
FRONT PORCH	21
TOTAL HEATED	2726
OPT. COVERED PORCH	144
OPT. 3RD CAR GARAGE	706

NO.	DESCRIPTION	DATE

DESIGNER:
VIEWPOINT DESIGN
 4841 BELLE ESTATES RD.
 SUWANEE, GEORGIA 30024
 gv-viewpointdesign@gmail.com
 PHONE (404) 518-0956

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PROJECT NAME:
THE FARMINGTON
 GEORGIA ESTATES

CLIENT/BUILDER:

 390 BRUGDON RD.,
 SUWANEE, GA 30024

DRAWING TITLE:
 COVER SHEET

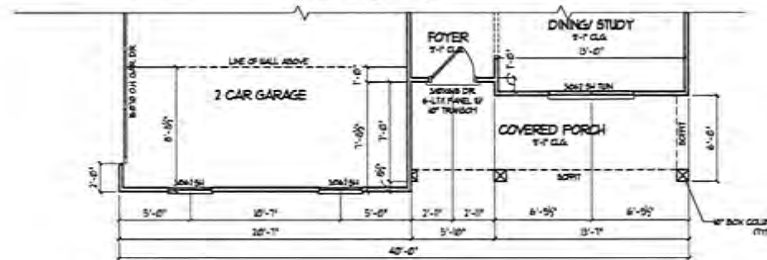
Date: 5/20/2022
 Date: AS NOTED
 Drawn By: GC
 Job No.: 2022-1001

C0.0

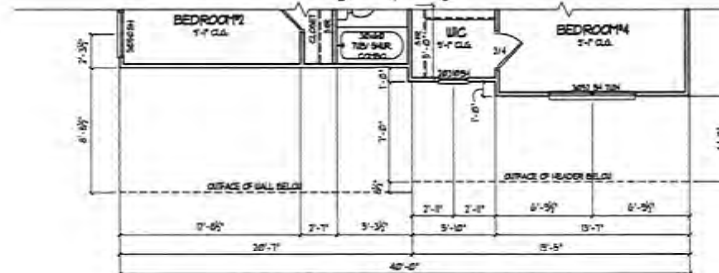
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1 Front Elevation 'A'
 ALL SCALE: 1/4" = 1'-0"



2 1st Floor Plan Elevation 'A'
 ALL SCALE: 1/4" = 1'-0"



3 2nd Floor Plan Elevation 'A'
 ALL SCALE: 1/4" = 1'-0"

NO.	DESCRIPTION	DATE

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 4841 BELLE ESTATES RD.
 SUWANEE, GEORGIA 30024
 gv.viewpointdesign@gmail.com
 PHONE (404) 518-0956

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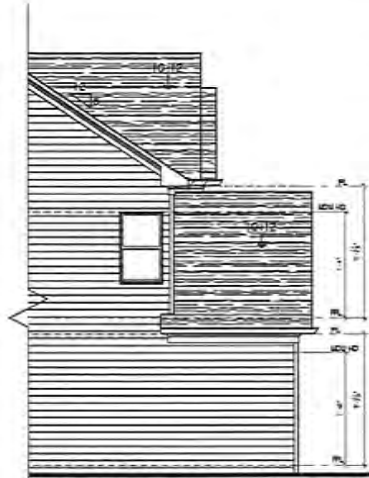
 SOUTHERN HERITAGE
 HOMES
 379 BRUGDON RD.,
 SUWANEE, GA 30024

SHEET TITLE:
**ELEVATION 'A'
 SIDE ENTRY**

Date: 5/20/2022
 Scale: AS NOTED
 Drawn By: GC
 Job No.: 2022 - 1001

A1.1

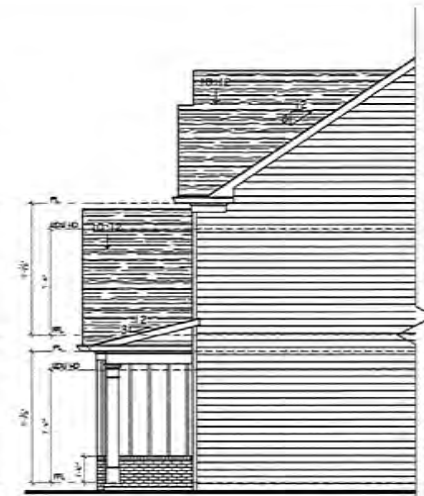
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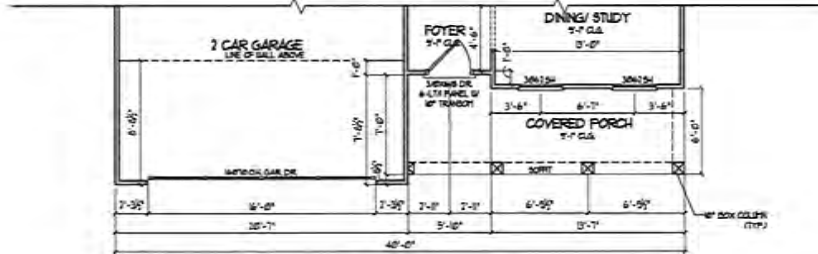
4 Left Side Elevation 'B'
A1.2 SCALE: 1/4" = 1'-0"



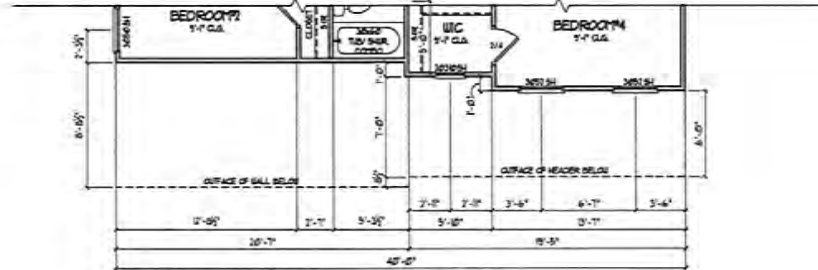
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A1.2 SCALE: 1/4" = 1'-0"



3 Right Side Elevation 'B'
A1.2 SCALE: 1/4" = 1'-0"



2 1st Floor Plan Elevation 'B'
A1.2 SCALE: 1/4" = 1'-0"



3 2nd Floor Plan Elevation 'B'
A1.2 SCALE: 1/4" = 1'-0"

NO.	DESCRIPTION	DATE

DESIGNER:
VIEWPOINT DESIGN
4841 BELLE ESTATES RD.
SUWANEE, GEORGIA, 30024
gc.viewpointdesign@gmail.com
PHONE: (404) 518-0956

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PROJECT NAME:
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GEORGIA ESTATES

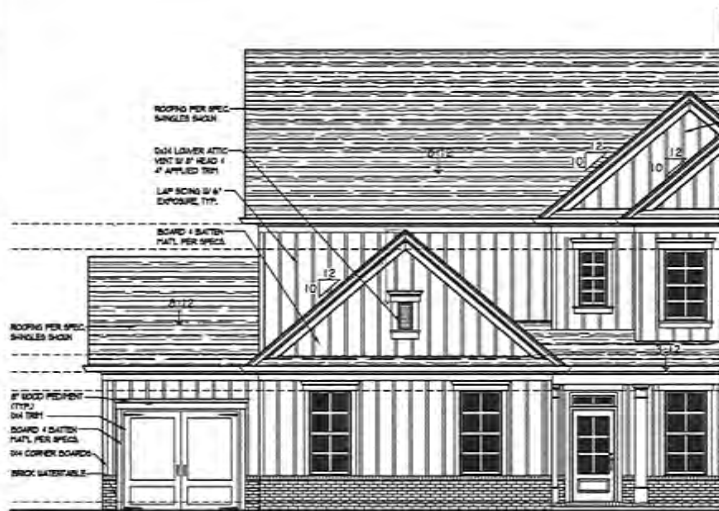
CLIENT BUILDER:
SOUTHERN RESERVE
390 BRUGGAN RD.,
SUWANEE, GA 30024

SHEET TITLE:
ELEVATION 'B' FRONT ENTRY

DATE: 5/20/2022
SCALE: AS NOTED
DRAWN BY: GC
JOB NO.: 2022 - 1001

A1.2

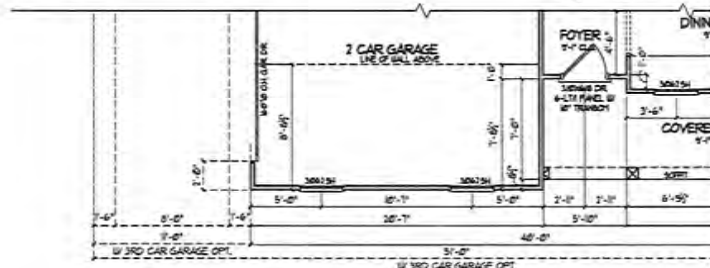
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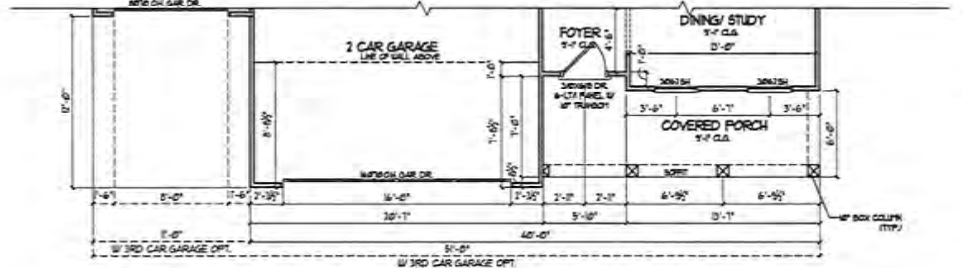
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 (A31) SCALE: 1/4" = 1'-0"



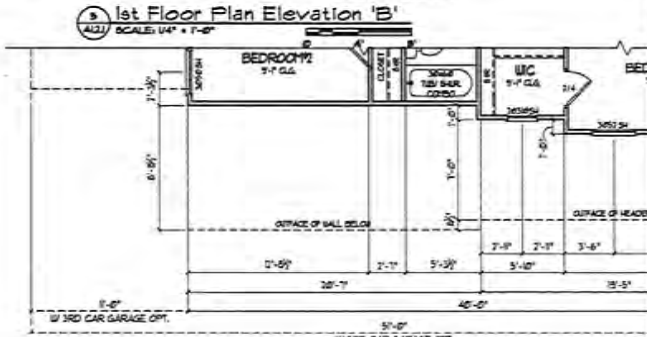
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 (A31) SCALE: 1/4" = 1'-0"



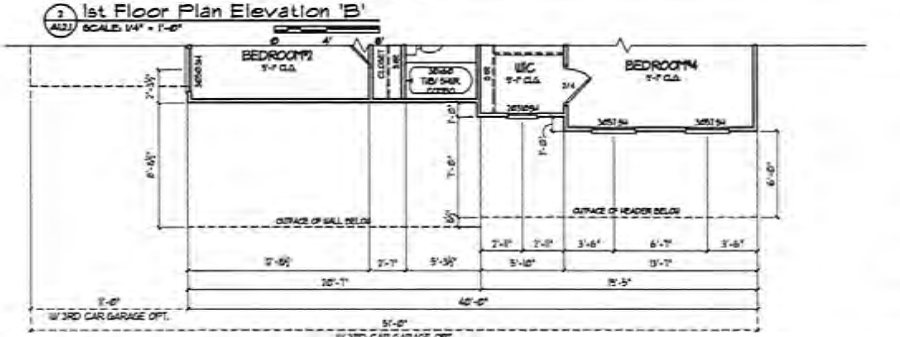
5 1st Floor Plan Elevation 'B'
 (A31) SCALE: 1/4" = 1'-0"



2 1st Floor Plan Elevation 'B'
 (A31) SCALE: 1/4" = 1'-0"



6 2nd Floor Plan Elevation 'B'
 (A31) SCALE: 1/4" = 1'-0"



3 2nd Floor Plan Elevation 'B'
 (A31) SCALE: 1/4" = 1'-0"

NO.	DESCRIPTION	DATE

DESIGNER: **VIEWPOINT DESIGN**
 4841 BELLE ESTATES RD.
 SUWANEE, GEORGIA 30024
 P: viewpointdesign@gmail.com
 PHONE: (404) 518-0936

PROJECT NAME: **THE FARMINGTON GEORGIA ESTATES**

CLIENT BUILDING: **Southern Heritage**
 370 BRIDGTON RD., SUWANEE, GA 30024

DATE: 5/20/2022
 DRAWN BY: AS NOTED
 CHECKED BY: GC
 JOB NO: 2022-1001

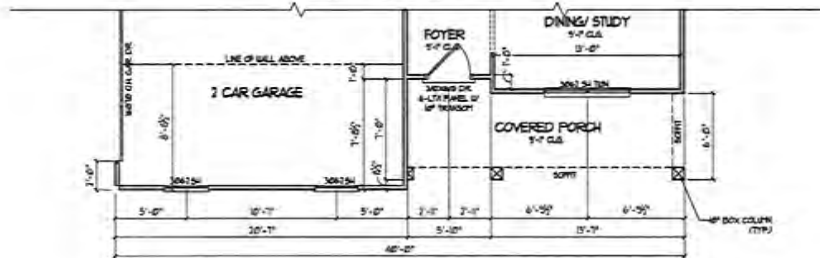
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ELEVATION 'B' W/ GARAGE OPT

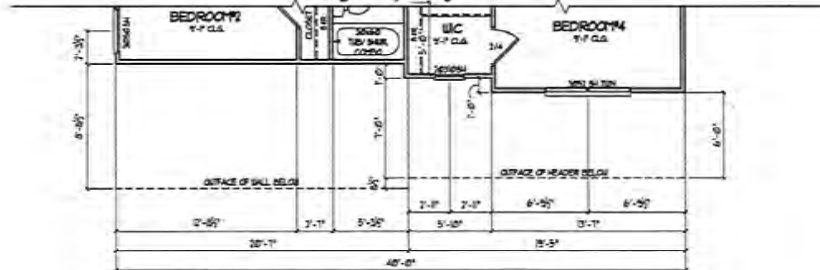
A1.2.1



1 Front Elevation 'C'
SCALE: 1/4" = 1'-0"



2 1st Floor Plan Elevation 'C'
SCALE: 1/4" = 1'-0"



3 2nd Floor Plan Elevation 'C'
SCALE: 1/4" = 1'-0"

NO.	DESCRIPTION :	DATE :

DESIGNER:
VIEWPOINT DESIGN
 4841 BELLE ESTATES RD.
 SUWANEE, GEORGIA 30024
 gv.viewpointdesign@gmail.com
 PHONE (404) 518-0956

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PROJECT NAME:
THE FARMINGTON
 GEORGIA ESTATES

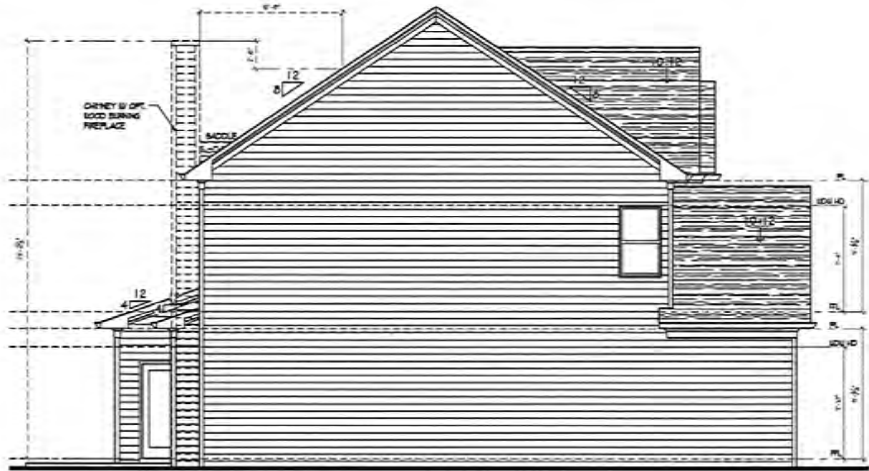
CLIENT: BLADET
 Southern Heritage
 570 BRADDEN RD.,
 SUWANEE, GA 30024

SHEET TITLE:
 ELEVATION 'C'
 SIDE ENTRY

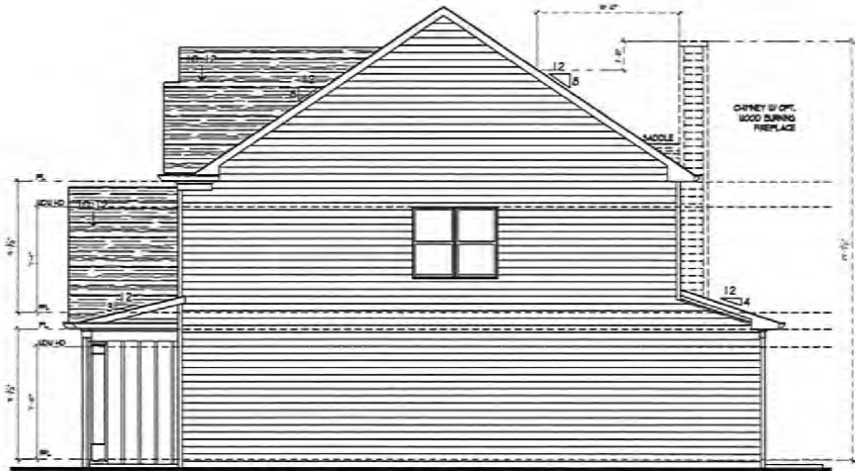
Date: 5/20/2022
 Scale: AS NOTED
 Drawn by: GC
 App. No.: 2022-1901

Sheet No:
A1.3

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1 Left Side Elevation
 A2.1 SCALE: 1/4" = 1'-0"
 0 4' 8'



2 Right Side Elevation
 A2.1 SCALE: 1/4" = 1'-0"
 0 4' 8'



3 Rear Elevation - Standard
 A2.1 SCALE: 1/4" = 1'-0"
 0 4' 8'

NO.	DESCRIPTION	DATE

DESIGNER:
VIEWPOINT DESIGN
 4841 BELLE ESTATES RD.
 SUWANEE, GEORGIA 30024
 gv.viewpointdesign@gmail.com
 PHONE: (404) 518-0936

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PROJECT NAME:
THE FARMINGTON
 GEORGIA ESTATES

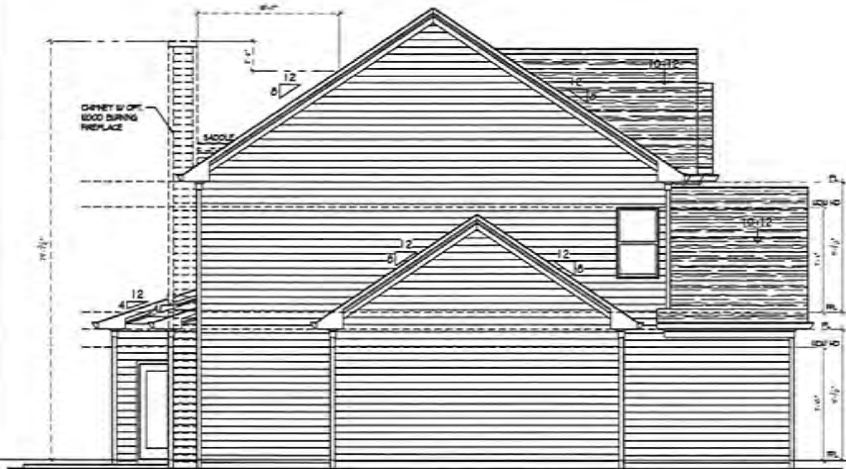
CLIENT/BUILDER:

 SOUTHERN HERITAGE
 HOMES
 390 BROOKHOLM RD.,
 SUWANEE, GA 30024

DRAWING TITLE:
SIDE & REAR ELEVATIONS

Date: 6/20/2023
 Scale: AS NOTED
 Drawn By: CC
 Job No.: 2022 - 1001

Sheet No.: **A2.1**



3 Rear Elevation w/ 3rd Car Garage Opt.
 A22 SCALE 1/4" = 1'-0"



4 Rear Elevation w/ Covered Porch & 3rd Car Garage Opt.
 A23 SCALE 1/4" = 1'-0"

NO.	DESCRIPTION	DATE

DESIGNER:
VIEWPOINT DESIGN
 4841 BELLE ESTATES RD.
 SUWANEE, GEORGIA 30024
 RC.viewpointdesign@gmail.com
 PHONE: (404) 518-0956

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PROJECT NAME:
THE FARMINGTON
 GEORGIA ESTATES

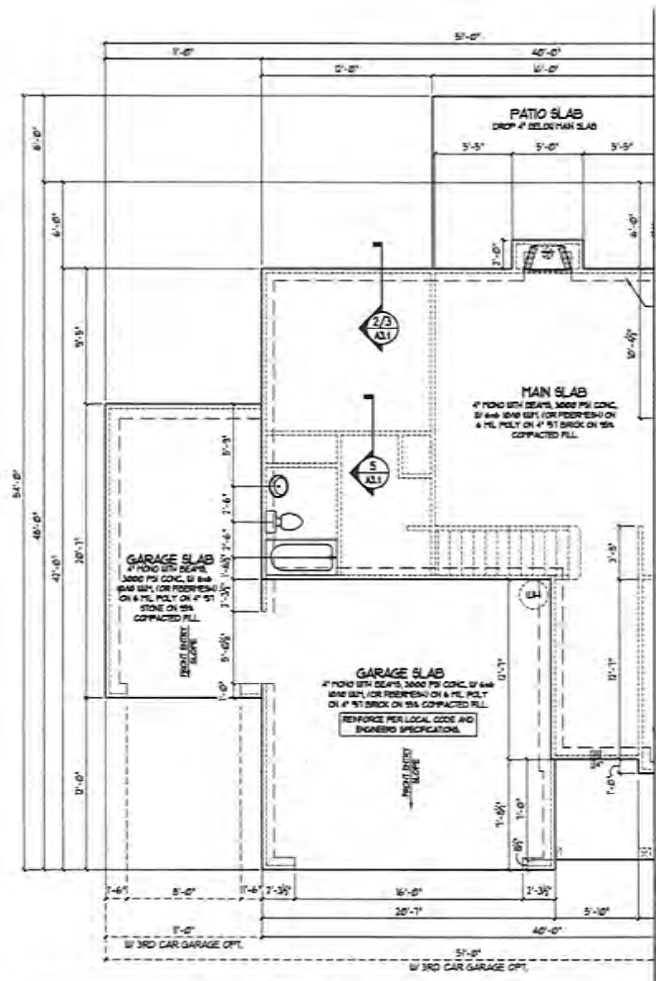
CLIENT: **BLAZER**
 Southern Heritage
 590 BROGDON RD.,
 SUWANEE, GA 30024

SHEET TITLE:
 SIDES & REAR W/
 COV. PORCH OPT.

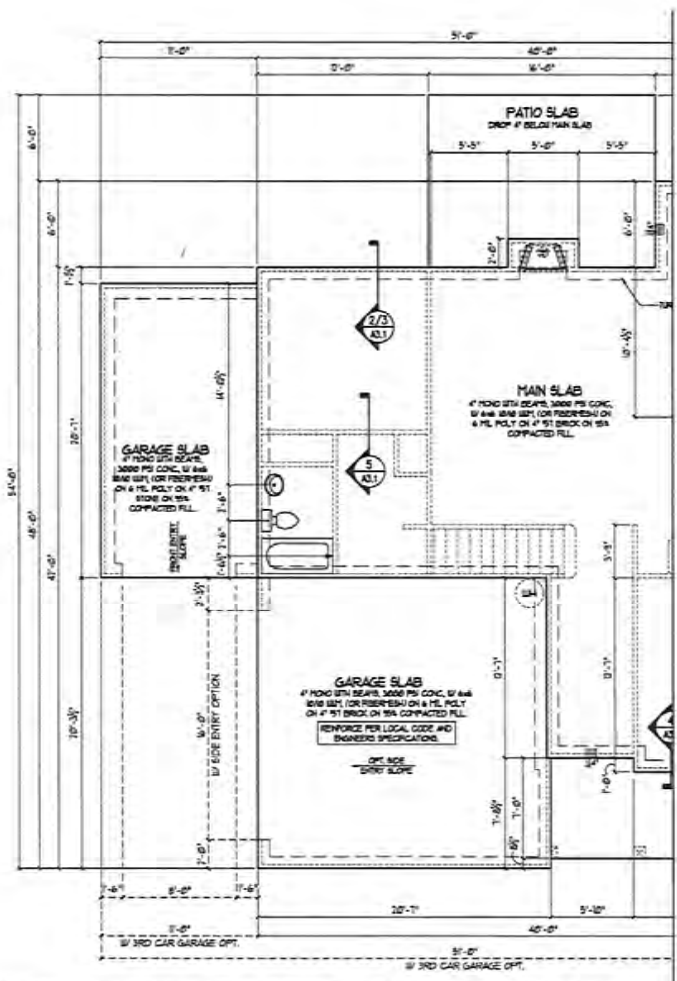
Date: 5/26/2022
 Scale: AS NOTED
 Drawn By: LC
 Rev No: 2022 - 1001

Sheet: **A2.2**

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1 Slab Foundation Plan w/ 3rd Car Garage Opt.-Front entry
 A3.2 SCALE: 1/4" = 1'-0"



2 Slab Foundation Plan w/ 3rd Car Garage Opt.-Side entry
 A3.2 SCALE: 1/4" = 1'-0"

NO.	DESCRIPTION	DATE

DESIGNER:
VIEWPOINT DESIGN
 4841 BELLE ESTATES RD.
 SUWANEE, GEORGIA 30024
 g.vandenberg@vpdesign.com
 PHONE: (404) 518-0956

CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND LOCATIONS OF ALL UTILITIES PRIOR TO CONSTRUCTION. THIS PLAN IS A GENERAL GUIDE ONLY AND DOES NOT CONSTITUTE A GUARANTEE OF ANY KIND. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES.

PROJECT NAME:
THE FARMINGTON
 GEORGIA ESTATES

CLIENT BUILDER:

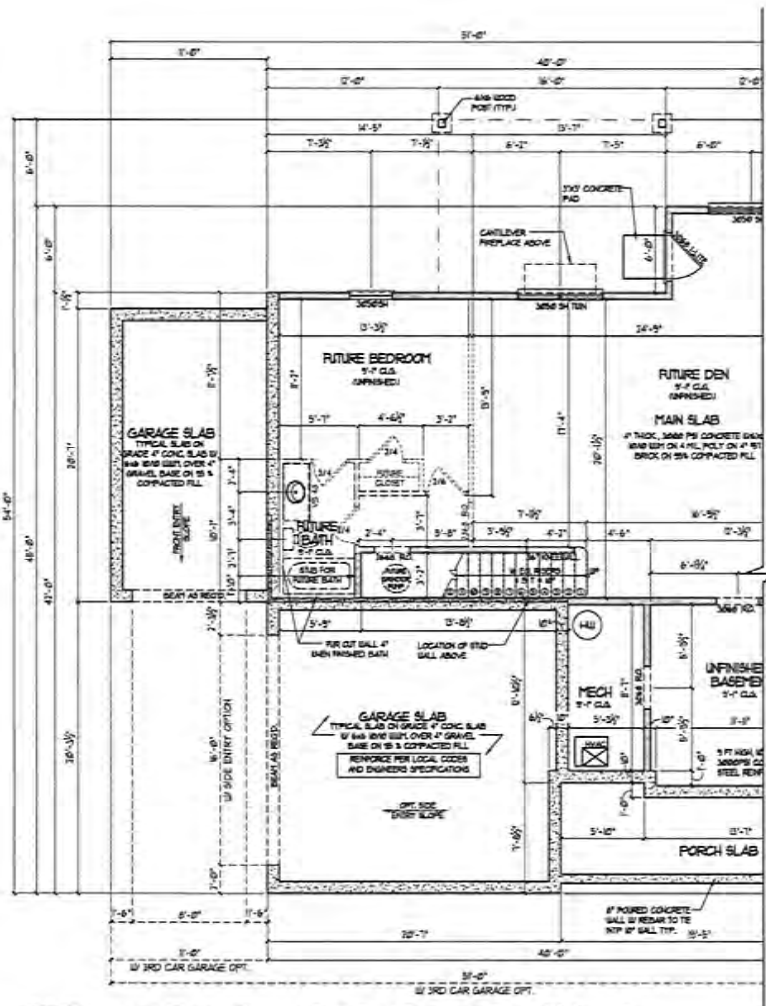
 SOUTHERN HERITAGE HOMES
 390 BRUDGON RD.,
 SUWANEE, GA 30024

SHEET TITLE:
**SLAB PLAN W/
 GARAGE OPT.**

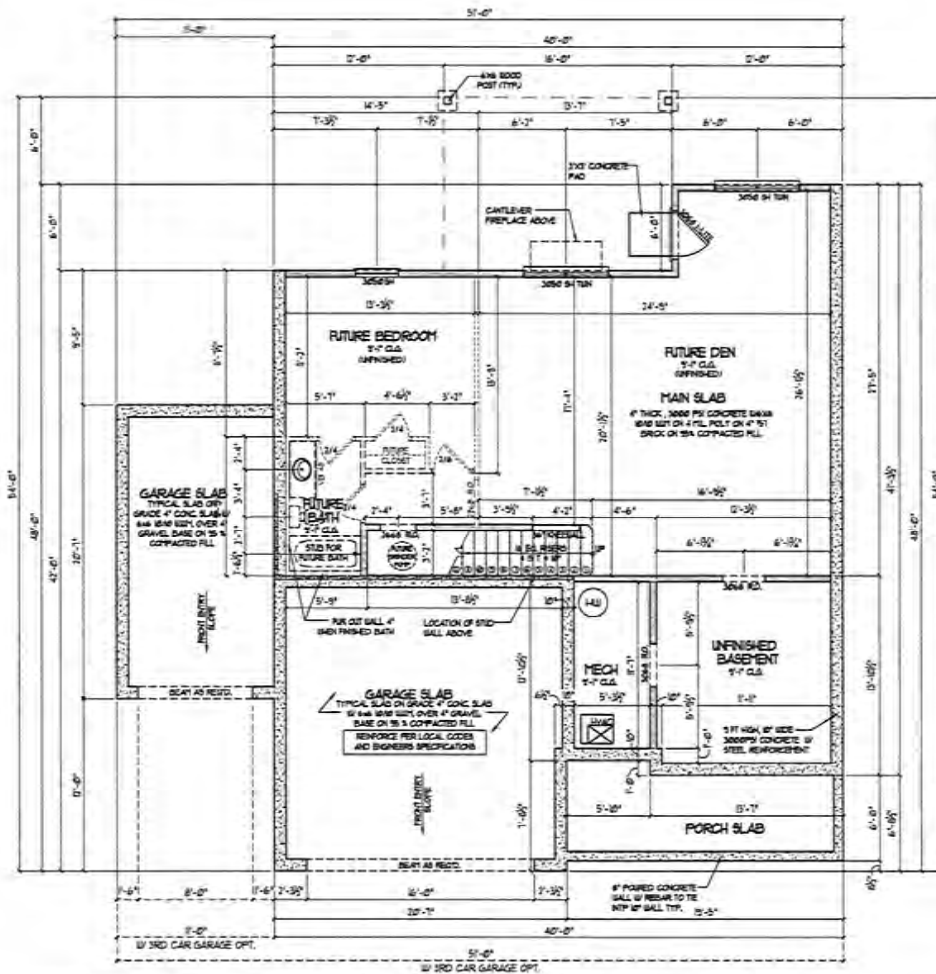
Date: 5/20/2022
 Scale: AS NOTED
 Drawn By: UC
 Job No.: 2022 - 1001
 Sheet:

A3.2

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2 Basement Floor Plan w/ 3rd Car Garage Opt.-Side entry
 A3.4 SCALE: 1/4" = 1'-0"



1 Basement Floor Plan w/ 3rd Car Garage Opt.-Front entry
 A3.4 SCALE: 1/4" = 1'-0"

NO.	DESCRIPTION	DATE

DESIGNER:
VIEWPOINT DESIGN
 4841 BELLE ESTATES RD.
 SUWANEE, GEORGIA 30021
 gcviewpointdesign@gmail.com
 PHONE: (404) 518-0956

UNLESS OTHERWISE SPECIFIED, ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE. CHECK FOR CONFLICTS WITH ALL OTHER CONTRACTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES.

PROJECT NAME:
THE FARMINGTON
 GEORGIA ESTATES

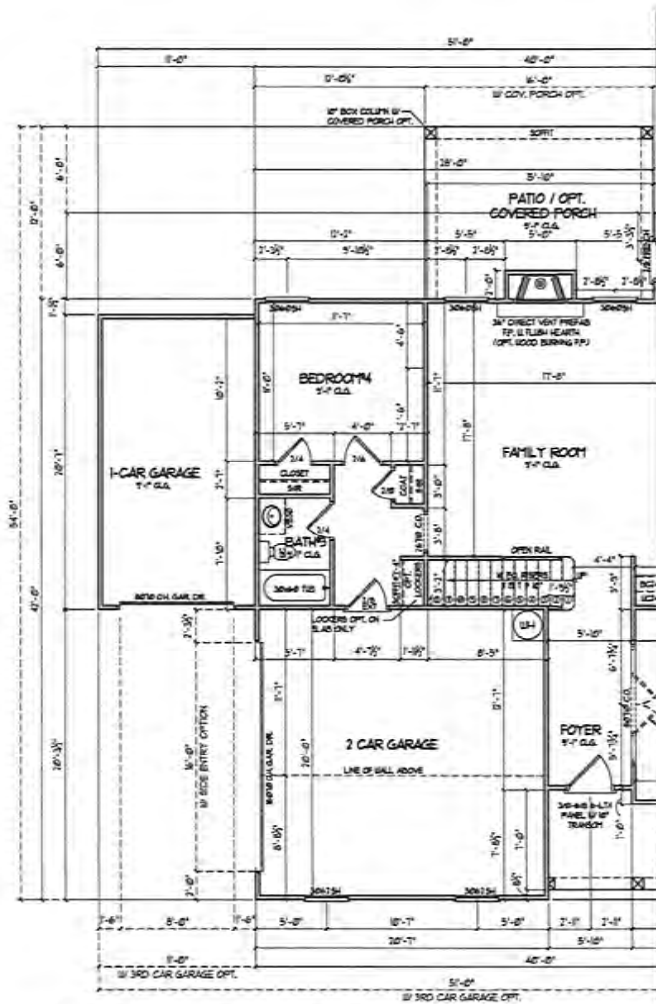
CLIENT/BUILDER:
SOUTHERN FARMING
 390 BROUDUN RD.
 SUWANEE, GA 30021

SHEET TITLE:
BASEMENT PLAN W/ GARAGE OPT

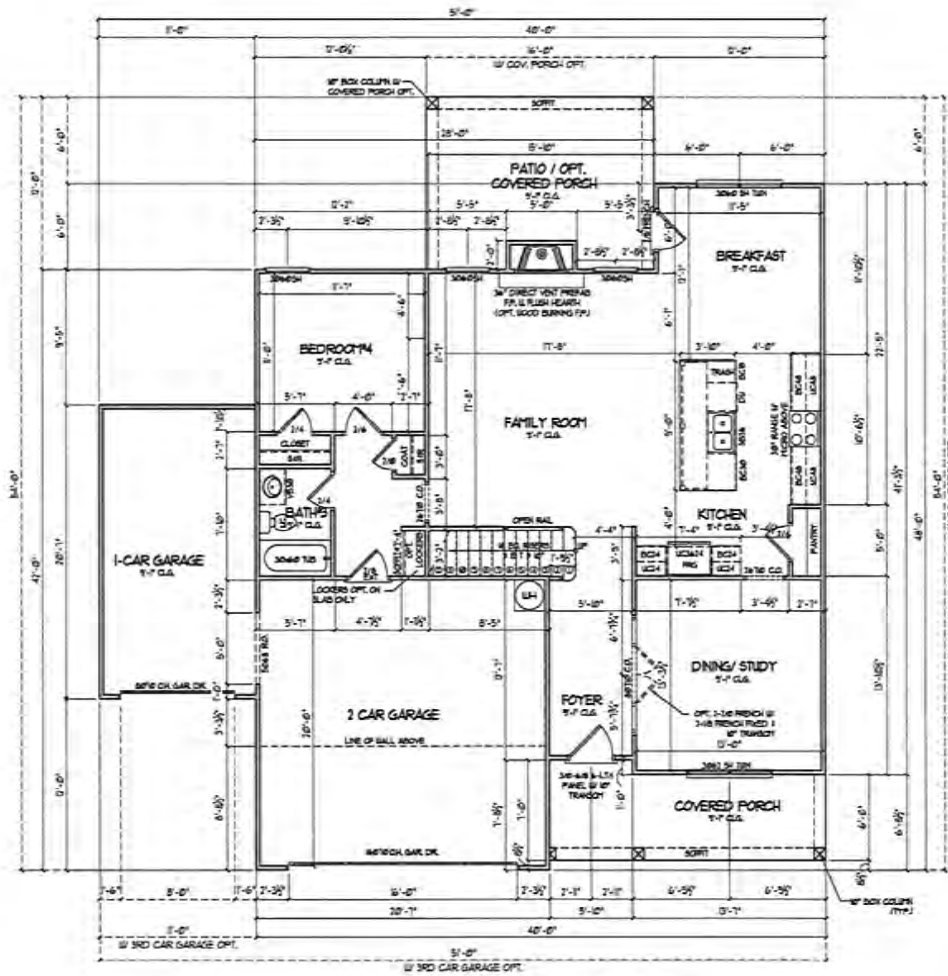
Date: 5/20/2022
 Scale: AS NOTED
 Drawn By: GC
 Job No.: 2022-1001
 Sheet:

A3.4

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② 1st Floor Plan w/ 3rd Car Garage Opt.-Side entry
 A4.3 SCALE: 1/4" = 1'-0"



① 1st Floor Plan w/ 3rd Car Garage Opt.-Front entry
 A4.3 SCALE: 1/4" = 1'-0"

SQUARE FOOTAGE	
MAIN LEVEL	1125
UPPER LEVEL	1175
TOTAL HEATED	2300
1 CAR GARAGE	64
FRONT PORCH	50
TOTAL TRAYED	3600
OPT. COVERED PORCH	64
OPT. 3RD CAR GARAGE	216

NO.	DESCRIPTION	DATE

DESIGNER:
VIEWPOINT DESIGN
 484 BELLE ESTATES RD.
 SUWANEE, GEORGIA 30024
 PC.viewpointdesign@gmail.com
 PHONE (404) 518-0956

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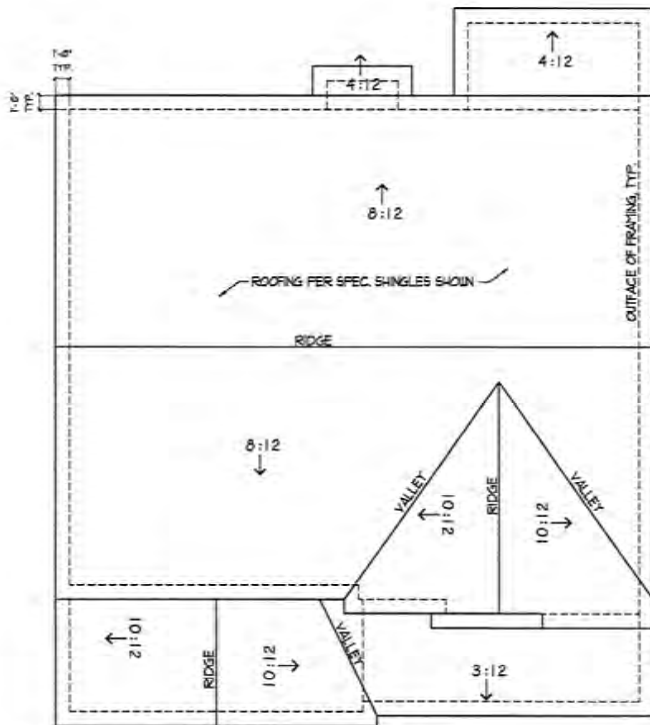
PROJECT NAME:
THE FARMINGTON
 GEORGIA ESTATES

CLIENT: **Summit Homes**
 390 BRUGDON RD.,
 SUWANEE, GA 30024

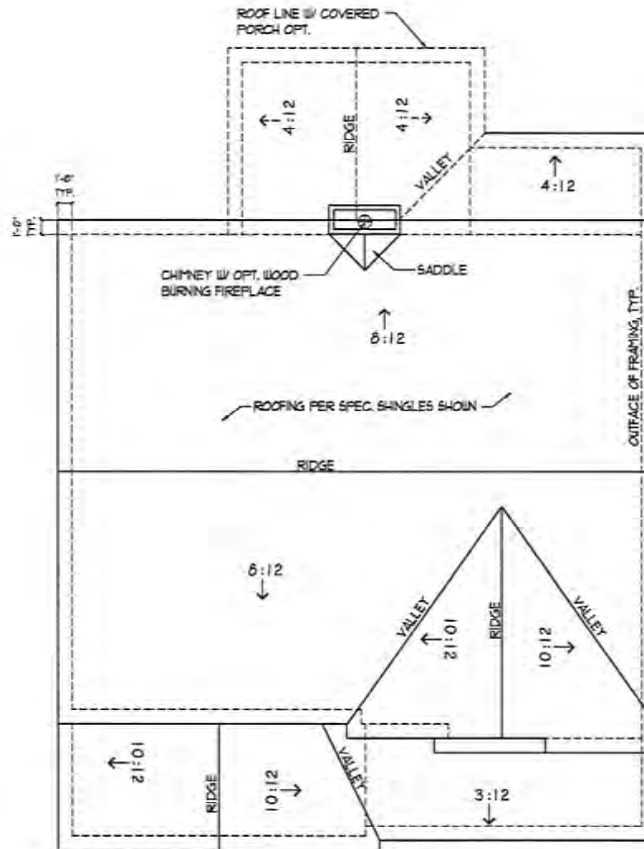
DATE: 5/20/2022
 DRAWN BY: AS NOTED
 CHECKED BY: JQC
 SHEET NO.: 2022-1001

MAIN LEVEL PLAN
 W/ 3RD CAR OPT.

A4.2



1 Roof Plan - Standard
 A6.1 SCALE: 1/4" = 1'-0"



2 Roof Plan w/ Opt. Covered Porch
 A6.1 SCALE: 1/4" = 1'-0"

NO.	DESCRIPTION	DATE

DESIGNER:
VIEWPOINT DESIGN
 4841 BELLE ESTATES RD.
 SUWANEE, GEORGIA 30024
 gc.viewpointdesign@gmail.com
 PHONE: (404) 518-0956

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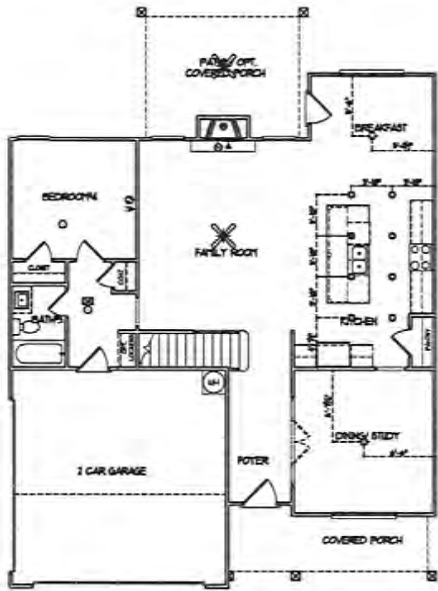
PROJECT NAME:
THE FARMINGTON
 GEORGIA ESTATES

CLIENT BUILDER:
Southern Heritage
 390 BROADDON RD.,
 SUWANEE, GA 30024

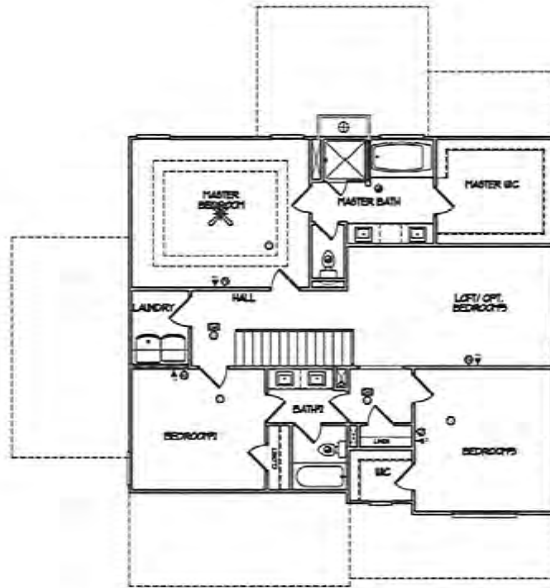
DRAWN TITLE:
ROOF PLANS

Date: 5/20/2022
 Scale: AS NOTED
 Drawn By: GC
 Job No.: 2022-1001
 Sheet:

A6.1



1 Main Level Electrical
NOT TO SCALE



2 Upper Level Electrical
NOT TO SCALE

ELECTRICAL LEGEND			
—PC	One Line	⊕	Recessed Ceiling Light
—W	Cold Water	⊕	Flushed Light
—H	Hot Water	⊕	Wall Mounted Light
—	Electrical Panel	⊕	Wall Scones
—	Electrical Meter	⊕	Fluorescent Light w/1 Ball
—	Disconnect Switch	⊕	Fluorescent Light w/2 Ball
S	Switch	⊕	Vapor Protected Light
3	3-Way Switch	⊕	Exhaust Fan
4	4-Way Switch	⊕	Exhaust Fan w/1 Light
5	Dimmer Switch	⊕	Exhaust Fan w/2 Light
⊕	Button	⊕	Smoke Detector
⊕	Dripout Outlet	⊕	Carbon Monoxide Detector
⊕	Garbage Outlet	⊕	Thermostat
⊕	Sealed Duplex Outlet	⊕	Direct Wire
FLOOR	Floor Outlet	⊕	Phone Jack
⊕	OT Outlet	⊕	Media Jack
⊕	Water Proof OT Outlet	⊕	Door TV Outlet
⊕	Calling Mounted Outlet	⊕	Door Chimes
⊕	220V Outlet	⊕	Security Panel
⊕	Calling Mounted Light	⊕	Fixed Light
⊕	Hanging Calling Mounted Light	⊕	Calling Fan w/1 Light
⊕	Calling Fan	⊕	Calling Fan w/2 Light

NO.	DESCRIPTION	DATE

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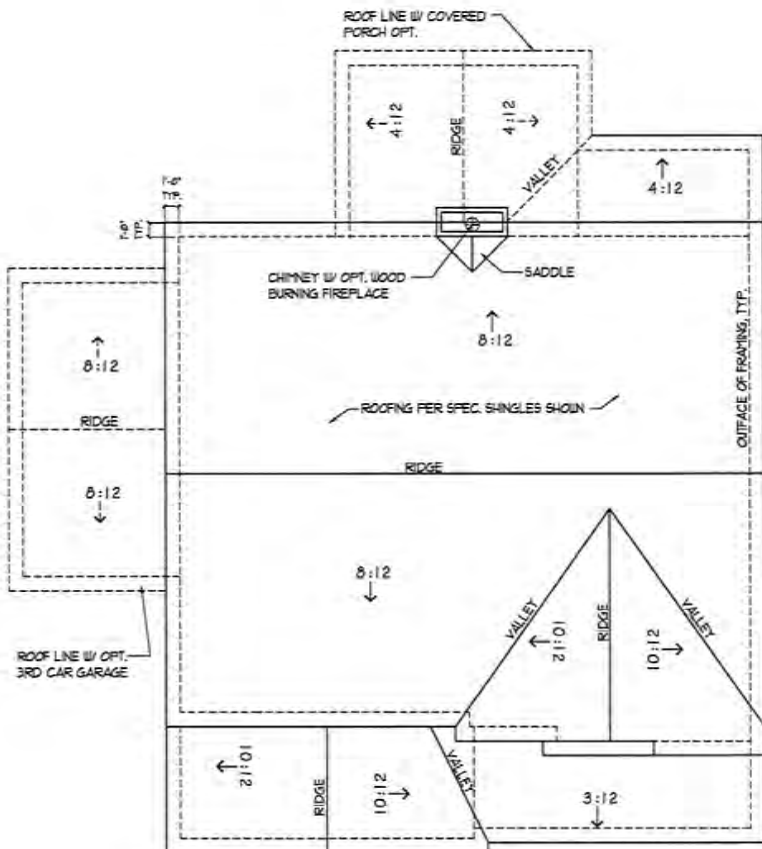
PROJECT NAME:
THE FARMINGTON
 GEORGIA ESTATES

CLIENT/BUILDER:
Southern Heritage
 390 BROGDON RD.,
 SUWANEE, GA 30024

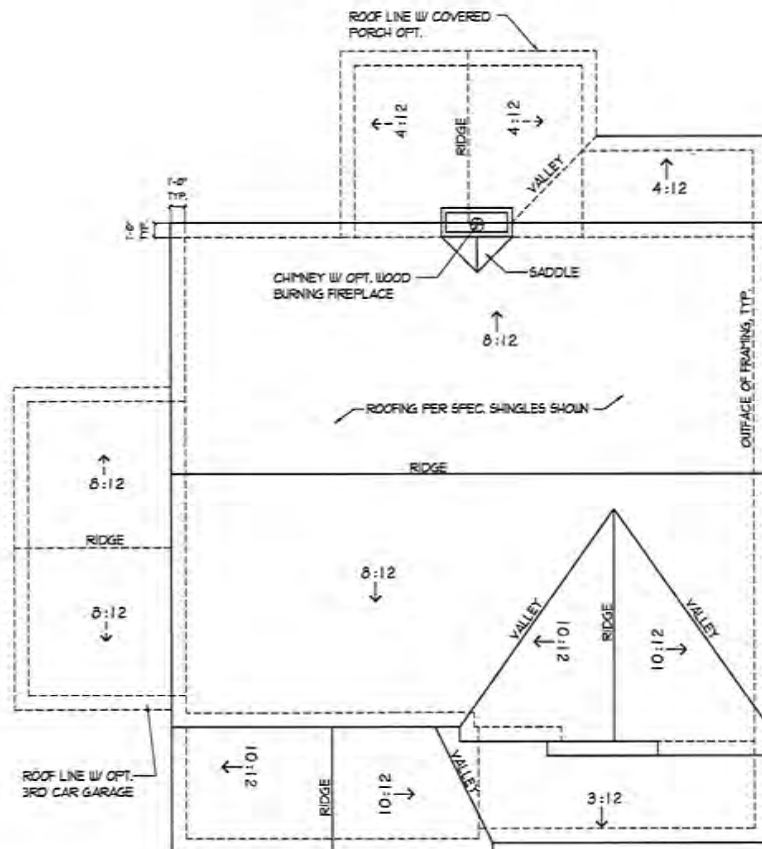
DATE/TITLE:
ELECTRICAL PLANS

DATE: 5/28/2022
 SCALE: AS NOTED
 DRAWN BY: GC
 SHEET NO.: 2022 - 1001
 SHEET: **A7.1**

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2 Roof Plan w/ 3rd Car Garage Opt - Side Entry
 SCALE: 1/4" = 1'-0"



1 Roof Plan w/ 3rd Car Garage Opt - Front Entry
 SCALE: 1/4" = 1'-0"

NO.	DESCRIPTION	DATE

DESIGNER:
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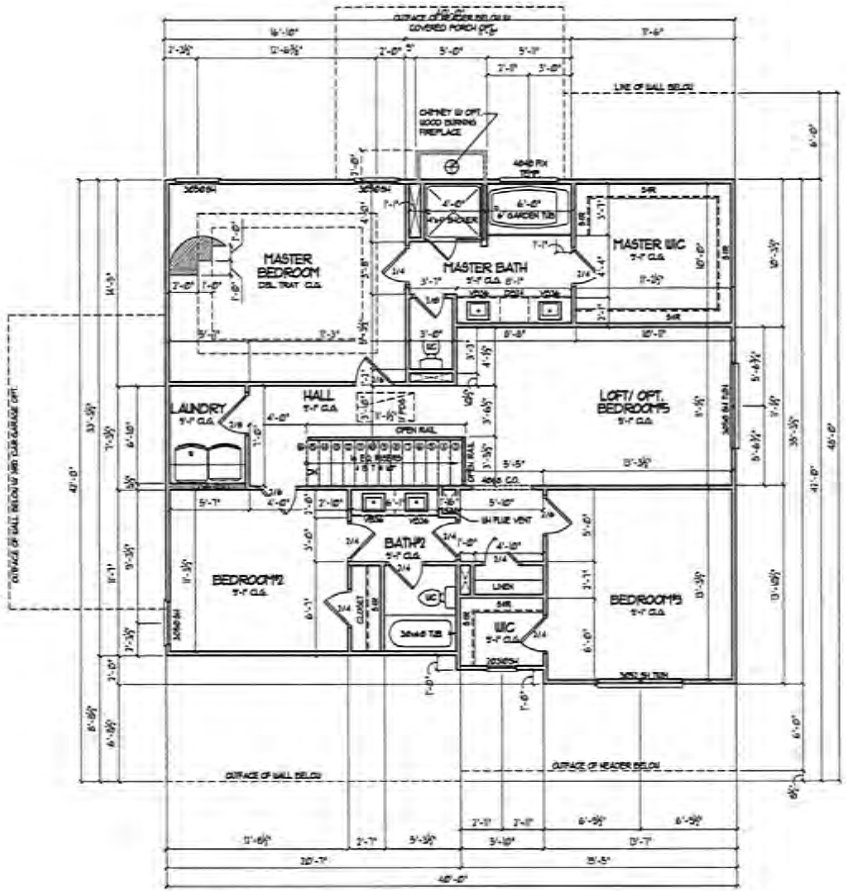
 SOUTHERN HERITAGE
 190 BROGDON RD.,
 SUWANEE, GA 30024

PROJECT TITLE:
**ROOF PLANS
 W/ OPTIONS**

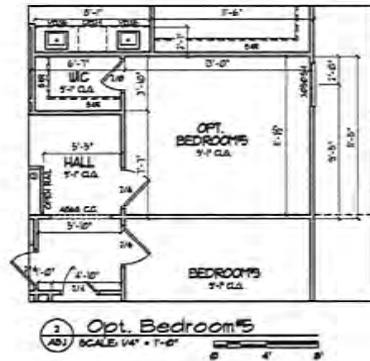
Date	5/20/2022
Client	AS NOTED
Drawn By	GC
Job No.	2022 - 1001
Sheet	A6.2

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SQUARE FOOTAGE	
MAIN LEVEL	1200
UPPER LEVEL	1172
TOTAL HEATED	2372
1 CAR GARAGE	464
FRONT PORCH	87
TOTAL HEATED	1,861
OPT. COVERED PORCH	144
OPT. 2ND CAR GARAGE	224



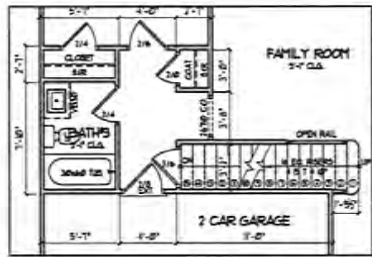
1 2nd Floor Plan
 A5.1 SCALE: 1/4" = 1'-0"



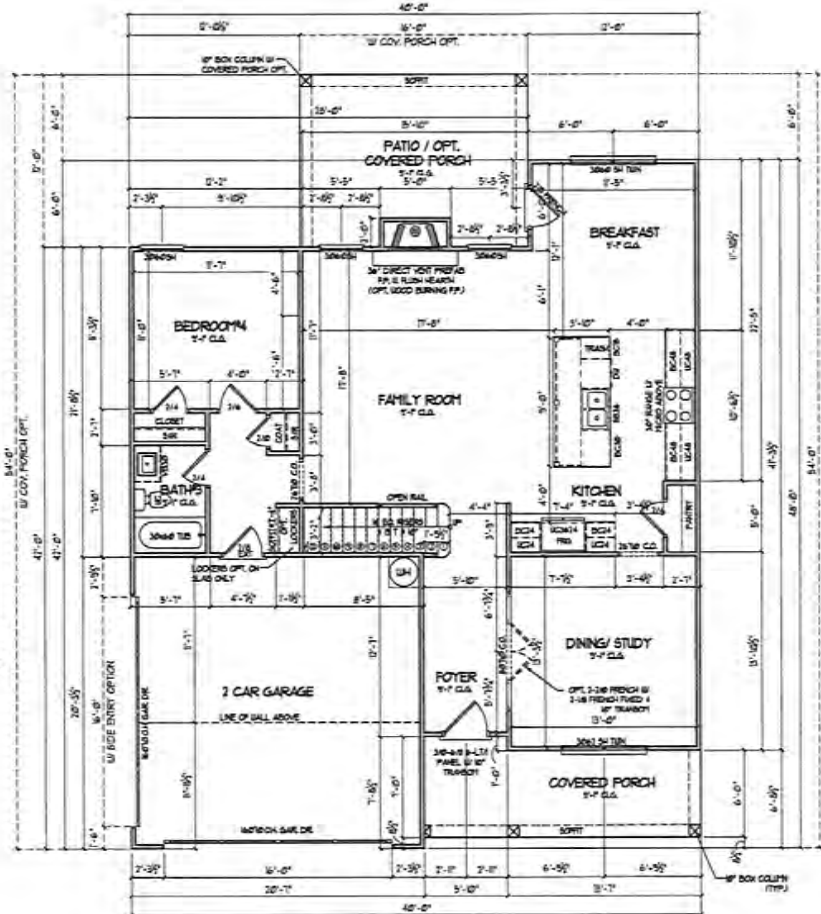
2 Opt. Bedroom 5
 A5.2 SCALE: 1/4" = 1'-0"

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	4841 BELLE ESTATES RD. SUWANEE, GEORGIA 30024 gc.viewpointdesign@gmail.com PHONE: (404) 518-0956	
PROJECT NAME:	THE FARMINGTON GEORGIA ESTATES	
CLIENT/BUILDER:	SOUTHERN HERITAGE 390 BRIGDON AD., SUWANEE, GA, 30024	
SHEET TITLE:	MAIL LEVEL W/ OPT. BONUS ROOM	
Date:	5/20/2022	
Scale:	AS NOTED	
Drawn By:	GC	
Job No.:	2022 - 1001	
Sheet:	A5.1	
NO	DESCRIPTION	DATE

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3 Stairs on Basement Condition
A4.1 SCALE: 1/4" = 1'-0"



1 1st Floor Plan
A4.1 SCALE: 1/4" = 1'-0"

	SQUARE FOOTAGE
MAIN LEVEL	3520
REAR P.C.A.	1372
TOTAL COVERED	3227
2 CAR GARAGE	49
FRONT PORCH	30
TOTAL UNCOVERED	3245
OPT. COVERED PORCH	164
OPT. 3RD CAR GARAGE	218

NO.	DESCRIPTION	DATE

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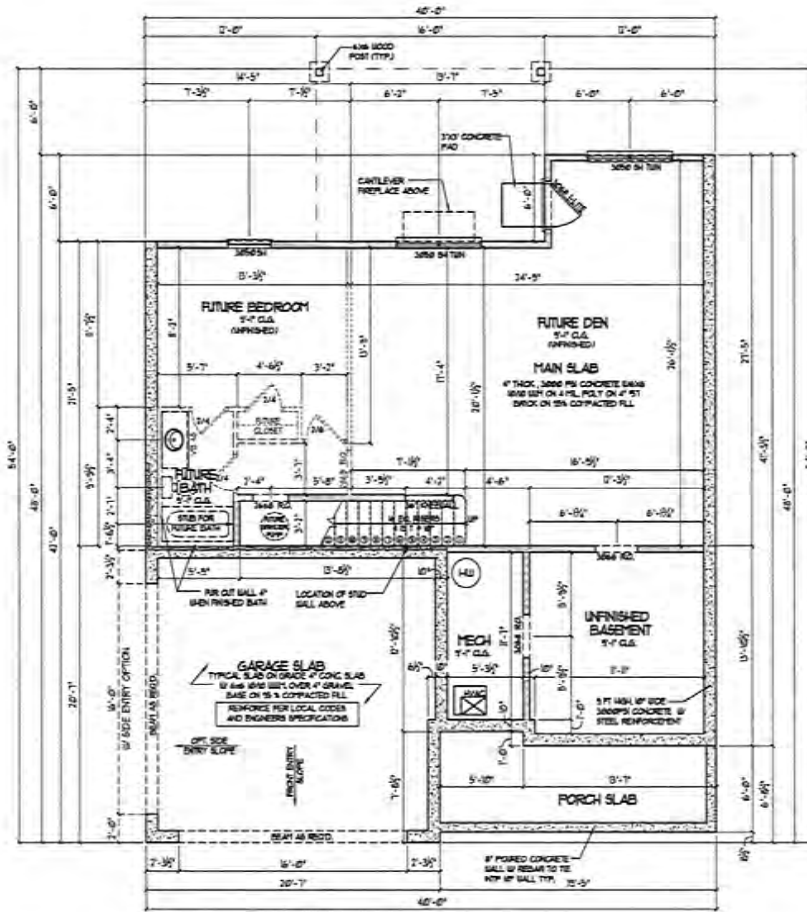
CLIENT/SUBJECT:
SOUTHERN RESERVE
 390 BRINDON RD.,
 SUWANEE, GA 30024

SHEET TITLE:
MAIN LEVEL FLOOR PLAN

Date: 5/20/2023
 Title: AS NOTED
 Drawn By: GC
 Job No.: 2023-1091

Sheet No.: **A4.1**

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1 Basement Floor Plan
 A3.3 SCALE: 1/4" = 1'-0"

NOTE:
 ALL INTERIOR BEARING WALLS ARE
 24" STEEL # 8 OC TYP. ALL
 HEADERS TO BE 2X6 UNLESS
 OTHERWISE NOTED.

NOTE:
 HATCHED WALL INDICATES
 LOAD BEARING WALL
 DASHED WALL INDICATES
 FUTURE DEN WALL
 • 8" OC GRADE BEAM UNDER ALL
 2x6 INTERIOR BEARING WALLS

NOTE:
 SHOW # DOOR LOCATION
 PER SITE CONDITIONS.
 SUPERINTENDENT TO VERIFY.

NOTE:
 NOTIFY IF FLOOR TRUSS PROVIDER
 ANY LOCATIONS FOR TACKLED
 SLABS PRIOR TO PLACEMENT OF
 CONCRETE SLAB.

ALL DIMENSIONS ARE TO
 OUTFACE OF FRAMING.

NO.	DESCRIPTION	DATE

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 4841 BELLE ESTATES RD.
 SUWANEE, GEORGIA 30024
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CONTRACTOR:
 THE FARMINGTON GEORGIA ESTATES
 350 BRUGDON RD., SUWANEE, GA 30024

PROJECT NAME:
THE FARMINGTON GEORGIA ESTATES

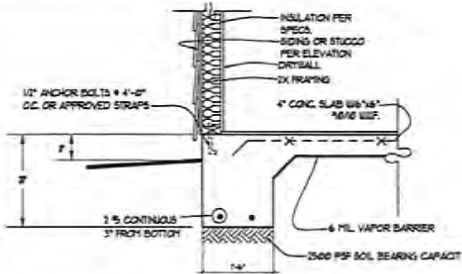
CLIENT: SOUTHERN HERITAGE
 350 BRUGDON RD., SUWANEE, GA 30024

PROJECT TITLE:
BASEMENT PLAN

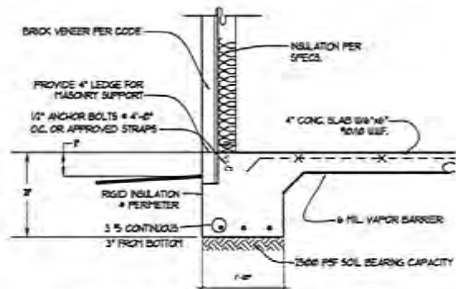
Date: 5/20/2022
 Title: AS NOTED
 Drawn By: UC
 Job No.: 2022 - 1001

Sheet:
A3.3

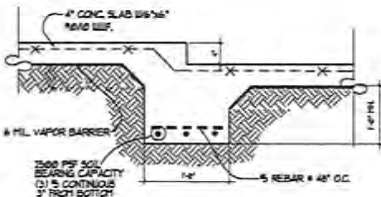
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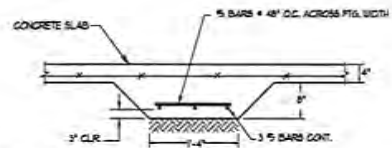
1 TURNDOWN SLAB SECTION W/O BRICK VENEER
SCALE: 1/8\"/>



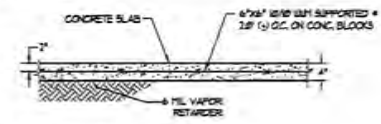
2 TURNDOWN SLAB SECTION W/ BRICK VENEER
SCALE: 1/8\"/>



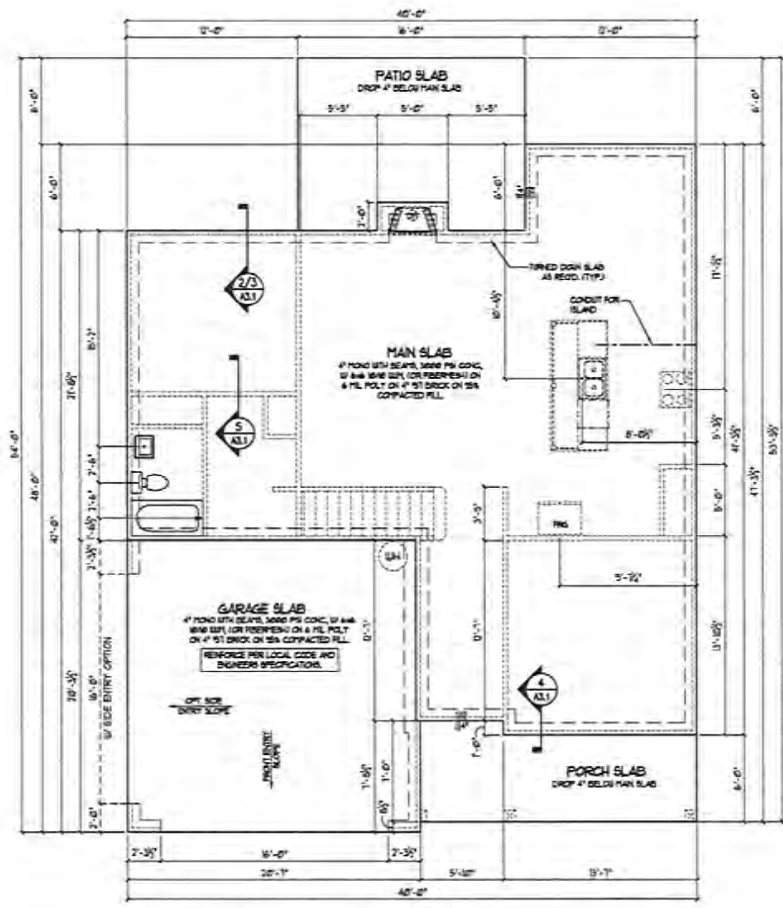
3 STEPPED SLAB SECTION
SCALE: 1/8\"/>



4 INTERIOR GRADE BEAM
SCALE: 1/8\"/>



5 TYPICAL SLAB ON GRADE
SCALE: 1/8\"/>



1 Slab Foundation Plan
SCALE: 1/4\"/>

NOTE:
VERIFY W/ FLOOR TEAM
PROVIDE ANY
LOCATIONS FOR
TYPED DOOR SLAB
PRIOR TO PLACEMENT
OF CONCRETE SLAB.

VERIFY ALL GRADE BEAM
LOCATIONS PRIOR TO
POURING OF CONCRETE.

NOTE: LOCATE GRADE
BEAMS UNDER ALL LOAD
BEARING WALLS.

NO.	DESCRIPTION	DATE

DESIGNER:
**VIEWPOINT
DESIGN**
4841 BELLE ESTATES RD.
SUWANEE, GEORGIA 30024
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F: 404.271.8801
www.viewpointdesign.com

CONTRACT NO. 2022-1001
PROJECT NO. 2022-1001
DATE: 3/20/2022

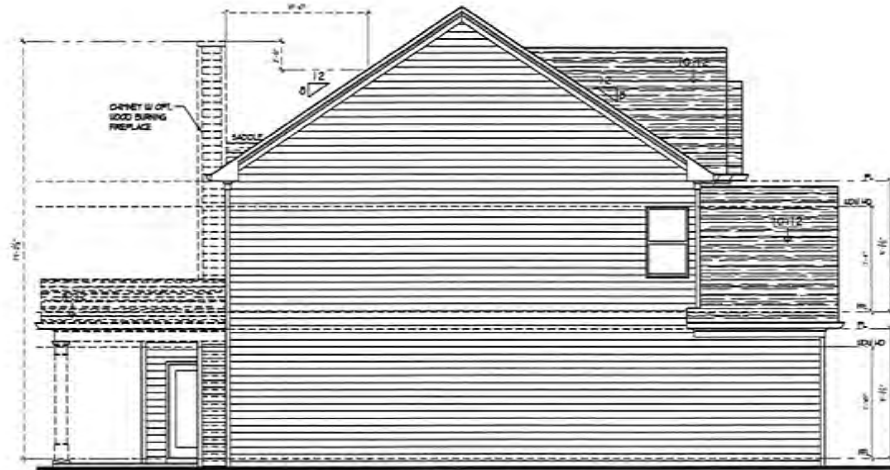
PROJECT NAME:
**THE FARMINGTON
GEORGIA ESTATES**

CLIENT/BUILDER:
**SOUTHERN PREMIER
- LLC -**
393 BROGDON RD.,
SUWANEE, GA 30024

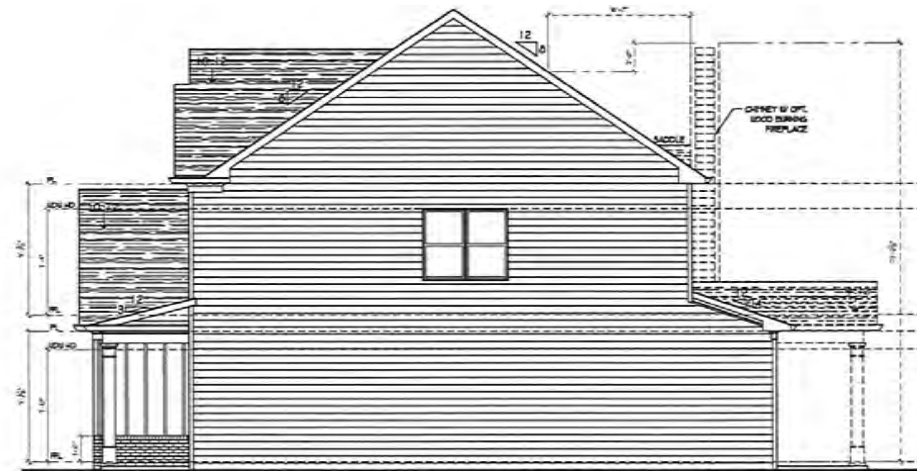
SLAB PLAN

Date: 3/20/2022
Scale: AS NOTED
Drawn By: GC
Job No.: 2022-1001

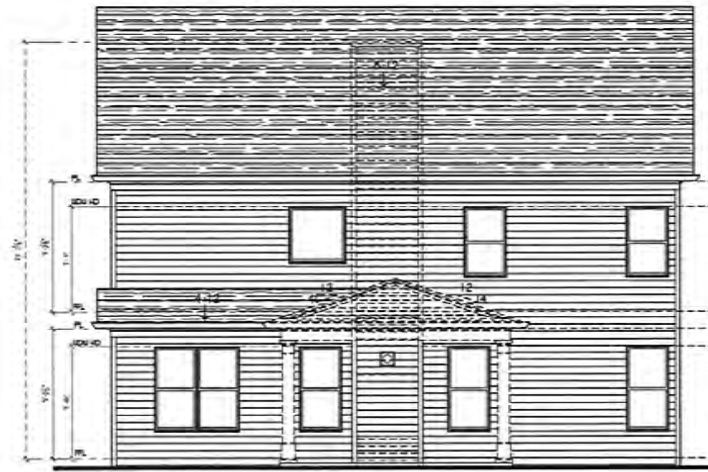
Sheet No.: **A3.1**



1 Left Side Elevation w/ Covered Porch Opt.
A2.2 SCALE: 1/4" = 1'-0"



2 Right Side Elevation w/ Covered Porch Opt.
A2.2 SCALE: 1/4" = 1'-0"



3 Rear Elevation w/ Opt. Covered Porch
A2.2 SCALE: 1/4" = 1'-0"

NO.	DESCRIPTION	DATE

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 pc@viewpointdesign@gmail.com
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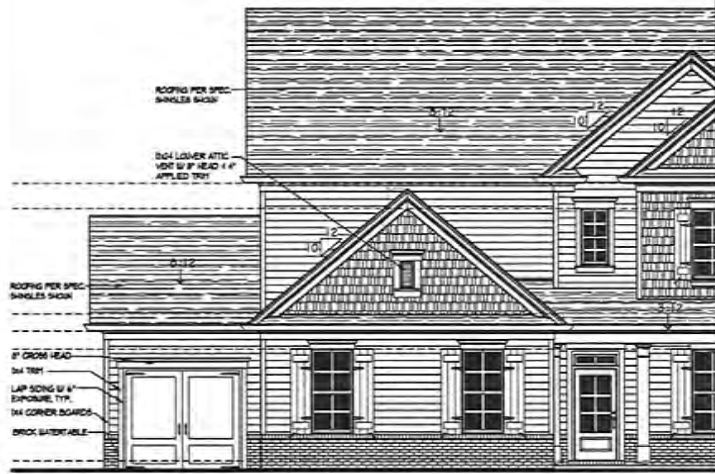
CLIENT BUILDER:
SOUTHERN HERITAGE
 190 BRIDGTON RT.,
 SUWANEE, GA 30024

SHEET TITLE:
 SIDES & REAR W/
 COV. PORCH OPT.

Date: 5/20/2022
 Scale: AS NOTED
 Drawn By: GC
 Job No: 2022 - 1001

A2.2

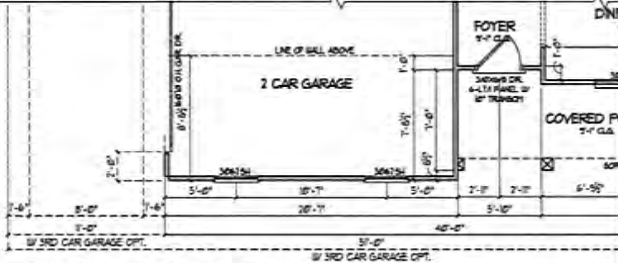
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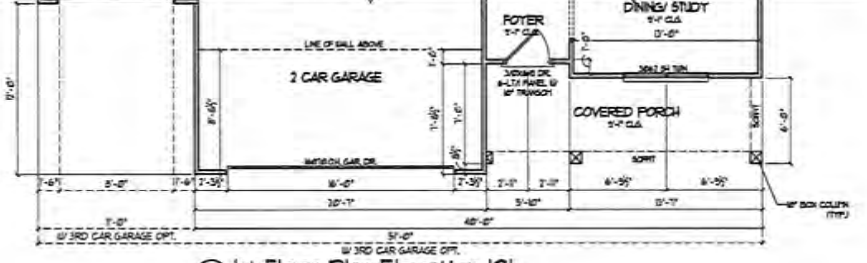
4 Front Elevation 'C' w/ 3rd Car Garage Opt.-Side entry
 (ALL) SCALE: 1/4" = 1'-0"



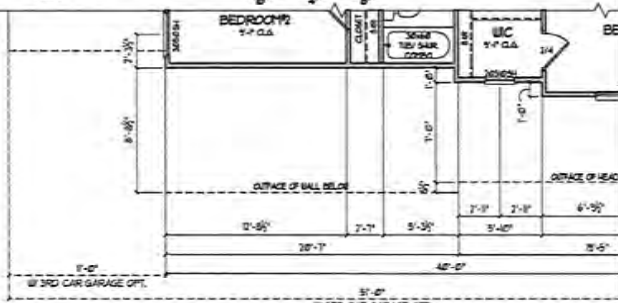
1 Front Elevation 'C' w/ 3rd Car Garage Opt.-Front entry
 (ALL) SCALE: 1/4" = 1'-0"



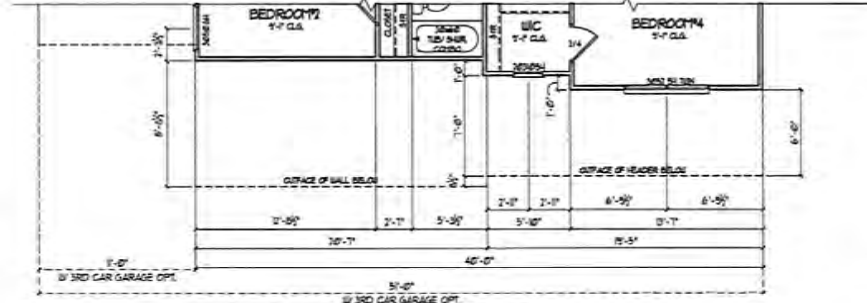
5 1st Floor Plan Elevation 'C'
 (ALL) SCALE: 1/4" = 1'-0"



2 1st Floor Plan Elevation 'C'
 (ALL) SCALE: 1/4" = 1'-0"



6 2nd Floor Plan Elevation 'C'
 (ALL) SCALE: 1/4" = 1'-0"



3 2nd Floor Plan Elevation 'C'
 (ALL) SCALE: 1/4" = 1'-0"

NO.	DESCRIPTION	DATE

DESIGNER: **VIEWPOINT DESIGN**
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 SUWANEE, GEORGIA 30024
 viewpointdesign@gmail.com
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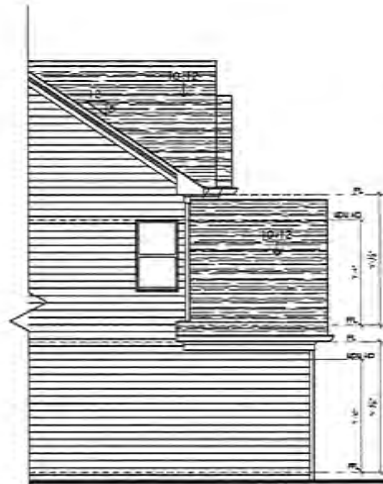
PROJECT NAME: **THE FARMINGTON GEORGIA ESTATES**

CLIENT: **SOUTHERN REHAB**
 390 BRIDGEMAN BLVD.
 SUWANEE, GA 30024

SHEET TITLE: **ELEVATION 'C' W/ GARAGE OPT**

Date: 5/20/2022
 Title: AS NOTED
 Drawn By: GC
 Job No.: 2022-1001

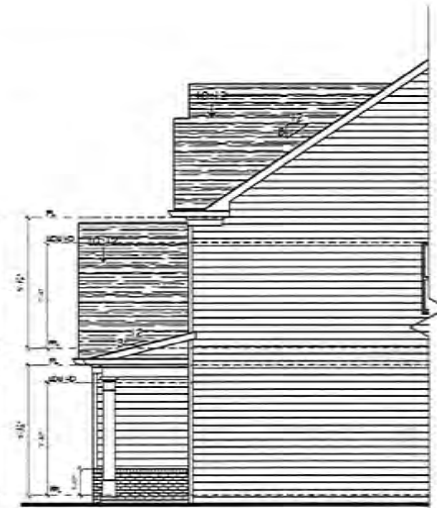
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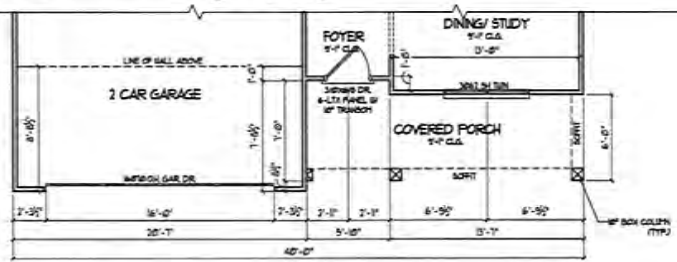
4 Left Side Elevation 'C'
 ALL SCALE: 1/4" = 1'-0"
 0 4' 8'



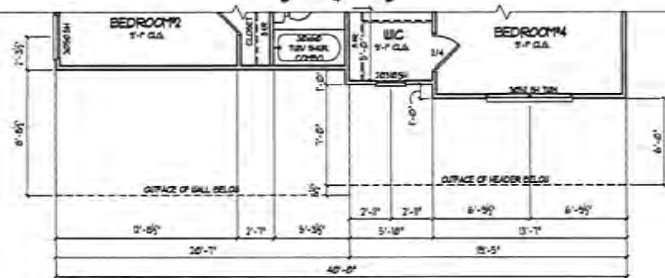
1 Front Elevation 'C'
 ALL SCALE: 1/4" = 1'-0"
 0 4' 8'



3 Right Side Elevation 'C'
 ALL SCALE: 1/4" = 1'-0"
 0 4' 8'



2 1st Floor Plan Elevation 'C'
 ALL SCALE: 1/4" = 1'-0"
 0 4' 8'



3 2nd Floor Plan Elevation 'C'
 ALL SCALE: 1/4" = 1'-0"
 0 4' 8'

NO.	DESCRIPTION	DATE

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CLIENT/BUILDER:
Southern Package
 310 BRIGDON RD.,
 SUWANEE, GA 30024

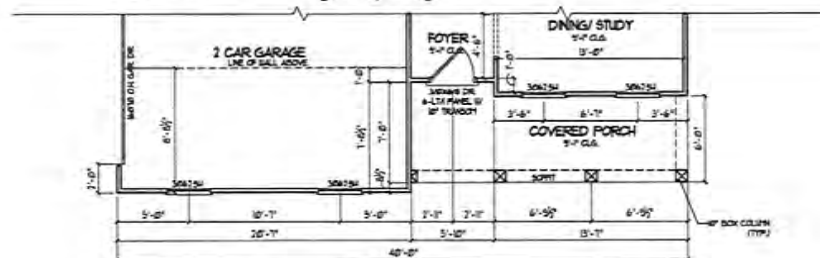
DRAWN TITLE:
**ELEVATION 'C'
 FRONT ENTRY**

Date:	5/20/2022
Scale:	AS NOTED
Drawn By:	GC
Job No.:	2022 - 1001
Sheet:	A1.3

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1 Front Elevation 'B'
 A1.2 SCALE: 1/4" = 1'-0"



2 1st Floor Plan Elevation 'B'
 A1.2 SCALE: 1/4" = 1'-0"



3 2nd Floor Plan Elevation 'B'
 A1.2 SCALE: 1/4" = 1'-0"

NO.	DESCRIPTION	DATE

DESIGNER:
VIEWPOINT DESIGN
 4841 BELLE ESTATES RD.
 SUWANEE, GEORGIA 30024
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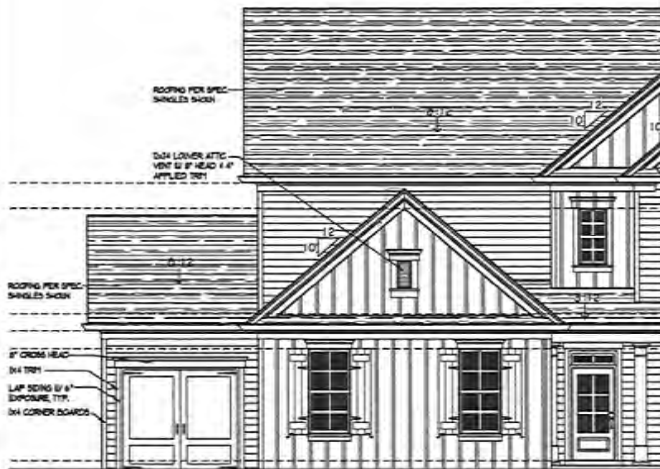
PROJECT NAME:
THE FARMINGTON
 GEORGIA ESTATES

CLIENT/BUILDER:
SOUTHERN HERITAGE
 390 BROOKDON RD.,
 SUWANEE, GA 30024

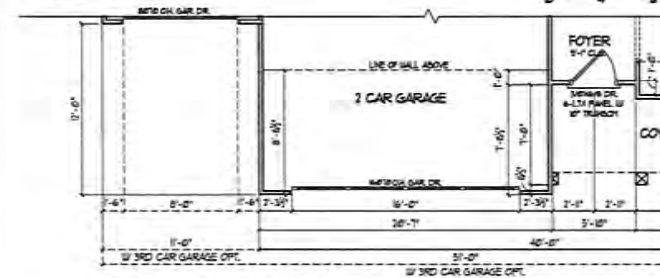
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**ELEVATION 'B'
 SIDE ENTRY**

Date	5/20/2022
Scale	AS NOTED
Drawn By	GC
Job No.	2022 - 1001
Sheet	A1.2

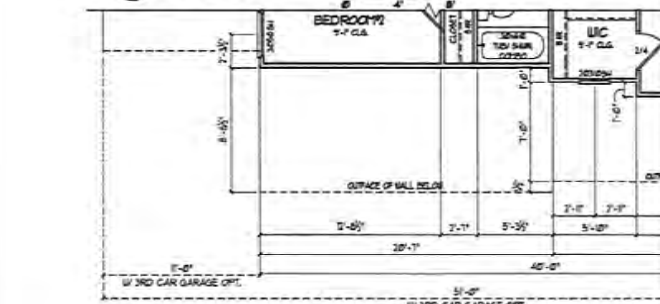
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4 Front Elevation 'A' w/ 3rd Car Garage Opt.-Side entry
 ALL SCALE: 1/4" = 1'-0"



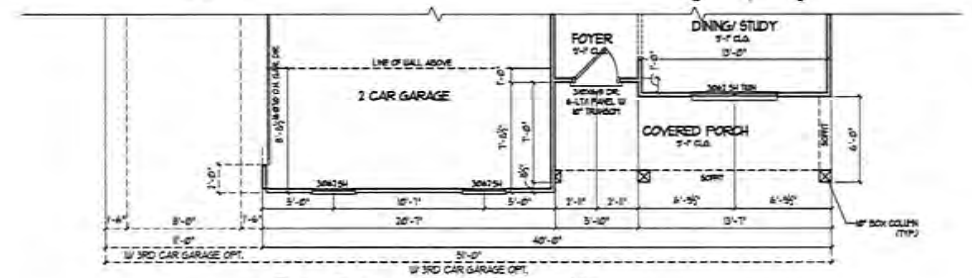
3 1st Floor Plan Elevation 'A'
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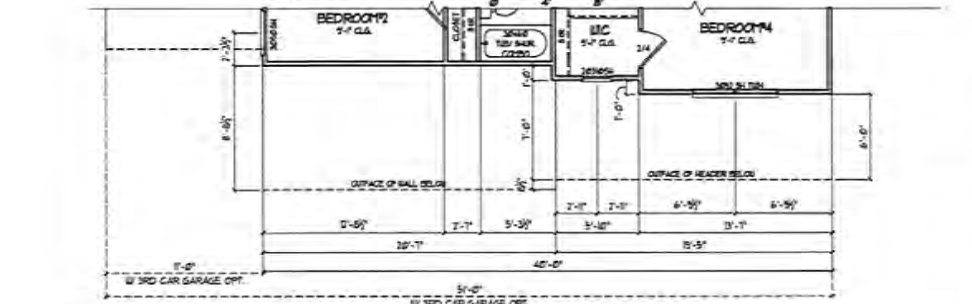
2 2nd Floor Plan Elevation 'A'
 ALL SCALE: 1/4" = 1'-0"



1 Front Elevation 'A' w/ 3rd Car Garage Opt.-Front entry
 ALL SCALE: 1/4" = 1'-0"



2 1st Floor Plan Elevation 'A'
 ALL SCALE: 1/4" = 1'-0"



3 2nd Floor Plan Elevation 'A'
 ALL SCALE: 1/4" = 1'-0"

NO.	DESCRIPTION	DATE

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 PHONE: (404) 518-0956

PROJECT NAME: **THE FARMINGTON**
 GEORGIA ESTATES

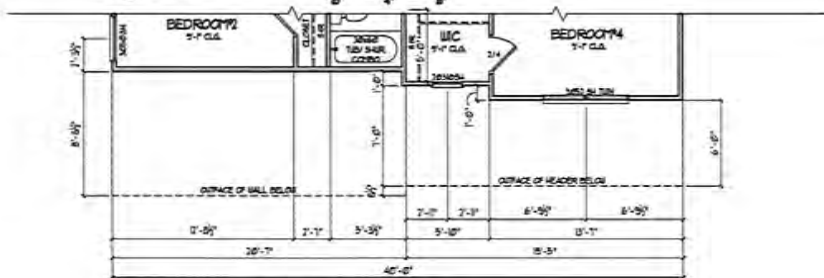
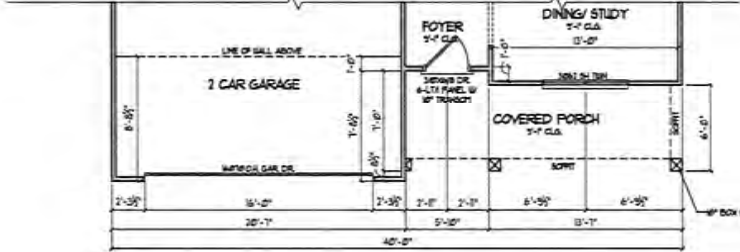
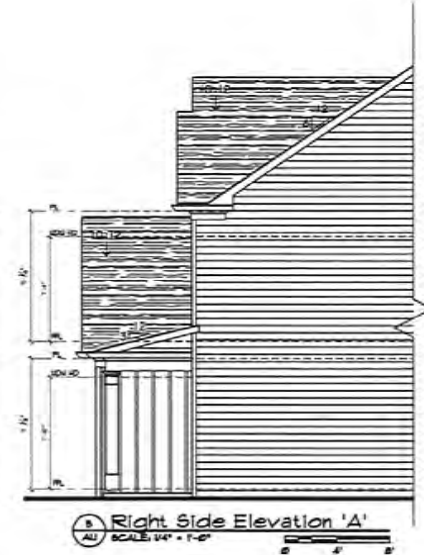
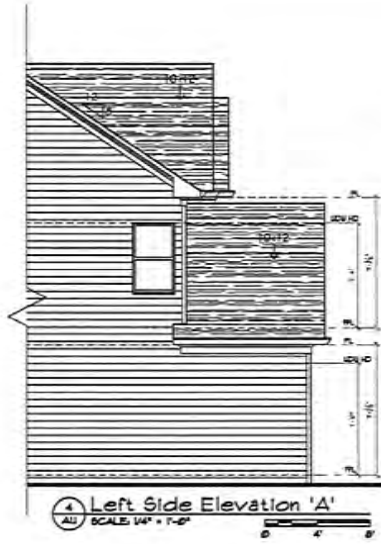
CLIENT/BUILDER: **Southern Habitat**
 390 BRIGGS RD.,
 SUWANEE, GA 30024

SHEET TITLE: **ELEVATION 'A' W/GARAGE OPT**

Date: 5/20/2022
 Scale: AS NOTED
 Drawn By: GC
 Job No.: 2022-1001

Sheet No.: **A1.1.1**

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PROJECT NAME:	THE FARMINGTON GEORGIA ESTATES
CLIENT:	SOUTHERN HERITAGE
SHEET TITLE:	ELEVATION 'A' FRONT ENTRY
DATE:	5/20/2022
SCALE:	AS NOTED
DRAWN BY:	GC
JOB NO.:	2022-1001
SHEET NO.:	A1.1

DESIGNER: **VIEWPOINT DESIGN**
4841 BELLE ESTATES RD.
SUWANEE, GEORGIA 30024
gc.viewpointdesign@gmail.com
PHONE: (404) 518-0956

PROJECT NAME: **THE FARMINGTON GEORGIA ESTATES**

CLIENT: **SOUTHERN HERITAGE**
390 BRUGDON RD.,
SUWANEE, GA 30024

SHEET TITLE: **ELEVATION 'A' FRONT ENTRY**

DATE: 5/20/2022
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THE LAKEHURST

GEORGIA ESTATES



ELEVATION A



ELEVATION B



ELEVATION C

BUILDING CODE ANALYSIS

USE GROUP: SINGLE FAMILY DWELLING
CONSTRUCTION CLASS: UNPROTECTED
HEIGHT & AREA LIMITATION: 1 STORY MAXIMUM HGT. 35 FT. EGRESS OR RESCUE WINDOWS FROM SLEEPING ROOMS SHALL HAVE A MINIMUM OF 5.7 SQ. FT.
EMERGENCY ESCAPE:
GARAGE (HOUSE CEILING / HOUSE ASSEMBLY): 10" GYPSUM BO. WALL & CEILING W/ 20 MINUTE GARAGE/ HOUSE DOOR
DECK LOADS: LIVE LOAD: SLEEPING + 30 PSF NON-SLEEPING + 40 PSF DECKS + 40 PSF DEAD LOAD + 10 PSF BASIC WIND SPEED + 60 MPH STAIR LOAD + 40 PSF ROOF LIVE LOAD + 20 PSF LATERAL SOIL PRESSURE + 30 PCF (ASSUMED)
ATTIC VENTILATION (EXAMPLE): 3368 SF / 300 = 11.23 SF FREE AREA REQ'D RIDGE VENT + 20 LF X 200 FREE AREA/LF + 331 SF, PROVIDED SORFTY VENT + 54 LF X 245 FREE AREA/LF + 243 SF, PROVIDED

NOTE: VERIFY ALL APPLICABLE BUILDING CODES WITH STATE AND LOCAL JURISDICTION PRIOR TO CONSTRUCTION.

DRAWING INDEX

- C0.0 COVER SHEET
- A1 ELEVATION A - FRONT LOAD GARAGE
- A1.1 ELEVATION A' - SIDE LOAD GARAGE
- A1.2 ELEVATION B' - FRONT LOAD GARAGE
- A1.3 ELEVATION B' - SIDE LOAD GARAGE
- A1.4 ELEVATION C - FRONT LOAD GARAGE
- A1.5 ELEVATION C' - SIDE LOAD GARAGE
- A2 SIDES & REAR ELEVATIONS
- A2.1 SIDES & REAR ELEVATIONS W/ COVERED PORCH OPT.
- A2.2 LEFT SIDE ELEVATIONS W/ 3RD CAR GARAGE OPT.
- A2.3 REAR ELEVATIONS W/ 3RD CAR GARAGE OPT.
- A3 SLAB PLAN
- A3.1 SLAB PLAN W/ 3RD CAR GARAGE OPT.
- A3.2 BASEMENT PLAN
- A3.3 BASEMENT PLAN W/ 3RD CAR GARAGE OPT.
- A4 MAIN FLOOR PLAN
- A4.1 MAIN FLOOR PLAN W/ 3RD CAR GARAGE OPT.
- A5 UPPER FLOOR PLAN
- A5.1 ROOF PLAN
- A6.1 ROOF PLAN W/ 3RD CAR GARAGE OPT.
- A7 ELECTRICAL PLAN

FLOOR PLANS



AREA CALCULATION

61' x 49' 
 50' x 49' 

	SQUARE FOOTAGE
MAIN LEVEL	1483
UPPER LEVEL	129
TOTAL HEATED	1612
3 CAR GARAGE	68
FRONT PORCH	84
UNHEATED ATTIC STORAGE	41
TOTAL TRAVED	1705
OPT. REAR COVERED PORCH	102
OPT. 3RD CAR GARAGE	216

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APPLICABLE COUNTY ORDINANCES REQUIRE THE SUBMITTER AND OTHER PARTICIPANTS TO BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND NOT TO BE CONSIDERED AS A CONTRACTOR OR ARCHITECT UNLESS SO INDICATED. THE SUBMITTER AND OTHER PARTICIPANTS SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND NOT TO BE CONSIDERED AS A CONTRACTOR OR ARCHITECT UNLESS SO INDICATED. THE SUBMITTER AND OTHER PARTICIPANTS SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND NOT TO BE CONSIDERED AS A CONTRACTOR OR ARCHITECT UNLESS SO INDICATED.

PROJECT NAME:
THE LAKEHURST
 GEORGIA ESTATES

CLIENT/OWNER:

 390 BRUGDON RD.,
 SUWANEE, GA 30024

DRAWING TITLE:
 COVER SHEET

Date: 5/20/2022
Drawn by: AS NOTED
Drawn by: GC
Date: 2022 - 1001

Sheet: C0.0

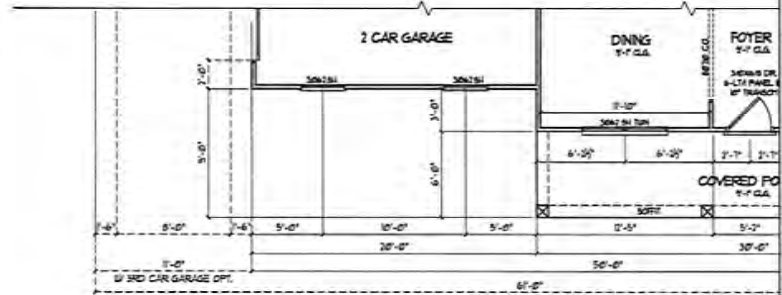
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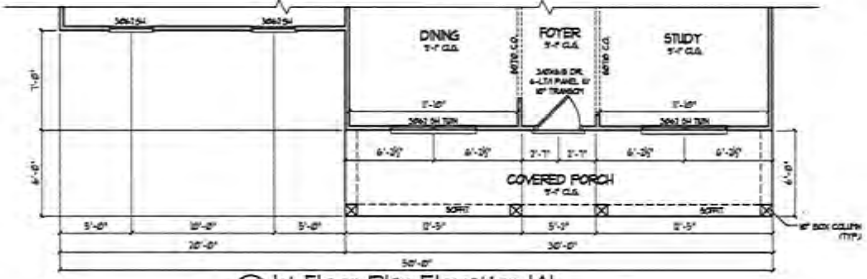
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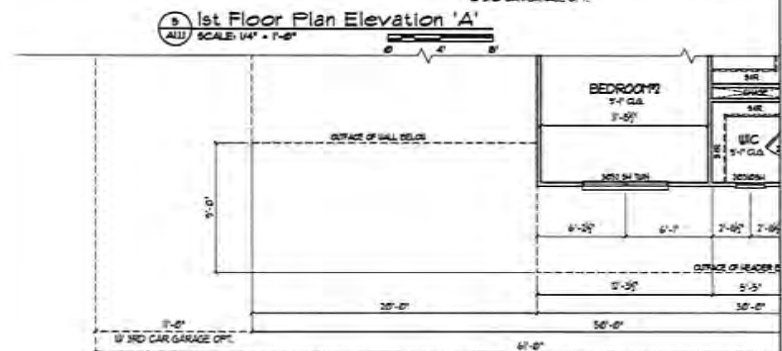
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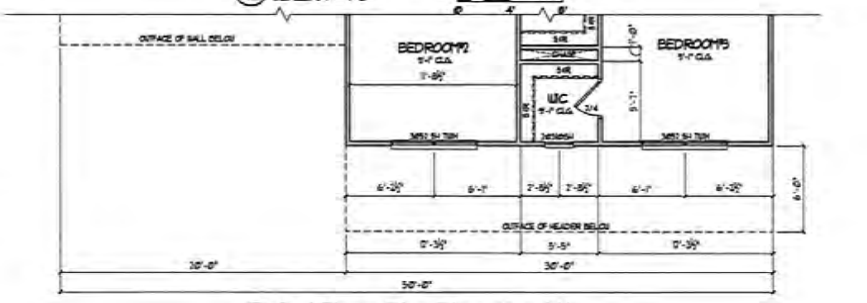
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 SCALE: 1/4" = 1'-0"



2 1st Floor Plan Elevation 'A'
 SCALE: 1/4" = 1'-0"



3 2nd Floor Plan Elevation 'A'
 SCALE: 1/4" = 1'-0"



3 2nd Floor Plan Elevation 'A'
 SCALE: 1/4" = 1'-0"

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CLIENT: BUILDER
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CLIENT: BUILDER
SOUTHERN HERITAGE
 370 BRINDLETON RD.,
 SUWANEE, GA 30024

SHEET TITLE
**ELEVATION 'A'
 SIDE ENTRY**

Date: 5/20/2022
 Scale: AS NOTED
 Drawn By: GC
 Job No.: 2022 - 1001
 Sheet:

A1.1.1

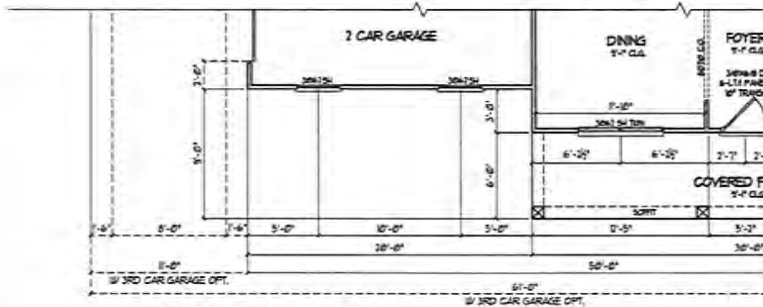
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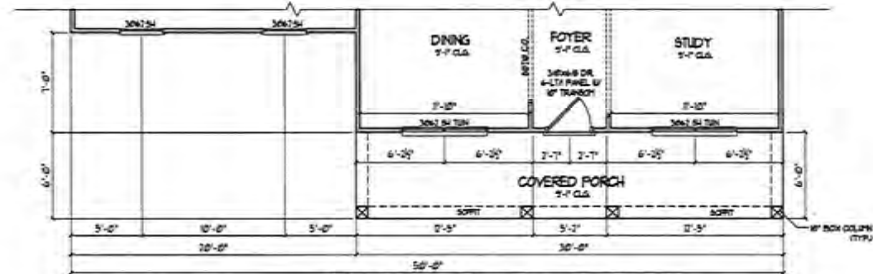
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SCALE: 1/4" = 1'-0"



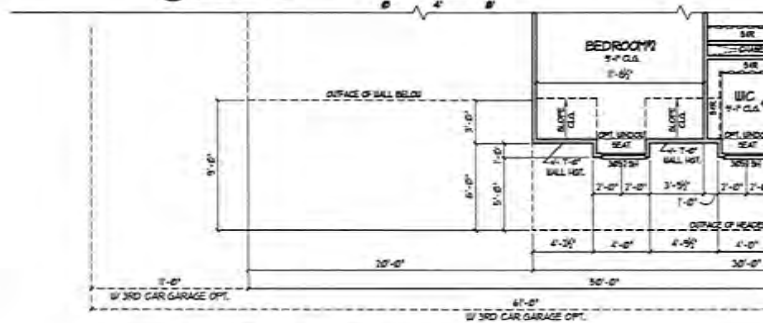
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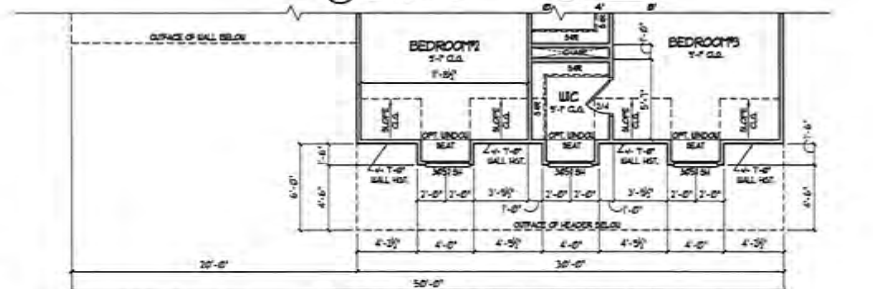
5 1st Floor Plan Elevation 'B'
SCALE: 1/4" = 1'-0"



2 1st Floor Plan Elevation 'B'
SCALE: 1/4" = 1'-0"



3 2nd Floor Plan Elevation 'B'
SCALE: 1/4" = 1'-0"



3 2nd Floor Plan Elevation 'B'
SCALE: 1/4" = 1'-0"

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CLIENT BUILDER:
SOUTHERN FRONTIER
 390 BROGDON RD.,
 SUWANEE, GA 30024

SHEET TITLE:
**ELEVATION 'B'
 SIDE ENTRY**

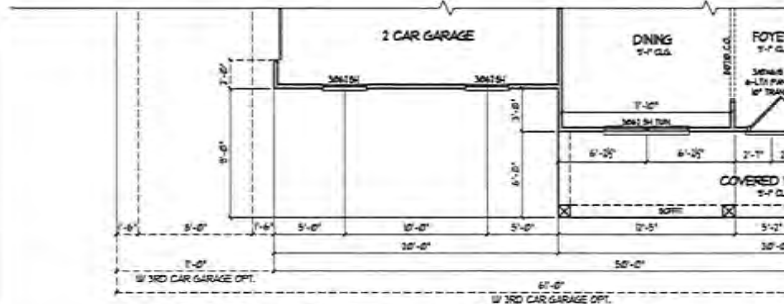
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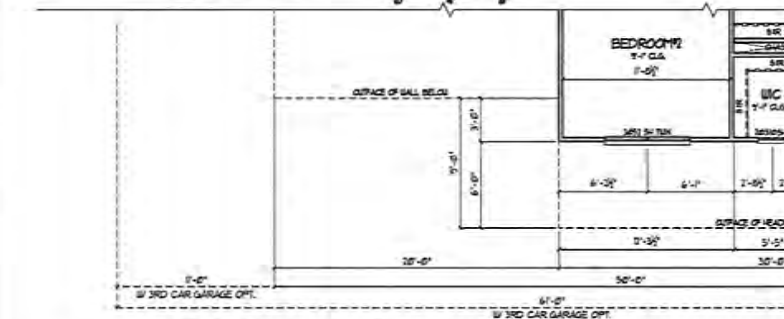
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1 Front Elevation 'C' w/ 3rd Car Garage Opt.-Side Entry
 ALL SCALE: 1/4" = 1'-0"



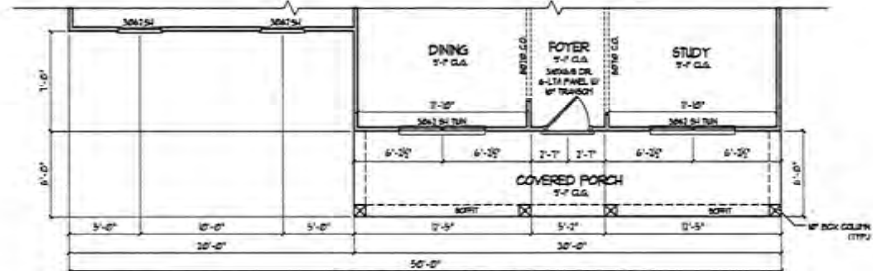
2 1st Floor Plan Elevation 'C'
 ALL SCALE: 1/4" = 1'-0"



3 2nd Floor Plan Elevation 'C'
 ALL SCALE: 1/4" = 1'-0"



1 Front Elevation 'C'
 ALL SCALE: 1/4" = 1'-0"



2 1st Floor Plan Elevation 'C'
 ALL SCALE: 1/4" = 1'-0"



3 2nd Floor Plan Elevation 'C'
 ALL SCALE: 1/4" = 1'-0"

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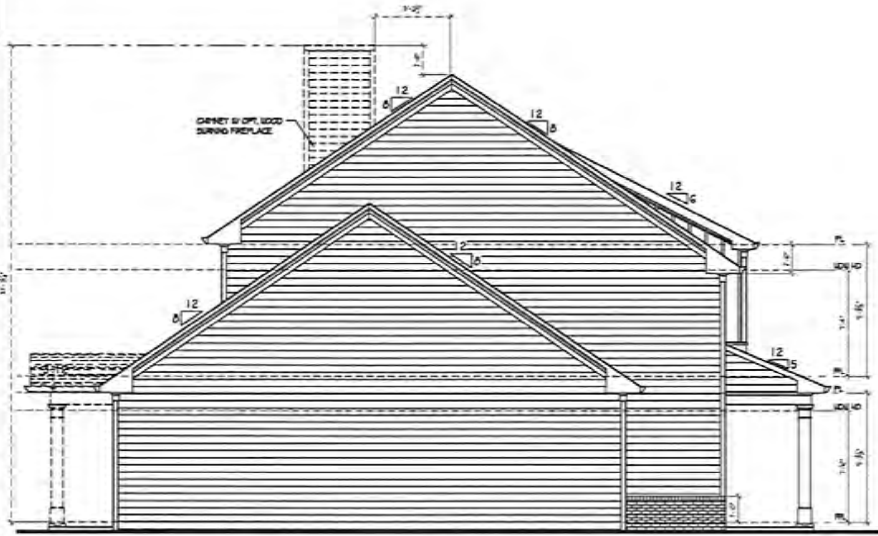
CLIENT BUILDER:
Southern Heritage
 370 BRUGDON RD.,
 SUWANEE, GA 30024

SHEET TITLE:
**ELEVATION 'C'
 SIDE ENTRY**

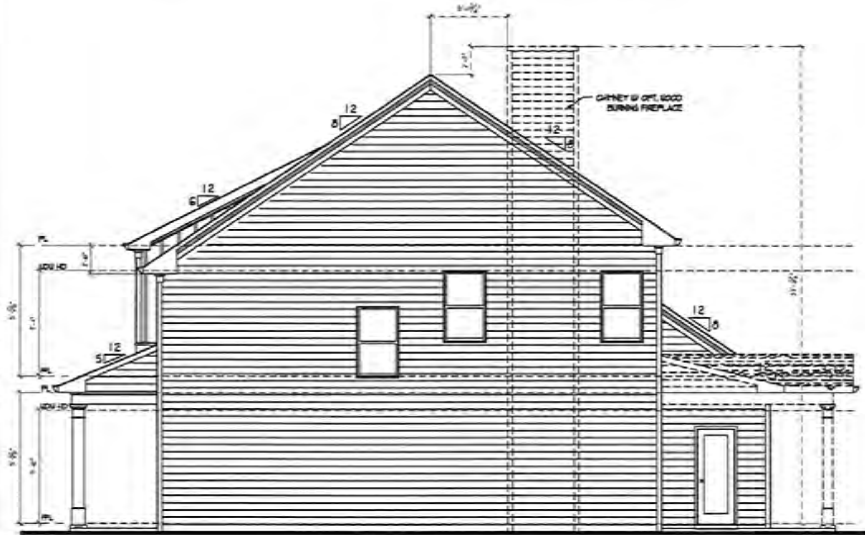
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1 Left Side Elevation w/ Covered Porch Opt.
SCALE: 1/4" = 1'-0"



2 Right Side Elevation w/ Covered Porch Opt.
SCALE: 1/4" = 1'-0"



4 Rear Elevation w/ Covered Porch Opt.
SCALE: 1/4" = 1'-0"

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 GEORGIA ESTATES

CLIENT/BUILDER:

 390 BROGHTON RD.,
 SUWANEE, GA 30024

DRAWN TITLE:
 SIDES & REAR W/
 COV. PORCH OPT.

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1 Rear Elevation w/ 3rd Car Garage Opt.
SCALE: 1/4" = 1'-0"



2 Rear Elevation w/ Covered Porch & 3rd Car Garage Opt.
SCALE: 1/4" = 1'-0"

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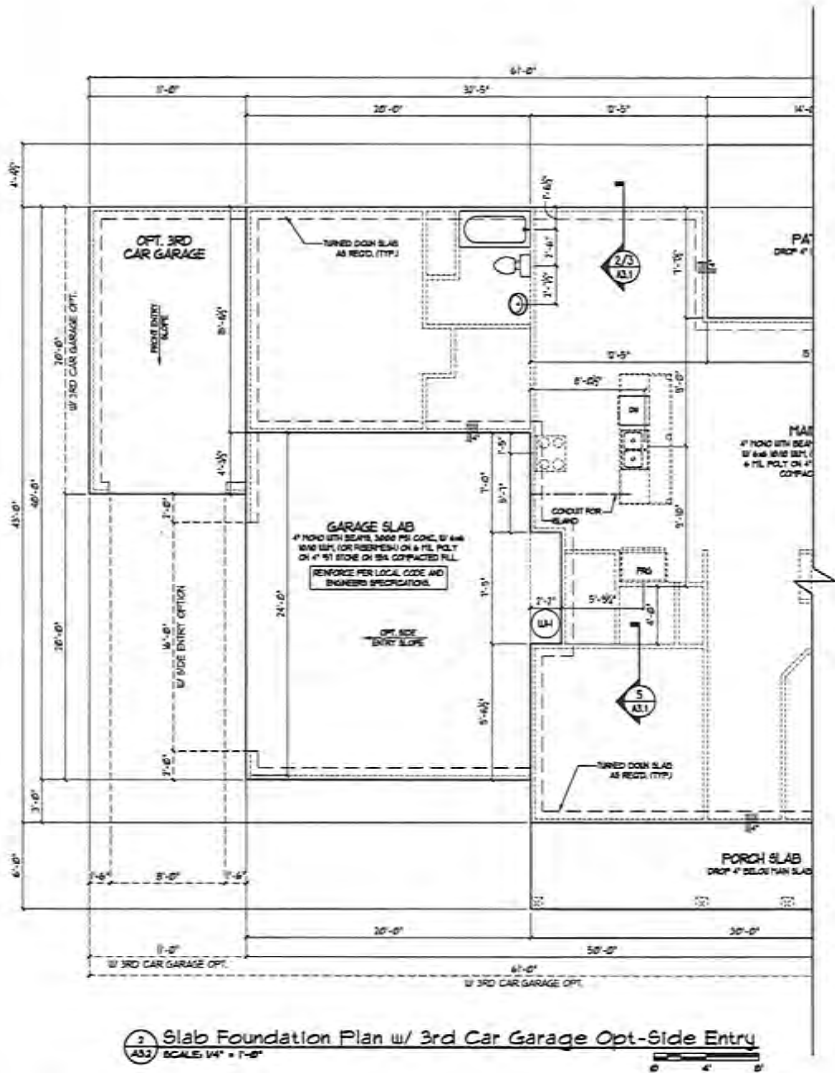
 390 BIRCHGLEN RD.,
 SUWANEE, GA 30024

SHEET TITLE:
 REAR ELEVATION W/
 3RD CAR GARAGE

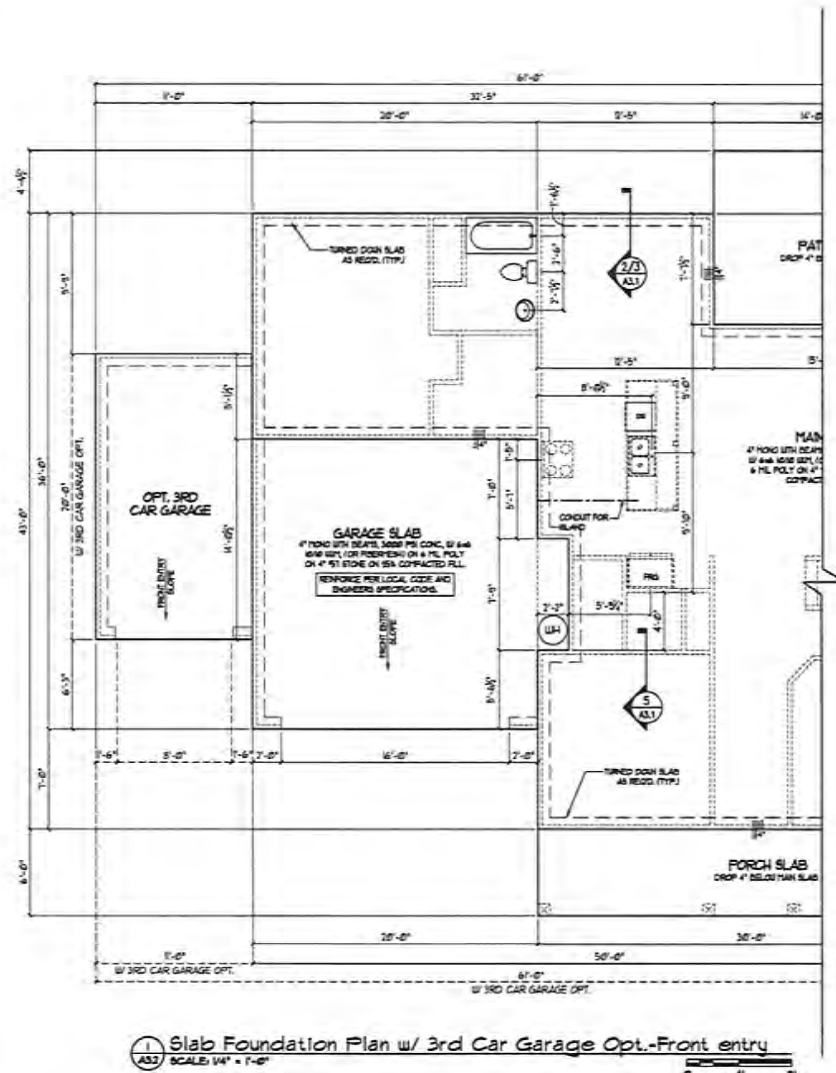
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2 Slab Foundation Plan w/ 3rd Car Garage Opt-Side Entry
 SCALE: 1/4" = 1'-0"
 0 4 8



1 Slab Foundation Plan w/ 3rd Car Garage Opt-Front Entry
 SCALE: 1/4" = 1'-0"
 0 4 8

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CLIENT: SOUTHERN HERITAGE
 390 BRIDGTON RD.,
 SUWANEE, GA 30024

PROJECT NAME:
THE LAKEHURST
 GEORGIA ESTATES

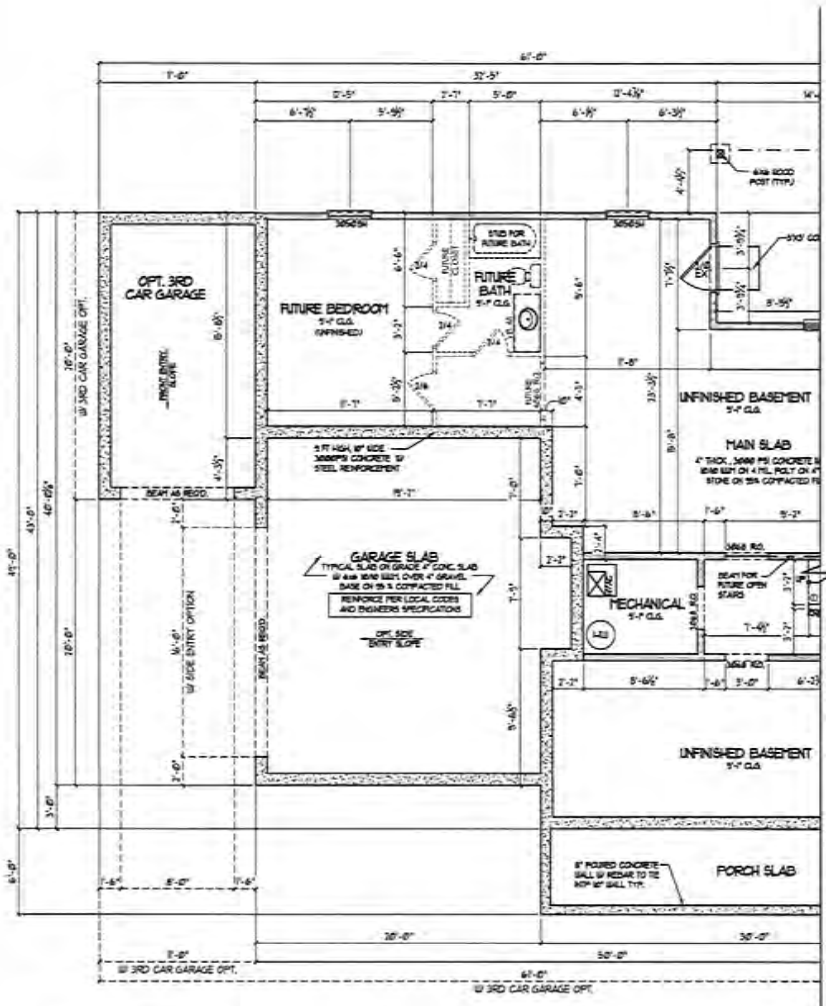
CLIENT: SOUTHERN HERITAGE
 390 BRIDGTON RD.,
 SUWANEE, GA 30024

SLAB PLAN
 W/ GARAGE OPT

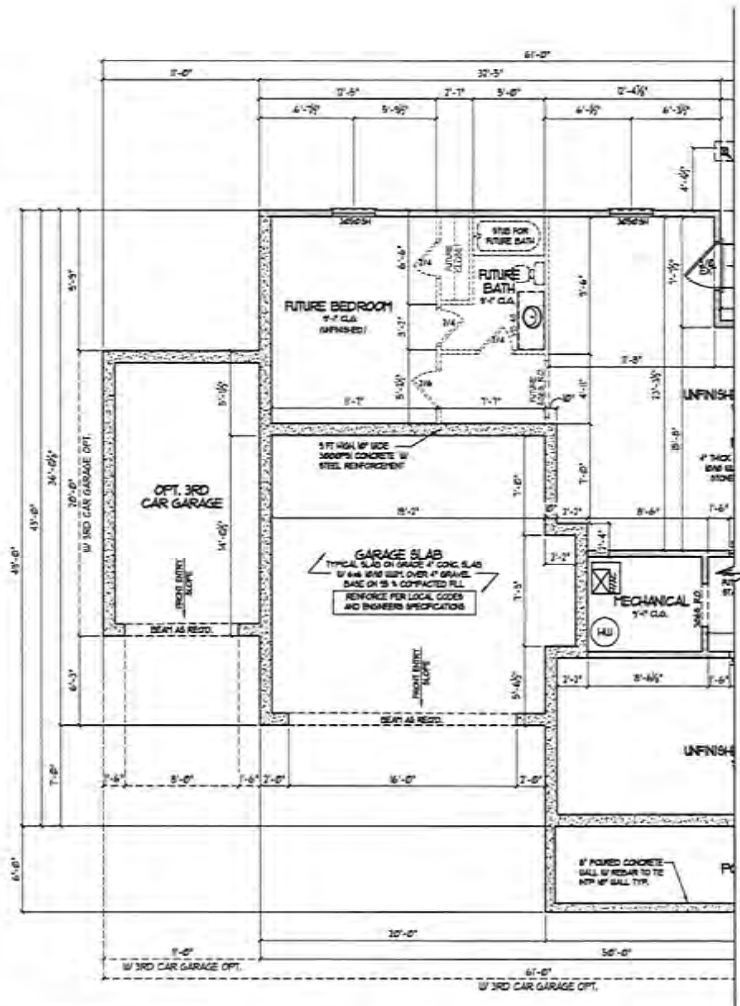
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 Job No: 2022 - 1004
 Sheet:

A3.2

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1 Basement Floor Plan w/ 3rd Car Garage Opt.-Side Entry
 A3.4 SCALE: 1/4" = 1'-0"



1 Basement Floor Plan w/ 3rd Car Garage Opt.-Front Entry
 A3.4 SCALE: 1/4" = 1'-0"

NO.	DESCRIPTION	DATE

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CLIENT BUILDER:
Southern Heritage
 390 BRIDGTON RD.,
 SUWANEE, GA 30024

PROJECT NAME:
THE LAKEHURST
 GEORGIA ESTATES

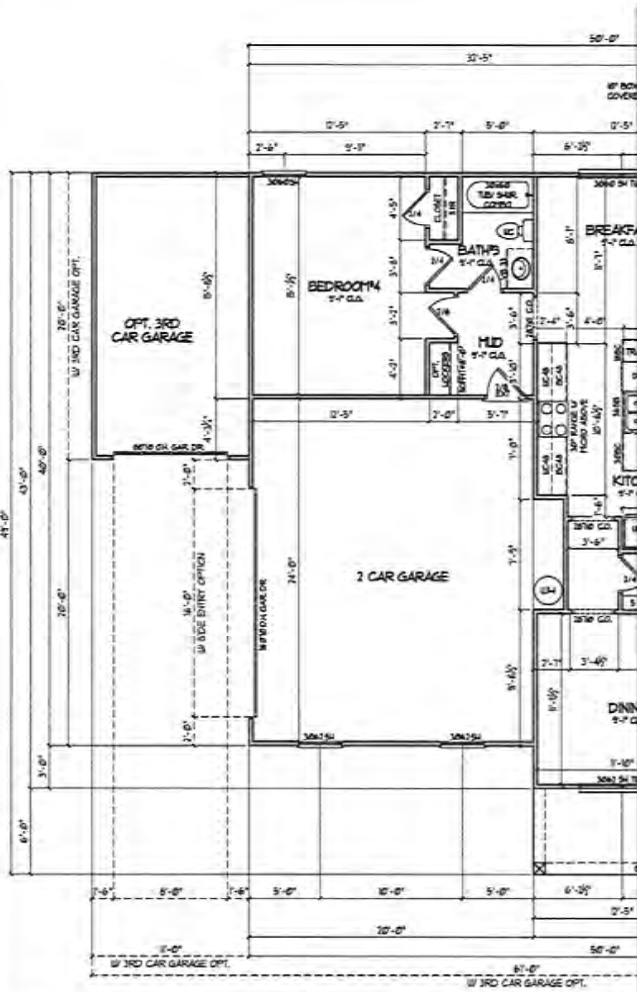
CLIENT BUILDER:
Southern Heritage
 390 BRIDGTON RD.,
 SUWANEE, GA 30024

DRAWN BY:
BASEMENT
W. GARAGE OPT.

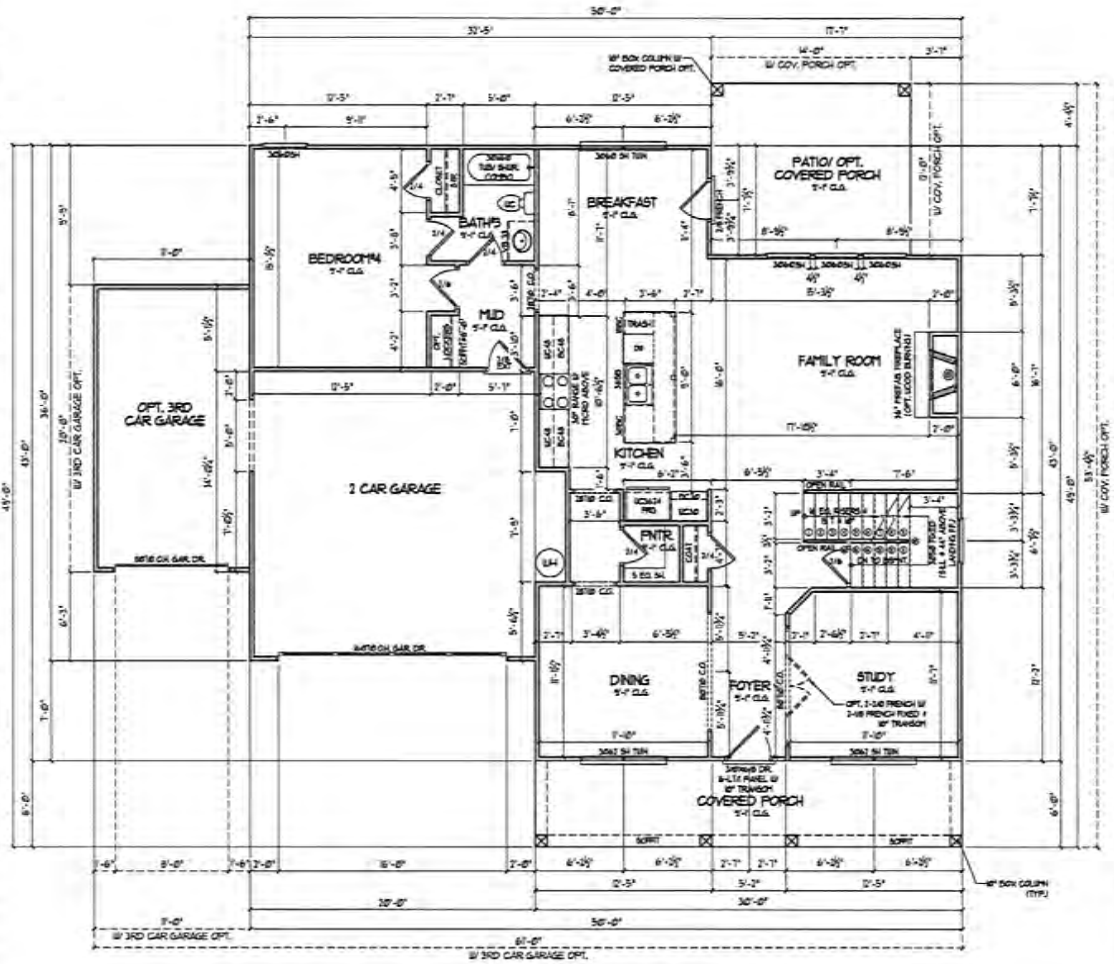
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 DRAWN BY: GC
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 SHEET:

A3.4

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1 1st Floor Plan w/ 3rd Car Garage Opt.-Side Entry
 A4.2 SCALE: 1/4" = 1'-0"



1 1st Floor Plan w/ 3rd Car Garage Opt.-Front Entry
 A4.2 SCALE: 1/4" = 1'-0"

SQUARE FOOTAGE:	
FIRST LEVEL	441
UPPER LEVEL	120
TOTAL HEATED	561
2 CAR GARAGE	44
FRONT PORCH	56
UNFINISHED ATTIC STORAGE	40
TOTAL HEATED	541
OPT. REAR COVERED PORCH	50
OPT. 3RD CAR GARAGE	228

NO.	DESCRIPTION	DATE

DESIGNER:
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 4841 BELLE ESTATES RD.
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 85 viewpoint_dsgn@gmail.com
 PHONE: (404) 518-0956

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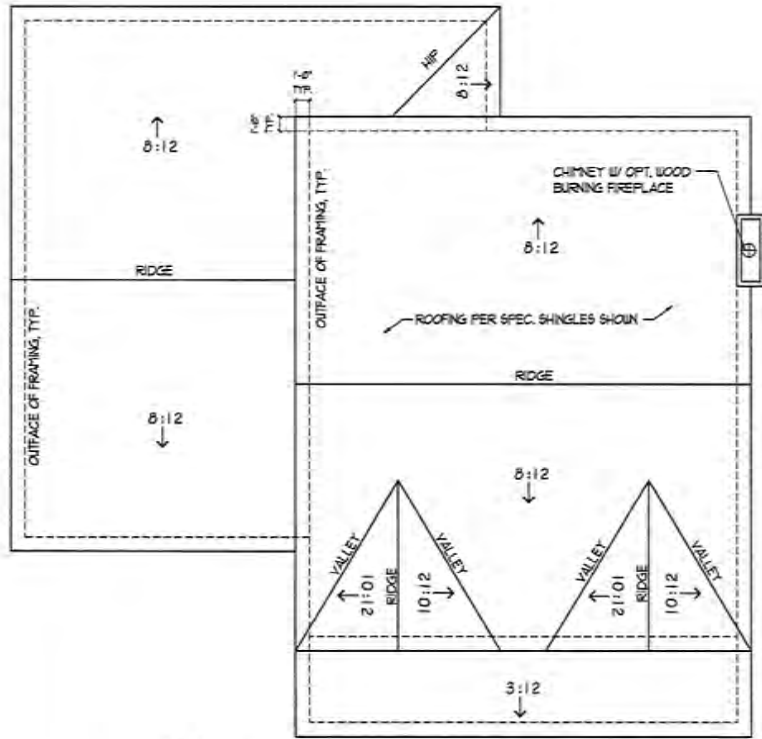
CLIENT/BUILDER:

 390 BROGDON RD.,
 SUWANEE, GA 30024

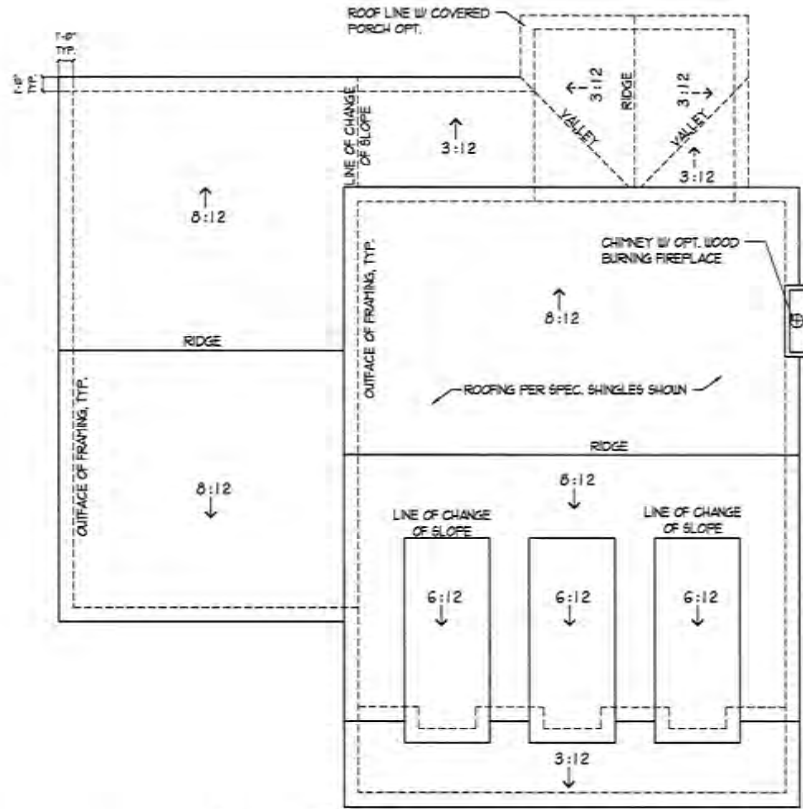
PLAN TITLE:
 MAIN LEVEL PLAN
 W/ 3RD CAR OPT.

Date: 5/20/2022
 Issue: AS NOTED
 Drawn By: GC
 Job No: 2022 - 1001
 Sheet:

A4.2



1 Roof Plan Elevation 'A' & 'B' - Standard
SCALE: 1/4" = 1'-0"



2 Roof Plan Elevation 'C' w/ Covered Porch Opt.
SCALE: 1/4" = 1'-0"

NO.	DESCRIPTION	DATE

DESIGNER: 1
VIEWPOINT DESIGN
 4841 BELLE ESTATES RD.
 SUWANEE, GEORGIA 30024
 gv@viewpointdesign.com
 PHONE: (404) 518-0956

THE LAKELINE PROJECTS ARCHITECTS
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 (770) 241-1111
 www.thelakeline.com

PROJECT NAME:
THE LAKEHURST
 GEORGIA ESTATES

CLIENT/OWNER:
SOUTHERN PORTAGE
 PARTS
 390 BROGDON RD.,
 SUWANEE, GA 30024

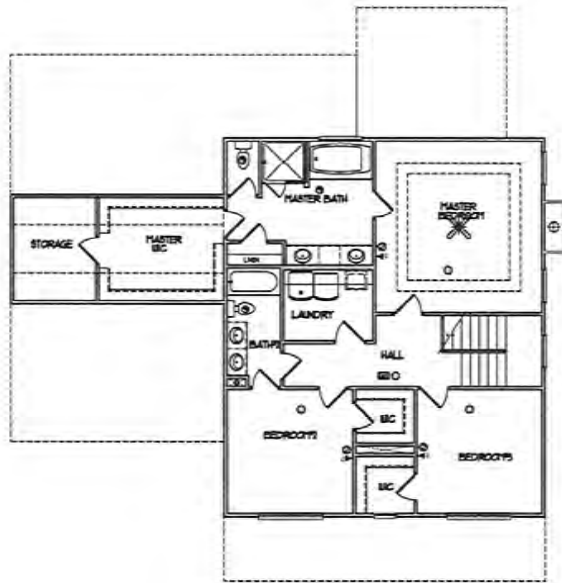
SHEET TITLE:
ROOF PLANS

Date: 3/20/2022
 Scale: AS NOTED
 Drawn By: GC
 Job No.: 2022 - 1001
 Sheet: **A6.1**

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1 Main Level Electrical
NOT TO SCALE



2 Upper Level Electrical
NOT TO SCALE

ELECTRICAL LEGEND			
	Gas Line		Recessed Can Light
	Gas Meter		Ceiling Light
	Double Panel		Wall Mounted Light
	Electrical Meter		Wall Sconce
	Disconnect Switch		Fluorescent Light w/1 Bulb
	Switch		Fluorescent Light w/2 Bulbs
	3-Way Switch		Vapor Protected Light
	4-Way Switch		Exhaust Fan
	Shower Switch		Exhaust Fan w/Light
	Button		Exhaust Fan w/Heat & Light
	Dimple Outlet		Smoke Detector
	Duplex Outlet		Carbon Monoxide Detector
	Switched Duplex Outlet		Thermostat
	Floor Outlet		Ground Wire
	GFI Outlet		Phone Jack
	Water Proof GFI Outlet		Media Jack
	Cable Outlet		Cable TV Outlet
	220V Outlet		Door Chimes
	Cable mounted Light		Security Panel
	Hanging Ceiling Mounted Light		Recessed Light
	Ceiling Fan		Cable Fan w/Light

NO.	DESCRIPTION	DATE

DESIGNER:
VIEWPOINT DESIGN
 4841 BELLE ESTATES RD.
 SUWANEE, GEORGIA 30024
 gv-viewpointdesign@gmail.com
 PHONE: (404) 518-0936

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PROJECT NAME:
THE LAKEHURST
 GEORGIA ESTATES

CLIENT/SURVEYOR:

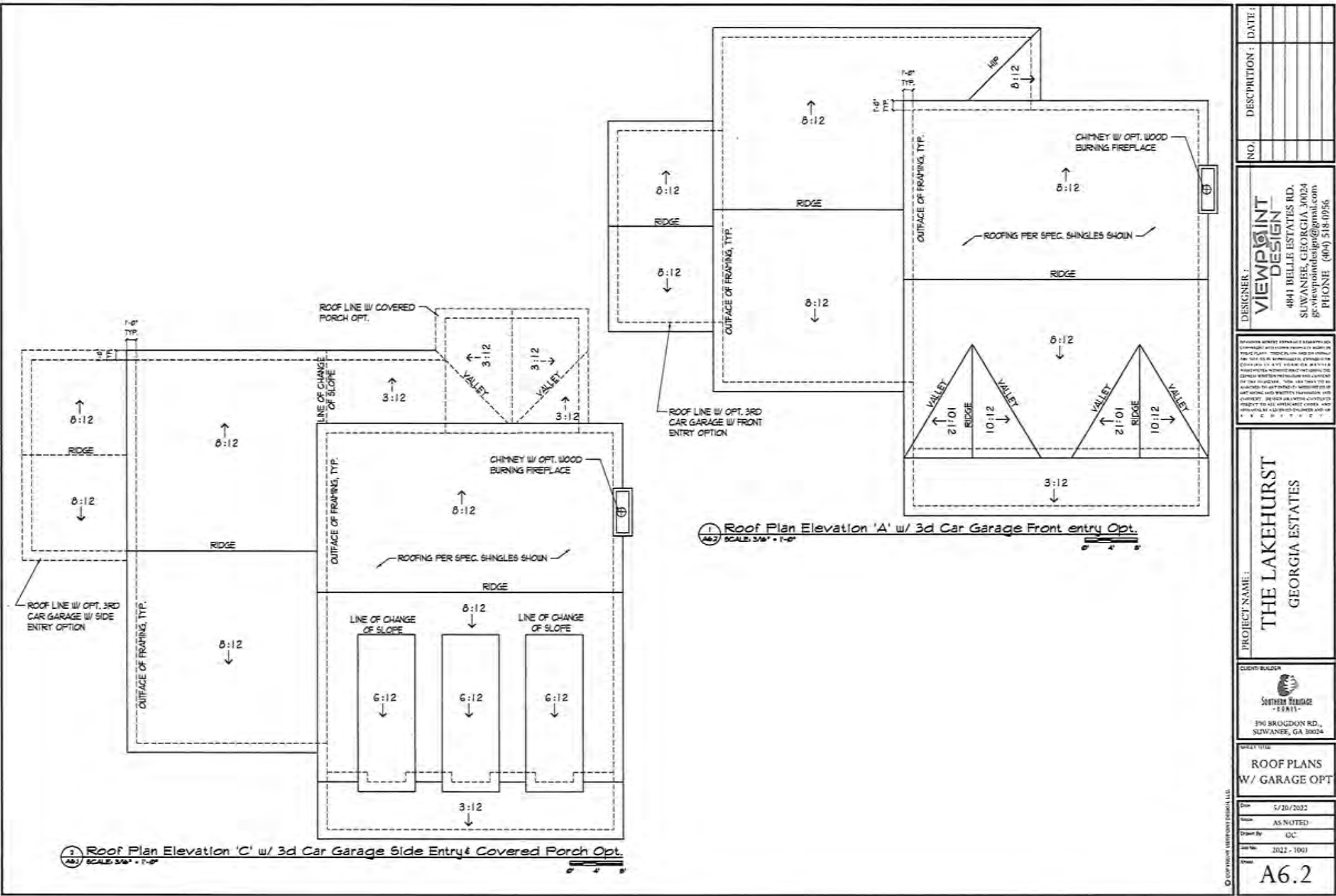
 SOUTHERN HERITAGE
 390 BROCDON RD.,
 SUWANEE, GA 30024

SHEET TITLE:
ELECTRICAL PLANS

Date: 5/20/2022
 Scale: AS NOTED
 Drawn by: GC
 Job No.: 2022 - 1001

Sheet:
A7.1

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3 Roof Plan Elevation 'C' w/ 3d Car Garage Side Entry & Covered Porch Opt.
 SCALE: 3/8" = 1'-0"

1 Roof Plan Elevation 'A' w/ 3d Car Garage Front Entry Opt.
 SCALE: 3/8" = 1'-0"

NO.	DESCRIPTION	DATE

DESIGNER:
VIEWPOINT DESIGN
 4841 BELLE ESTATES RD.
 SUWANEE, GEORGIA 30024
 gv.viewpointdesign@gmail.com
 PHONE (404) 518-0936

PROJECT NAME:
THE LAKEHURST
 GEORGIA ESTATES

CLIENT BUILDER:
Southern Equities
 396 BRADDON RD.,
 SUWANEE, GA 30024

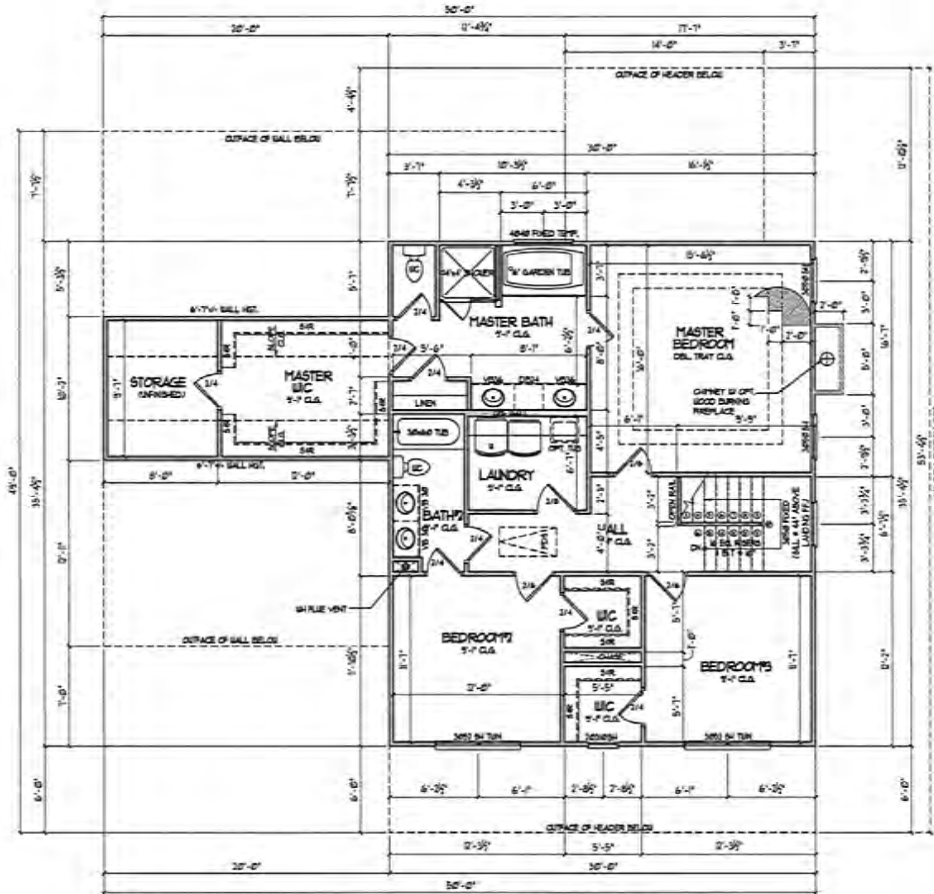
PROJECT TITLE:
ROOF PLANS
W/ GARAGE OPT

Date	5/20/2022
Drawn By	AS NOTED
Drawn By	DC
Sheet No.	2022-1001

Sheet Title:
A6.2

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SQUARE FOOTAGE	
MAIN LEVEL	1463
UPPER LEVEL	1193
TOTAL HEATED	2657
2 CAR GARAGE	424
FRONT PORCH	240
REARWHD ATTCH STORAGE	8
TOTAL FRAMED	3329
OPT BRKFL COVERED PORCH	25
OPT 3RD CAR GARAGE	228



1 2nd Floor Plan
SCALE: 1/4" = 1'-0"

NO.	DESCRIPTION	DATE

DESIGNER:
VIEWPOINT DESIGN
 4841 BELLE ESTATES RD.
 SUWANEE, GEORGIA 30024
 gv.viewpointdesign@gmail.com
 PHONE (404) 518-0956

OWNER'S BEST INTERESTS ARE PROTECTED BY CONTRACT AND THE ARCHITECT'S OBLIGATION TO THE CLIENT IS LIMITED TO THE DESIGN SERVICES PROVIDED AND DOES NOT INCLUDE CONSTRUCTION ADMINISTRATION. THE ARCHITECT'S LIABILITY IS LIMITED TO THE DESIGN SERVICES PROVIDED AND DOES NOT INCLUDE CONSTRUCTION ADMINISTRATION. THE ARCHITECT'S LIABILITY IS LIMITED TO THE DESIGN SERVICES PROVIDED AND DOES NOT INCLUDE CONSTRUCTION ADMINISTRATION.

PROJECT NAME:
THE LAKEHURST
 GEORGIA ESTATES

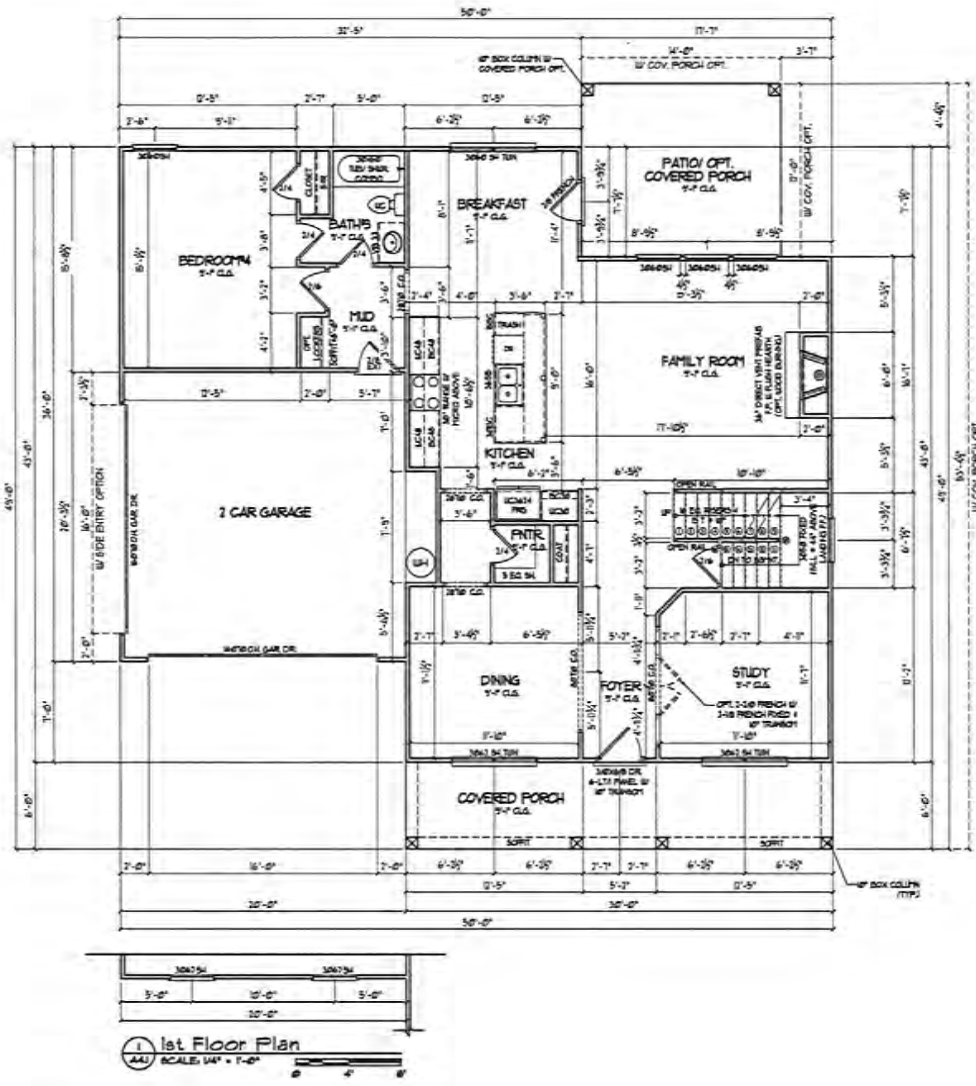
CLIENT/BOILER:
Southern Heritage
 370 BRIDGTON RD.,
 SUWANEE, GA 30024

MAIL LEVEL W/
 OPT, BONUS ROOM

DATE: 5/20/2022
 DRAWN BY: AS NOTED
 CHECKED BY: GC
 SHEET NO.: 2022 - 1001

A5.1

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SQUARE FOOTAGE	
MAIN LEVEL	1463
UPPER LEVEL	175
TOTAL HEATED	1638
2 CAR GARAGE	404
FRONT PORCH	100
UNFINISHED ATTIC STORAGE	0
TOTAL FINISHED	1234
OPT. BUILT COVERED PORCH	91
OPT. 3RD CAR GARAGE	128

NO.	DESCRIPTION	DATE

DESIGNER:
VIEWPOINT DESIGN
 4841 BELLE ESTATES RD.
 SUWANEE, GEORGIA 30024
 P: viewpointdesign@gmail.com
 PHONE: (404) 518-0956

BY APPROVAL OF THE ARCHITECT, THE ARCHITECT ASSURES THAT THE DESIGN AND CONSTRUCTION OF THIS PROJECT SHALL BE IN ACCORDANCE WITH ALL APPLICABLE CODES AND REGULATIONS. THE ARCHITECT DOES NOT WARRANT OR GUARANTEE THE ACCURACY OF ANY INFORMATION PROVIDED BY THE CLIENT OR ANY OTHER PARTY. THE ARCHITECT'S LIABILITY IS LIMITED TO THE DESIGN AND CONSTRUCTION OF THIS PROJECT.

PROJECT NAME:
THE LAKEHURST
 GEORGIA ESTATES

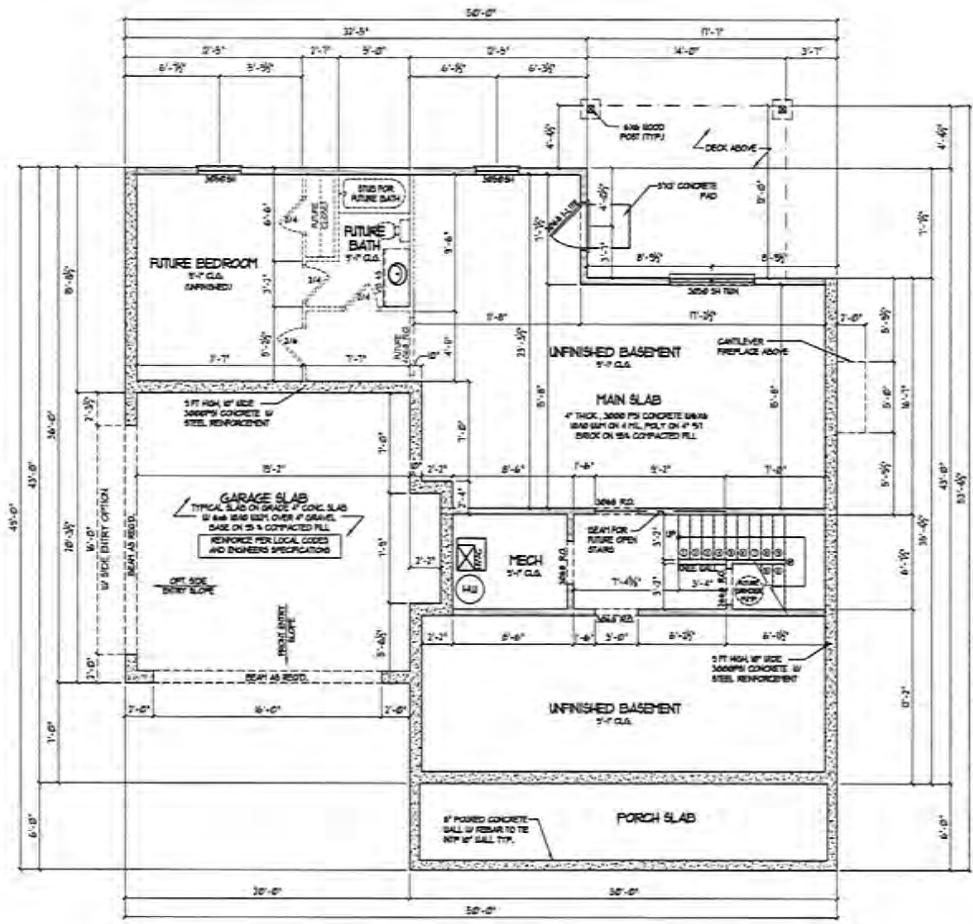
CLIENT: SOUTHERN HERITAGE
 270 BRUGGUN RD.,
 SUWANEE, GA 30024

SHEET TITLE:
MAIN LEVEL FLOOR PLAN

Date: 5/20/2022
 Title: AS NOTED
 Drawn by: GC
 Job No.: 2012 - 1001

Sheet No.: **A4.1**

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1 Basement Floor Plan
 ASS SCALE 1/4" = 1'-0"
 0 4 8

- NOTE:**
- HATCHED BALL INDICATED LOAD BEARING WALL.
 - DASHED BALL INDICATED FUTURE IM WALL.
 - 8"0" GRADE BEAT UNDER ALL THE INTERIOR BEARING WALLS.
- NOTE:**
- ALL INTERIOR BEARING WALLS ARE 8"0" THICK # 8 RC TYPICAL. HEADERS TO BE 2"0" UNLESS OTHERWISE NOTED.
- NOTE:**
- SHOW # DOOR LOCATION PER SITE CONDITIONS. SUPERINTENDENT TO VERIFY.
- NOTE:**
- VERIFY W/ FLOOR TRAM PROVIDER ANY LOCATIONS FOR THICKENED SLABS PRIOR TO PLACEMENT OF CONCRETE SLAB.
- ALL DIMENSIONS ARE TO OUTLINE OF MARKING.**

NO.	DESCRIPTION	DATE

DESIGNER:
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 SUWANEE, GEORGIA 30024
 gv-viewpointdesign@gmail.com
 PHONE: (404) 518-0956

OWNER SHALL APPROVE & SIGN OFF CONTRACT BEFORE PROCEEDING WITH THIS PLAN. THIS PLAN IS FOR GENERAL INFORMATION ONLY AND DOES NOT CONSTITUTE A CONTRACT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL DIMENSIONS AND CONDITIONS OF THE PROJECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL DIMENSIONS AND CONDITIONS OF THE PROJECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL DIMENSIONS AND CONDITIONS OF THE PROJECT.

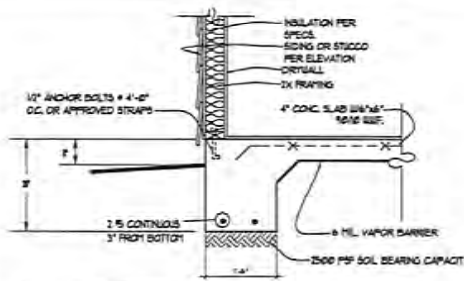
PROJECT NAME:
THE LAKEHURST
 GEORGIA ESTATES

CLIENT/OWNER:
 Southern Heritage
 390 BRUGDON RD.,
 SUWANEE, GA 30024

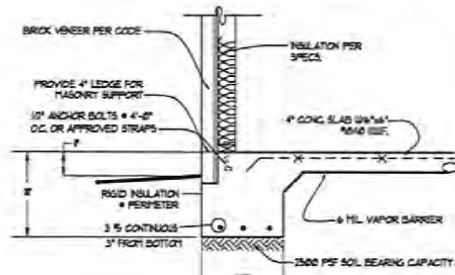
SHEET TITLE:
 BASEMENT FLOOR PLAN

Date:	5/20/2022
Scale:	AS NOTED
Drawn By:	GC
Check By:	2022 - 1801
Sheet No.:	A3.3

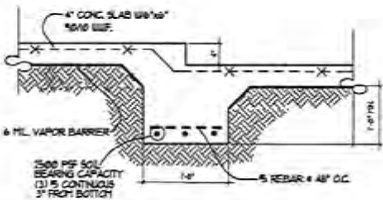
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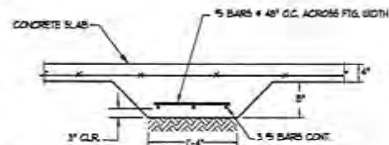
1 TURNDOWN SLAB SECTION W/O BRICK VENEER
SCALE: 1/4" = 1'-0"



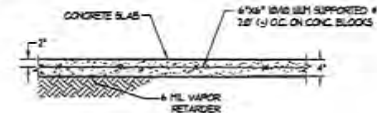
2 TURNDOWN SLAB SECTION W/ BRICK VENEER
SCALE: 1/4" = 1'-0"



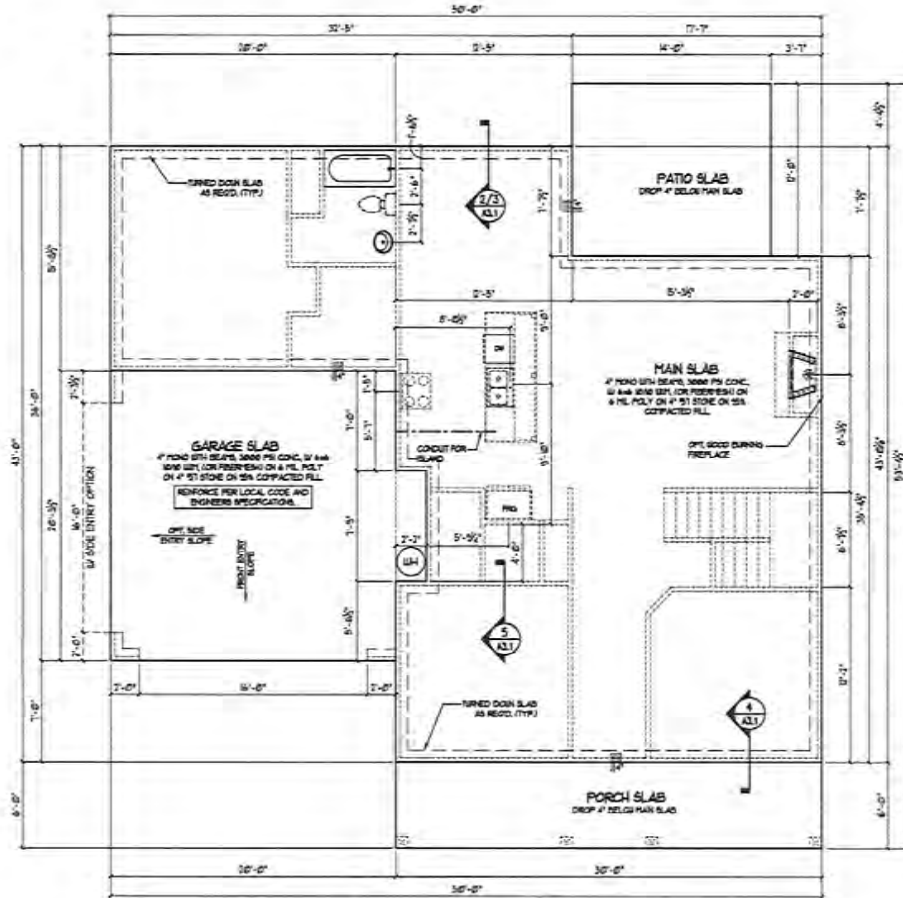
3 STEPPED SLAB SECTION
SCALE: 1/4" = 1'-0"



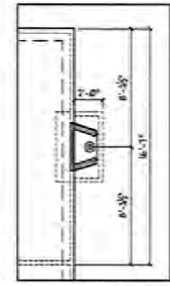
4 INTERIOR GRADE BEAM
SCALE: 1/4" = 1'-0"



5 TYPICAL SLAB ON GRADE
SCALE: 1/4" = 1'-0"



1 Slab Foundation Plan
SCALE: 1/4" = 1'-0"



2 Opt. Wood Burning Fireplace
SCALE: 1/4" = 1'-0"

NOTE:
VERIFY W/ FLOOR TRIM PROVIDER ANY LOCATIONS FOR FINISHED SLABS PRIOR TO PLACEMENT OF CONCRETE SLAB.
VERIFY ALL GRADE DEEP LOCATIONS PRIOR TO POURING OF CONCRETE.
NOTE: LOCATE GRADE DEEPS UNDER ALL LOAD BEARING WALLS.

NO.	DESCRIPTION	DATE

DESIGNER:
VIEWPOINT DESIGN
4841 BELLE ESTATES RD.
SUWANEE, GEORGIA 30024
gc.viewpointdesign@gmail.com
PHONE: (404) 518-0956

PROJECT NAME:
THE LAKEHURST
GEORGIA ESTATES

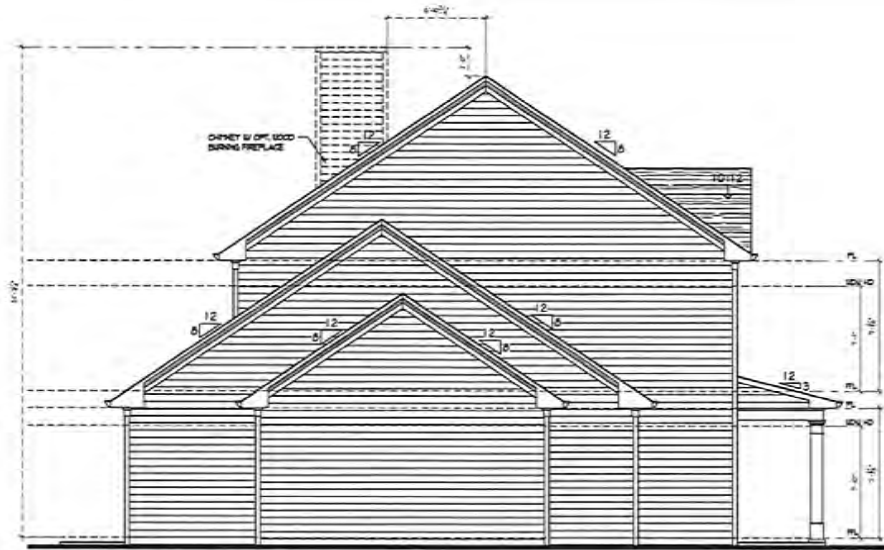
CLIENT/OWNER:
Southern Heritage
370 BRUGDON RD.,
SUWANEE, GA. 30024

CLIENT TITLE:
SLAB PLAN

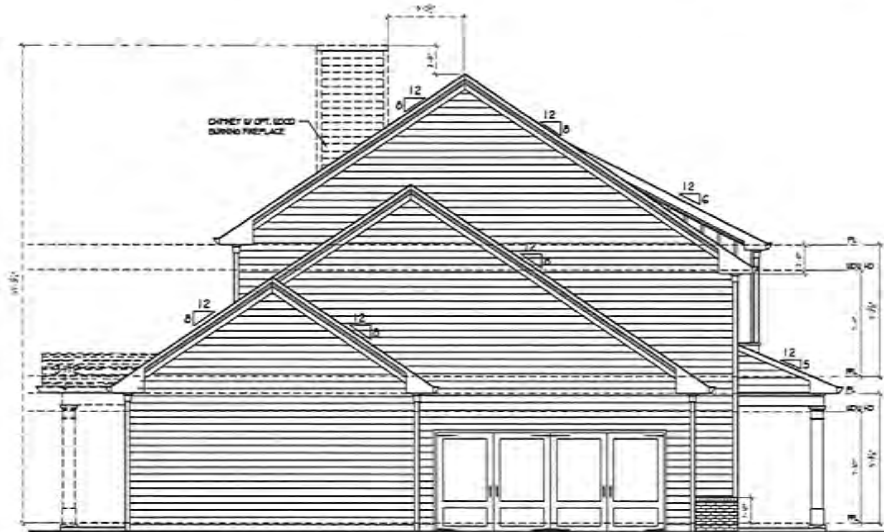
Date: 1/20/2022
Drawn By: AS NOTED
Drawn By: GC
Job No: 2022 - 1001

Sheet No: **A3.1**

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1 Left Side Elevation 'A' w/ 3rd Car Garage Opt. - Front Entry
 A2.3 SCALE: 1/4" = 1'-0"



1 Left Side Elevation 'B' w/ 3rd Car Garage Opt. - Side Entry
 A2.3 SCALE: 1/4" = 1'-0"

NO.	DESCRIPTION	DATE

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VIEWPOINT DESIGN
 4841 BELLE ESTATES RD.
 SUWANEE, GEORGIA 30024
 pc.viewpointdesign@gmail.com
 PHONE (404) 518-0956

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PROJECT NAME:
THE LAKEHURST
 GEORGIA ESTATES

CLIENT: SAGE

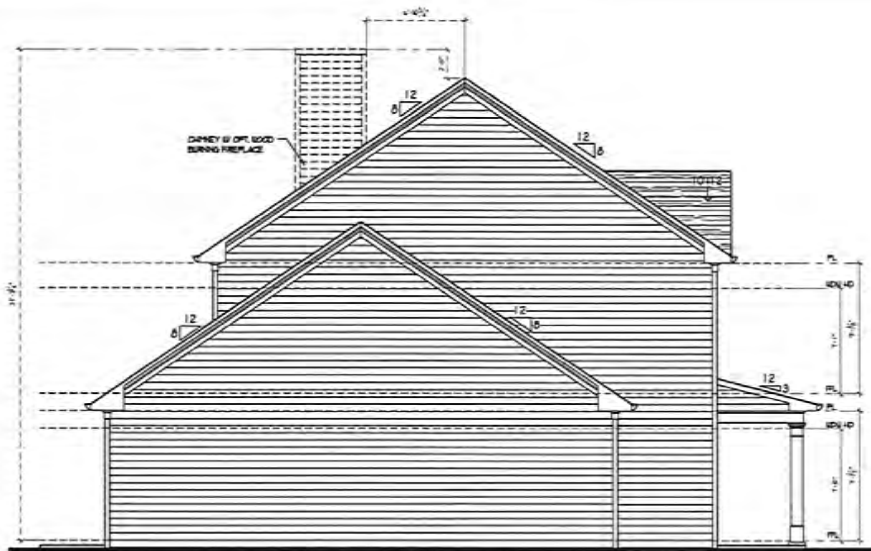
 390 BROGTON RD.,
 SUWANEE, GA 30024

SHEET TITLE:
**SIDE & REAR W/
 3RD CAR GARAGE**

Date: 5/20/2022
 Title: AS NOTED
 Drawn By: GC
 Job No.: 2022-1001

Sheet No.: **A2.3**

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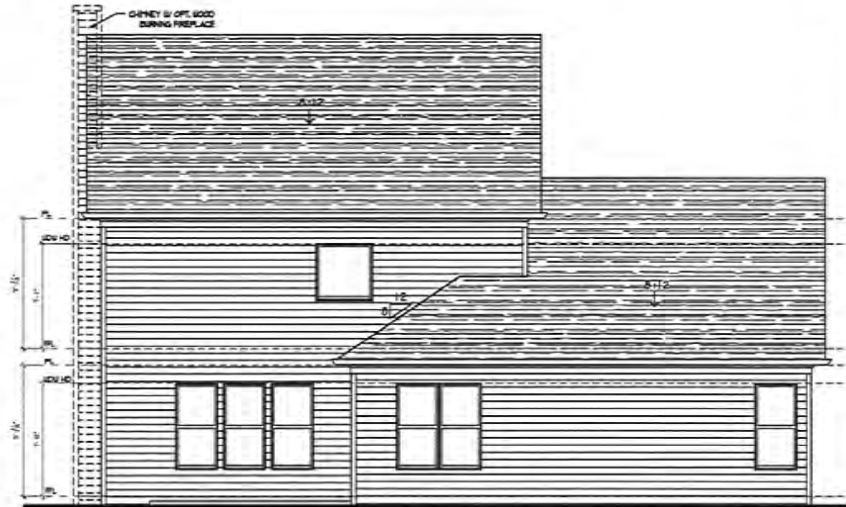
1 Left Side Elevation

AS1 SCALE: 1/4" = 1'-0"



2 Right Side Elevation

AS1 SCALE: 1/4" = 1'-0"



3 Rear Elevation - Standard

AS1 SCALE: 1/4" = 1'-0"



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NO.	DESCRIPTION	DATE

DESIGNER:
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 4841 BELLE ESTATES RD.
 SUWANEE, GEORGIA 30024
 gc.viewpointdesign@gmail.com
 PHONE: (404) 518-0956

DRIVER: (404) 518-0956
 4841 BELLE ESTATES RD.
 SUWANEE, GEORGIA 30024
 gc.viewpointdesign@gmail.com
 PHONE: (404) 518-0956

PROJECT NAME:
THE LAKEHURST
 GEORGIA ESTATES

CLIENT: SUELLER
SOUTHERN PERIPHERY
 390 BROGDON RD.,
 SUWANEE, GA 30024

SHEET TITLE:
SIDE & REAR ELEVATIONS

Date: 5/20/2022
 Scale: AS NOTED
 Drawn By: GC
 Job No.: 2022 - 1001

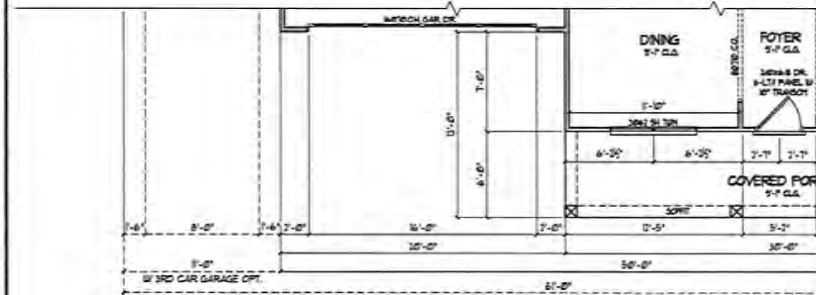
SHEET NO.:
A2.1



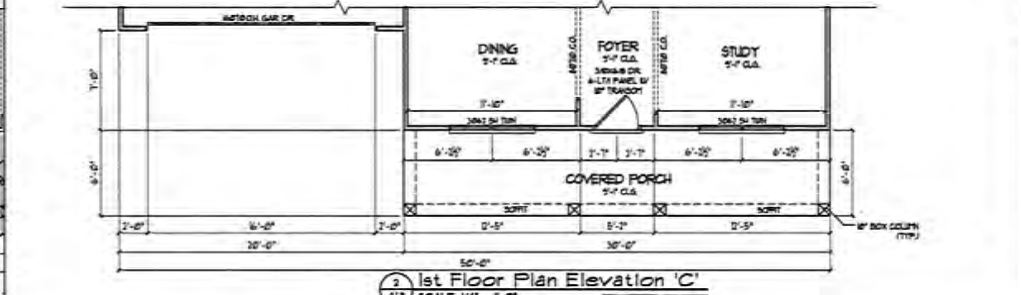
4 Front Elevation 'C' w/ 3rd Car Garage Opt.-Front entry
 ALL SCALE: 1/4" = 1'-0"



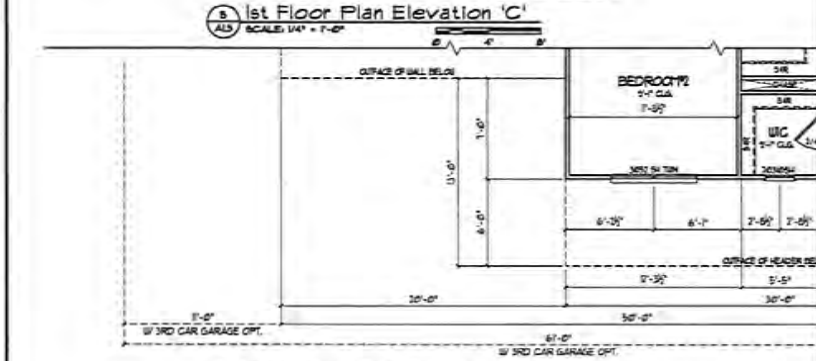
1 Front Elevation 'C'
 ALL SCALE: 1/4" = 1'-0"



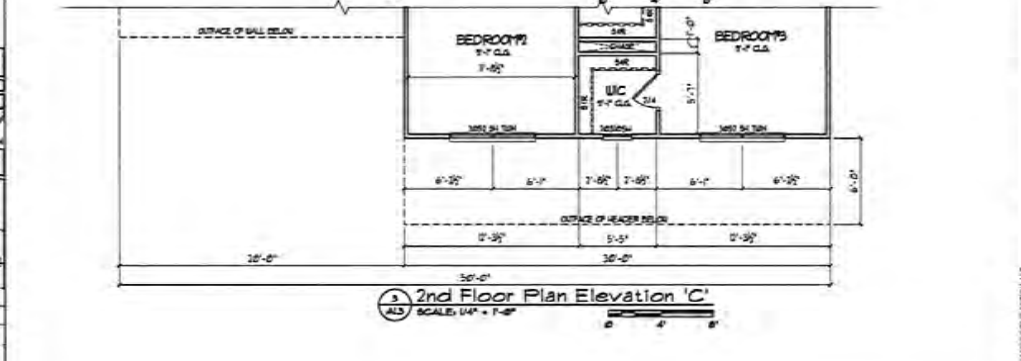
5 1st Floor Plan Elevation 'C'
 ALL SCALE: 1/4" = 1'-0"



2 1st Floor Plan Elevation 'C'
 ALL SCALE: 1/4" = 1'-0"



6 2nd Floor Plan Elevation 'C'
 ALL SCALE: 1/4" = 1'-0"



3 2nd Floor Plan Elevation 'C'
 ALL SCALE: 1/4" = 1'-0"

NO.	DESCRIPTION	DATE

DESIGNER: **VIEWPOINT DESIGN**
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PROJECT NAME:
THE LAKEHURST
 GEORGIA ESTATES

CLIENT/BUILDER:
Southern Heritage
 390 BRUGDON RD.,
 SUWANEE, GA 30024

SHEET TITLE:
**ELEVATION 'C'
 FRONT ENTRY**

DATE: 5/20/2022
 DRAWN BY: AS NOTED
 CHECKED BY: GC
 JOB NO.: 2022 - 1001

SCALE:
A1.3

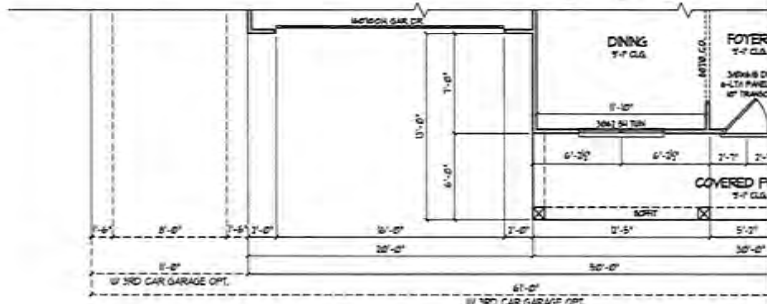
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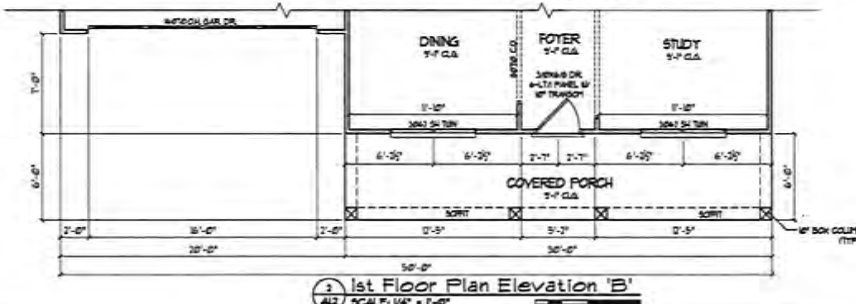
4 Front Elevation 'B' w/ 3rd Car Garage Opt.-Front entry
 ALL SCALE: 1/4" = 1'-0"



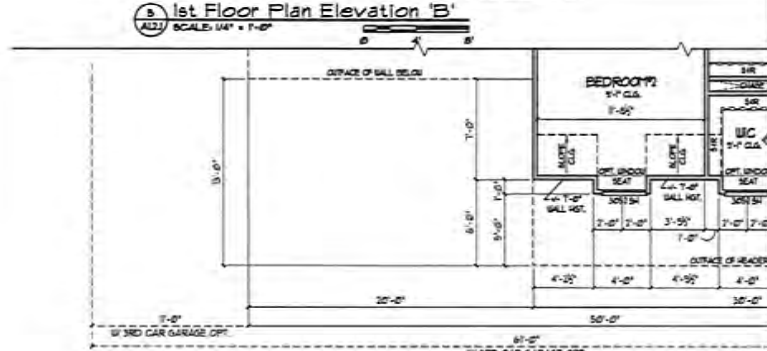
1 Front Elevation 'B'
 ALL SCALE: 1/4" = 1'-0"



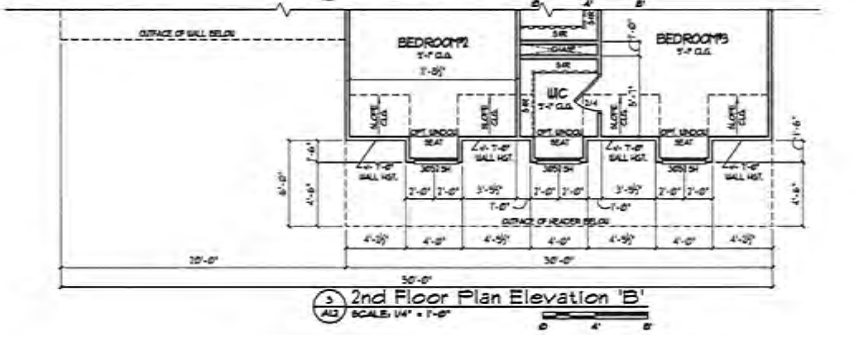
3 1st Floor Plan Elevation 'B'
 ALL SCALE: 1/4" = 1'-0"



2 1st Floor Plan Elevation 'B'
 ALL SCALE: 1/4" = 1'-0"



3 2nd Floor Plan Elevation 'B'
 ALL SCALE: 1/4" = 1'-0"



3 2nd Floor Plan Elevation 'B'
 ALL SCALE: 1/4" = 1'-0"

NO.	DESCRIPTION	DATE

DESIGNER:
VIEWPOINT DESIGN
 4841 BELLE ESTATES RD.
 SUWANEE, GEORGIA 30024
 gv.viewpointdesign@gmail.com
 PHONE (404) 518-0956

PROJECT NAME:
THE LAKEHURST
 GEORGIA ESTATES

CLIENT/OWNER:
 Southern Heritage
 390 BRUGDON RD.,
 SUWANEE, GA 30024

SHEET TITLE:
**ELEVATION 'B'
 FRONT ENTRY**

Date: 5/20/2022
 Scale: AS NOTED
 Drawn By: GC
 Job No.: 2022 - 1001

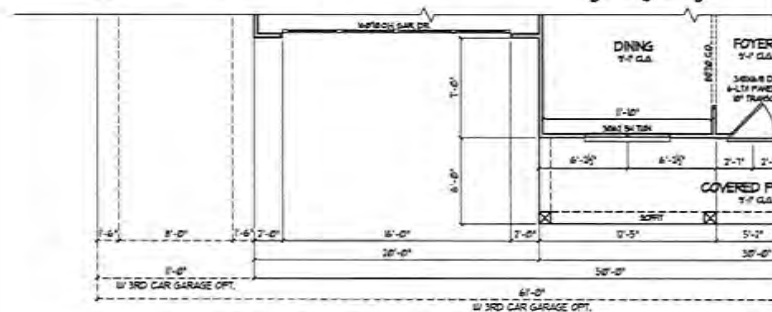
A1.2



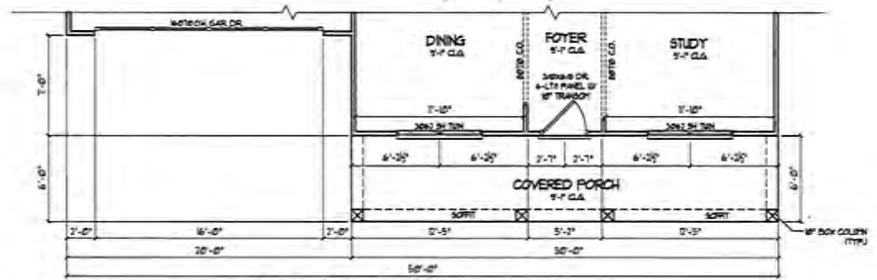
4 Front Elevation 'A' w/ 3rd Car Garage Opt.-Front entry
 AU SCALE: 1/4" = 1'-0"



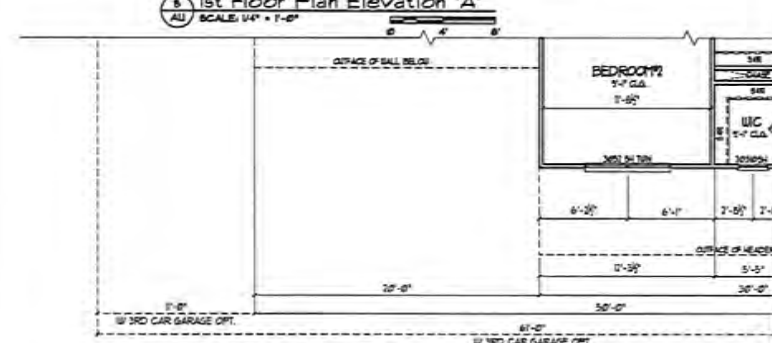
1 Front Elevation 'A'
 AU SCALE: 1/4" = 1'-0"



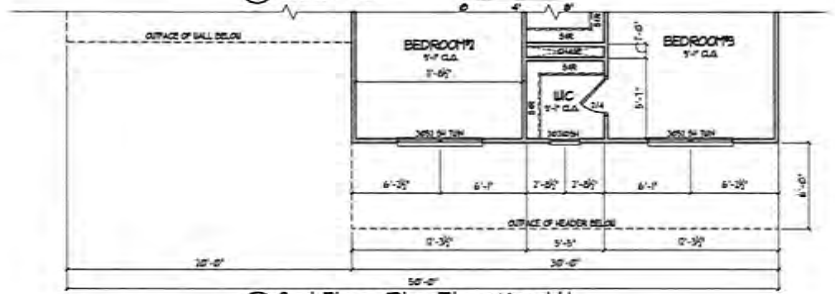
5 1st Floor Plan Elevation 'A'
 AU SCALE: 1/4" = 1'-0"



1 1st Floor Plan Elevation 'A'
 AU SCALE: 1/4" = 1'-0"



6 2nd Floor Plan Elevation 'A'
 AU SCALE: 1/4" = 1'-0"



2 2nd Floor Plan Elevation 'A'
 AU SCALE: 1/4" = 1'-0"

NO.	DESCRIPTION	DATE

DESIGNER: **VIEWPOINT DESIGN**
 4841 BELLE ESTATES RD.
 SUWANEE, GEORGIA 30024
 P: viewpointdesign@gmail.com
 PHONE: (404) 518-0956

OWNER: **THE LAKEHURST GEORGIA ESTATES**

PROJECT NAME: **THE LAKEHURST GEORGIA ESTATES**

CLIENT: **SOUTHERN HERITAGE**
 310 BRADDON RD.,
 SUWANEE, GA 30024

SHEET TITLE: **ELEVATION 'A' FRONT ENTRY**

Date:	5/20/2022
Drawn by:	UC
Scale:	AS NOTED
Sheet No.:	2022 - 1001

Scale: **A1.1**

3454,3464 GILLSVILLE HWY (HWY 323)

Level III Soil Survey; Summit Soil Consulting Inc.
HALL COUNTY

NRCS SERIES	Depth to ROCK inches	Depth to WATER inches	TRENCH DEPTH inches	ESTIMATED PERC RATE min/in	DOH CODE
Cecil	>72	>72	24-42	75	A
Chestatee	48-56	>56	20-32	70	A,K
Chestatee-H	34-42	>35	10-28	75	H
Hard Labor	>72	36-40	10-24	90	C
Hard Labor-2	>72	50-60	18-34	90	P
Cataula-V Variant	>72	20-40*	24-36**	90	T
Madison	65 >72	>72	24-42	55	A
Pacolet	65>72	>72	24-42	55	A
Chestatee 32-40%	48-56	>56	18-40	0.25 Gal/day/sqft	C,G
Rion	>72	>72	24-42	55	A
Rion 32-40%	>76	>76	45-52	55	A,G
Santuc	>72	16-25	NA	NA	F

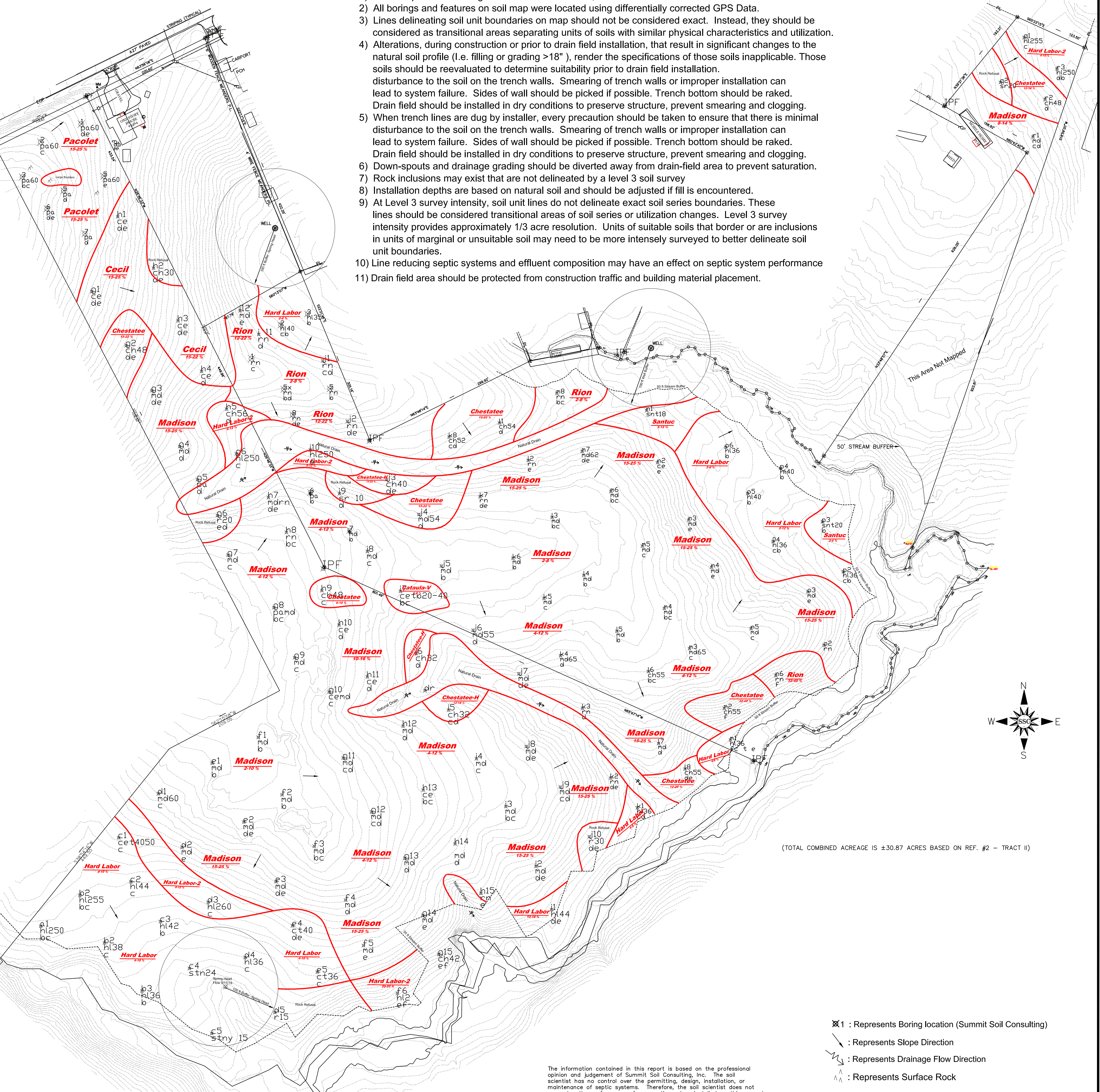
Note: - Hard rock is defined as material impenetrable by hand auger, soft saprolite excluded
 - Depth to water is defined as the depth to first indication of seasonal saturation
 * Slow percolation zone
 ** Depth after cut grading

SUITABILITY CODES:

- A: Soils should have ability to function as an absorption field with proper design, installation, and maintenance.
- C: Due to seasonal saturation, and/or drainage problems, failure of conventional system is probable. Alternative systems may be considered. Examples Aerobic Treatment Units, Drip Irrigation, Peat Moss Systems, Eljen Sand Filters and Low Pressure Gravel Beds. Consult with local health department.
- F: Unsuitable for septic systems under most circumstances, rock, deep fill or water table near surface.
- G: Due to slope conditions, these areas may be considered for a narrow trench installation or alternative method if proper depth and length can be achieved. An Aerobic Treatment Unit or other class 1 producing system should be considered to increase depth of installation on these steep slopes. The septic system should be installed before construction to ensure proper installation.
- H: Test pits dug with a back-hoe may be considered to determine suitability due to multiple shallow rock refusals. Rock refusal was encountered at 34"-42" inches with a hand auger. A shallow installation with an alternative system or conventional system may be considered pending pit studies. Septic system in first is recommended on these soils. Hand auger borings are limited in rocky conditions. Installation depths may change based on pit studies.
- K: These soils generally have sufficient depth of soil material over bedrock to accommodate a septic system, however, inclusions of rock with insufficient depth may occur. Removing more than 18" of natural soil in these areas, will require the area to be reevaluated.
- P: Soil has seasonal saturation in lower portion of soil and is subject to slow percolation in the upper portion of the soil. Removing more than 12" of natural soil in these areas, will require the area to be reevaluated.
- R: Test pits with a backhoe are recommended to determine suitability.
- T: Soils should have ability to function as an absorption field with proper design, installation, and maintenance. Profiles observed in this soil unit had low to high chroma mottling, indicative of slow percolation from 20-40 inches, but were free of low chroma mottling past 40 inches. 30 inches should be cut off top to remove majority of the restrictive layer.

GENERAL NOTES AND COMMENTS:

- 1) Base Map Source: Georgia Premier Land Services, Inc.
- 2) All borings and features on soil map were located using differentially corrected GPS Data.
- 3) Lines delineating soil unit boundaries on map should not be considered exact. Instead, they should be considered as transitional areas separating units of soils with similar physical characteristics and utilization.
- 4) Alterations, during construction or prior to drain field installation, that result in significant changes to the natural soil profile (i.e. filling or grading >18"), render the specifications of those soils inapplicable. Those soils should be reevaluated to determine suitability prior to drain field installation. disturbance to the soil on the trench walls. Smearing of trench walls or improper installation can lead to system failure. Sides of wall should be picked if possible. Trench bottom should be raked. Drain field should be installed in dry conditions to preserve structure, prevent smearing and clogging.
- 5) When trench lines are dug by installer, every precaution should be taken to ensure that there is minimal disturbance to the soil on the trench walls. Smearing of trench walls or improper installation can lead to system failure. Sides of wall should be picked if possible. Trench bottom should be raked. Drain field should be installed in dry conditions to preserve structure, prevent smearing and clogging.
- 6) Down-spouts and drainage grading should be diverted away from drain-field area to prevent saturation.
- 7) Rock inclusions may exist that are not delineated by a level 3 soil survey
- 8) Installation depths are based on natural soil and should be adjusted if fill is encountered.
- 9) At Level 3 survey intensity, soil unit lines do not delineate exact soil series or utilization changes. These lines should be considered transitional areas of soil series or utilization changes. Level 3 survey intensity provides approximately 1/3 acre resolution. Units of suitable soils that border or are inclusions in units of marginal or unsuitable soil may need to be more intensely surveyed to better delineate soil unit boundaries.
- 10) Line reducing septic systems and effluent composition may have an effect on septic system performance
- 11) Drain field area should be protected from construction traffic and building material placement.



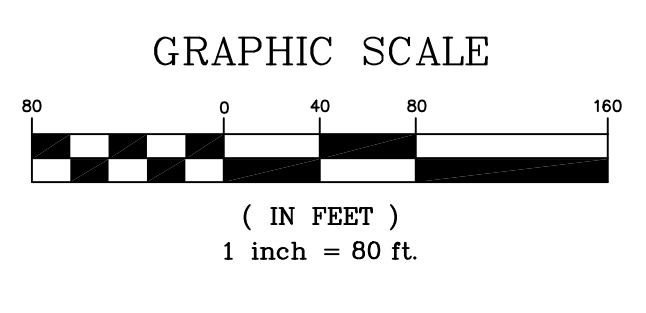
⊗ : Represents Boring location (Summit Soil Consulting)
 ↘ : Represents Slope Direction
 ↙ : Represents Drainage Flow Direction
 ▲ : Represents Surface Rock

The information contained in this report is based on the professional opinion and judgement of Summit Soil Consulting, Inc. The soil scientist has no control over the permitting, design, installation, or maintenance of septic systems. Therefore, the soil scientist does not guarantee the performance of any septic system installed on this property.

Date: 9/23/19

LEVEL 3 SOIL SURVEY

Client Data:
 Sabina Chowdhury
 Address
 City & Zip Code
 Phone:



Summit Soil Consulting Inc.
 Soil Surveying Site Plans Wetlands Delineation Septic Design Consulting
 (770) 965-1617
 853 RAY PALMER RD CLEVELAND GA 30528
 Web: summitsoil.com EMAIL: SUMMITSOIL@GMAIL.COM

Gillsville Highway Tract

All that tract or parcel of land lying and being in the Tadmore District, G.M.D. 268, Hall County Georgia and being particularly described as follows:

To find the true point of beginning, commence at the centerline intersection of Gillsville Highway and East Hall Road; THENCE traveling South 49 Degrees 45 Minutes 05 Seconds West for a distance of 168.56 feet to a point on the southeasterly right of way of Gillsville Highway (80' right of way), said point marked by a ½ inch rebar pin found; THENCE on said right of way South 63 Degrees 56 Minutes 06 Seconds West for a distance of 220.60 feet to a point, said point marked by a ½ inch rebar pin found, said point being THE TRUE POINT OF BEGINNING.

THENCE from said point as thus established, leaving said right of way and traveling South 26 Degrees 46 Minutes 33 Seconds East for a distance of 433.54 feet to a point, said point marked by a ½ inch rebar pin set; THENCE North 60 Degrees 13 Minutes 07 Seconds East for a distance of 187.79 feet to a point, said point marked by a Flatbar found; THENCE South 22 Degrees 21 Minutes 46 Seconds East for a distance of 305.16 feet to a point, said point marked by a 5/8 inch rebar pin found; THENCE North 63 Degrees 48 Minutes 14 Seconds East for a distance of 299.92 feet to a point, said point marked by a ½ inch rebar pin found; THENCE North 79 Degrees 06 Minutes 42 Seconds East for a distance of 119.13 feet to a point in the centerline creek; THENCE traveling on said centerline creek the following forty (40) courses and distances:

South 49 Degrees 48 Minutes 39 Seconds East for a distance of 11.52 feet to a point; THENCE South 75 Degrees 10 Minutes 03 Seconds East for a distance of 21.55 feet to a point; THENCE South 39 Degrees 05 Minutes 38 Seconds East for a distance of 8.92 feet to a point; THENCE North 83 Degrees 01 Minutes 44 Seconds East for a distance of 10.26 feet to a point; THENCE South 57 Degrees 42 Minutes 11 Seconds East for a distance of 14.76 feet to a point; THENCE North 66 Degrees 32 Minutes 40 Seconds East for a distance of 20.87 feet to a point; THENCE North 83 Degrees 58 Minutes 48 Seconds East for a distance of 12.13 feet to a point; THENCE North 58 Degrees 59 Minutes 42 Seconds East for a distance of 6.91 feet to a point; THENCE South 86 Degrees 13 Minutes 10 Seconds East for a distance of 25.19 feet to a point; THENCE South 84 Degrees 52 Minutes 48 Seconds East for a distance of 10.74 feet to a point; THENCE North 34 Degrees 58 Minutes 10 Seconds East for a distance of 5.46 feet to a point; THENCE North 20 Degrees 49 Minutes 23 Seconds East for a distance of 7.24 feet to a point; THENCE North 64 Degrees 04 Minutes 01 Seconds East for a distance of 12.89 feet to a point; THENCE South 81 Degrees 41 Minutes 42 Seconds East for a distance of 10.91 feet to a point; THENCE South 31 Degrees 43 Minutes 56 Seconds East for a distance of 13.44 feet to a point; THENCE North 84 Degrees 30 Minutes 45 Seconds East for a distance of 9.91 feet to a point; THENCE South

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65 Degrees 16 Minutes 16 Seconds East for a distance of 18.44 feet to a point; THENCE South 05 Degrees 57 Minutes 24 Seconds East for a distance of 8.39 feet to a point; THENCE South 60 Degrees 52 Minutes 10 Seconds East for a distance of 14.73 feet to a point; THENCE South 47 Degrees 43 Minutes 46 Seconds East for a distance of 10.46 feet to a point; THENCE South 23 Degrees 53 Minutes 26 Seconds East for a distance of 14.70 feet to a point; THENCE South 56 Degrees 54 Minutes 48 Seconds East for a distance of 19.72 feet to a point; THENCE South 45 Degrees 07 Minutes 02 Seconds East for a distance of 7.23 feet to a point; THENCE South 64 Degrees 38 Minutes 32 Seconds East for a distance of 17.58 feet to a point; THENCE North 31 Degrees 04 Minutes 00 Seconds East for a distance of 8.61 feet to a point; THENCE South 71 Degrees 36 Minutes 02 Seconds East for a distance of 17.63 feet to a point; THENCE South 28 Degrees 35 Minutes 11 Seconds East for a distance of 10.54 feet to a point; THENCE South 14 Degrees 37 Minutes 40 Seconds West for a distance of 13.83 feet to a point; THENCE South 40 Degrees 49 Minutes 32 Seconds East for a distance of 11.79 feet to a point; THENCE South 84 Degrees 09 Minutes 39 Seconds East for a distance of 12.53 feet to a point; THENCE South 55 Degrees 54 Minutes 19 Seconds East for a distance of 19.34 feet to a point; THENCE South 31 Degrees 09 Minutes 26 Seconds East for a distance of 18.10 feet to a point; THENCE South 46 Degrees 01 Minutes 29 Seconds West for a distance of 5.28 feet to a point; THENCE South 01 Degrees 20 Minutes 41 Seconds East for a distance of 8.95 feet to a point; THENCE South 37 Degrees 11 Minutes 38 Seconds East for a distance of 13.04 feet to a point; THENCE South 62 Degrees 17 Minutes 32 Seconds East for a distance of 9.14 feet to a point; THENCE South 46 Degrees 35 Minutes 39 Seconds East for a distance of 7.61 feet to a point; THENCE South 72 Degrees 13 Minutes 26 Seconds East for a distance of 8.94 feet to a point; THENCE South 27 Degrees 39 Minutes 01 Seconds East for a distance of 22.46 feet to a point; THENCE South 55 Degrees 23 Minutes 35 Seconds East for a distance of 4.96 feet to a point;

THENCE leaving said centerline creek North 33 Degrees 48 Minutes 57 Seconds East for a distance of 626.05 feet to a point, said point marked by a ½ inch rebar pin found; THENCE North 60 Degrees 43 Minutes 40 Seconds West for a distance of 158.92 feet to a point, said point marked by a 5/8 inch rebar pin found; THENCE North 39 Degrees 21 Minutes 36 Seconds East for a distance of 193.21 feet to a point, said point marked by a 5/8 inch rebar pin found; THENCE South 65 Degrees 33 Minutes 15 Seconds East for a distance of 123.50 feet to a point, said point marked by a 1.5 inch open top pipe found; THENCE South 18 Degrees 59 Minutes 20 Seconds West for a distance of 923.81 feet to a point in thence centerline of a creek; THENCE traveling on said centerline creek the following one hundred and eleven (111) courses and distances:

North 74 Degrees 58 Minutes 44 Seconds East for a distance of 8.36 feet to a point; THENCE North 00 Degrees 17 Minutes 02 Seconds West for a distance of 16.82 feet to a point; THENCE North 47 Degrees 57 Minutes 51 Seconds East for a distance of 16.71 feet to a point; THENCE North 46 Degrees 59 Minutes 18 Seconds East for a distance of 24.65

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feet to a point; THENCE North 46 Degrees 08 Minutes 50 Seconds East for a distance of 13.84 feet to a point; THENCE South 60 Degrees 40 Minutes 56 Seconds East for a distance of 11.88 feet to a point; THENCE South 70 Degrees 36 Minutes 24 Seconds East for a distance of 8.59 feet to a point; THENCE North 60 Degrees 59 Minutes 03 Seconds East for a distance of 11.81 feet to a point; THENCE North 47 Degrees 45 Minutes 46 Seconds East for a distance of 9.05 feet to a point; THENCE South 56 Degrees 17 Minutes 27 Seconds East for a distance of 5.20 feet to a point; THENCE South 05 Degrees 46 Minutes 32 Seconds East for a distance of 12.48 feet to a point; THENCE South 34 Degrees 24 Minutes 47 Seconds East for a distance of 16.47 feet to a point; THENCE South 14 Degrees 31 Minutes 57 Seconds East for a distance of 21.52 feet to a point; THENCE South 57 Degrees 47 Minutes 44 Seconds East for a distance of 18.02 feet to a point; THENCE North 86 Degrees 38 Minutes 59 Seconds East for a distance of 20.98 feet to a point; THENCE South 44 Degrees 04 Minutes 52 Seconds West for a distance of 27.47 feet to a point; THENCE South 73 Degrees 24 Minutes 56 Seconds West for a distance of 14.96 feet to a point; THENCE North 63 Degrees 05 Minutes 53 Seconds West for a distance of 19.76 feet to a point; THENCE South 29 Degrees 43 Minutes 38 Seconds West for a distance of 21.48 feet to a point; THENCE South 32 Degrees 56 Minutes 23 Seconds West for a distance of 16.19 feet to a point; THENCE South 27 Degrees 50 Minutes 11 Seconds West for a distance of 20.64 feet to a point; THENCE South 25 Degrees 59 Minutes 41 Seconds West for a distance of 22.17 feet to a point; THENCE South 67 Degrees 45 Minutes 51 Seconds West for a distance of 24.21 feet to a point; THENCE South 78 Degrees 41 Minutes 59 Seconds West for a distance of 18.09 feet to a point; THENCE North 82 Degrees 43 Minutes 18 Seconds West for a distance of 28.38 feet to a point; THENCE South 65 Degrees 44 Minutes 18 Seconds West for a distance of 17.22 feet to a point; THENCE South 38 Degrees 07 Minutes 48 Seconds West for a distance of 9.16 feet to a point; THENCE South 36 Degrees 05 Minutes 02 Seconds East for a distance of 11.36 feet to a point; THENCE South 55 Degrees 45 Minutes 35 Seconds East for a distance of 20.34 feet to a point; THENCE South 11 Degrees 20 Minutes 26 Seconds East for a distance of 12.87 feet to a point; THENCE South 45 Degrees 26 Minutes 46 Seconds West for a distance of 12.79 feet to a point; THENCE South 12 Degrees 34 Minutes 51 Seconds West for a distance of 8.59 feet to a point; THENCE South 12 Degrees 46 Minutes 19 Seconds East for a distance of 7.89 feet to a point; THENCE South 09 Degrees 08 Minutes 44 Seconds West for a distance of 11.25 feet to a point; THENCE South 18 Degrees 46 Minutes 44 Seconds West for a distance of 22.96 feet to a point; THENCE South 42 Degrees 39 Minutes 57 Seconds West for a distance of 10.66 feet to a point; THENCE South 62 Degrees 25 Minutes 53 Seconds West for a distance of 16.70 feet to a point; THENCE North 88 Degrees 46 Minutes 19 Seconds West for a distance of 10.92 feet to a point; THENCE South 43 Degrees 05 Minutes 43 Seconds West for a distance of 25.29 feet to a point; THENCE South 53 Degrees 22 Minutes 35 Seconds West for a distance of 16.68 feet to a point; THENCE South 69 Degrees 38 Minutes 01 Seconds West for a distance of 11.17 feet to a point;

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THENCE South 35 Degrees 21 Minutes 59 Seconds West for a distance of 16.19 feet to a point; THENCE South 64 Degrees 32 Minutes 05 Seconds West for a distance of 14.51 feet to a point; THENCE North 76 Degrees 29 Minutes 49 Seconds West for a distance of 9.59 feet to a point; THENCE South 47 Degrees 00 Minutes 39 Seconds West for a distance of 10.08 feet to a point; THENCE South 82 Degrees 27 Minutes 24 Seconds West for a distance of 8.21 feet to a point; THENCE North 64 Degrees 35 Minutes 58 Seconds West for a distance of 19.71 feet to a point; THENCE North 88 Degrees 35 Minutes 31 Seconds West for a distance of 17.16 feet to a point; THENCE South 43 Degrees 20 Minutes 00 Seconds West for a distance of 11.17 feet to a point; THENCE South 61 Degrees 46 Minutes 16 Seconds West for a distance of 22.67 feet to a point; THENCE South 45 Degrees 43 Minutes 31 Seconds West for a distance of 20.27 feet to a point; THENCE South 32 Degrees 08 Minutes 58 Seconds West for a distance of 7.86 feet to a point; THENCE South 07 Degrees 59 Minutes 21 Seconds West for a distance of 15.44 feet to a point; THENCE South 36 Degrees 58 Minutes 11 Seconds West for a distance of 10.18 feet to a point; THENCE South 07 Degrees 54 Minutes 31 Seconds West for a distance of 34.99 feet to a point; THENCE South 45 Degrees 49 Minutes 06 Seconds West for a distance of 31.95 feet to a point; THENCE South 70 Degrees 46 Minutes 48 Seconds West for a distance of 25.80 feet to a point; THENCE South 45 Degrees 38 Minutes 35 Seconds West for a distance of 22.03 feet to a point; THENCE South 52 Degrees 25 Minutes 41 Seconds West for a distance of 64.70 feet to a point; THENCE South 68 Degrees 36 Minutes 49 Seconds West for a distance of 42.73 feet to a point; THENCE South 11 Degrees 25 Minutes 59 Seconds West for a distance of 26.56 feet to a point; THENCE South 69 Degrees 08 Minutes 52 Seconds West for a distance of 66.78 feet to a point; THENCE South 11 Degrees 26 Minutes 43 Seconds West for a distance of 21.06 feet to a point; THENCE South 49 Degrees 11 Minutes 55 Seconds West for a distance of 39.14 feet to a point; THENCE South 89 Degrees 47 Minutes 41 Seconds West for a distance of 18.10 feet to a point; THENCE South 09 Degrees 58 Minutes 12 Seconds West for a distance of 11.11 feet to a point; THENCE South 21 Degrees 25 Minutes 52 Seconds West for a distance of 71.77 feet to a point; THENCE South 53 Degrees 33 Minutes 29 Seconds West for a distance of 37.20 feet to a point; THENCE South 72 Degrees 24 Minutes 48 Seconds West for a distance of 47.15 feet to a point; THENCE North 58 Degrees 44 Minutes 25 Seconds West for a distance of 21.19 feet to a point; THENCE North 32 Degrees 12 Minutes 02 Seconds West for a distance of 41.09 feet to a point; THENCE South 35 Degrees 10 Minutes 16 Seconds West for a distance of 21.56 feet to a point; THENCE North 77 Degrees 29 Minutes 50 Seconds West for a distance of 14.66 feet to a point; THENCE North 42 Degrees 10 Minutes 38 Seconds West for a distance of 33.41 feet to a point; THENCE North 78 Degrees 23 Minutes 31 Seconds West for a distance of 14.35 feet to a point; THENCE South 68 Degrees 02 Minutes 34 Seconds West for a distance of 15.81 feet to a point; THENCE South 44 Degrees 05 Minutes 12 Seconds East for a distance of 33.38 feet to a point; THENCE South 19 Degrees 59 Minutes 57 Seconds West for a distance of

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33.60 feet to a point; THENCE South 17 Degrees 16 Minutes 16 Seconds West for a distance of 25.72 feet to a point; THENCE North 77 Degrees 24 Minutes 38 Seconds West for a distance of 23.47 feet to a point; THENCE South 25 Degrees 06 Minutes 37 Seconds West for a distance of 10.26 feet to a point; THENCE South 41 Degrees 29 Minutes 49 Seconds East for a distance of 12.36 feet to a point; THENCE South 00 Degrees 57 Minutes 44 Seconds West for a distance of 34.25 feet to a point; THENCE South 48 Degrees 57 Minutes 07 Seconds West for a distance of 23.10 feet to a point; THENCE South 00 Degrees 16 Minutes 47 Seconds West for a distance of 28.90 feet to a point; THENCE North 75 Degrees 15 Minutes 57 Seconds West for a distance of 27.81 feet to a point; THENCE North 82 Degrees 16 Minutes 41 Seconds West for a distance of 27.57 feet to a point; THENCE South 79 Degrees 55 Minutes 08 Seconds West for a distance of 45.74 feet to a point; THENCE South 37 Degrees 12 Minutes 02 Seconds West for a distance of 15.98 feet to a point; THENCE North 66 Degrees 54 Minutes 52 Seconds West for a distance of 28.99 feet to a point; THENCE South 56 Degrees 13 Minutes 33 Seconds West for a distance of 19.56 feet to a point; THENCE North 86 Degrees 10 Minutes 02 Seconds West for a distance of 38.12 feet to a point; THENCE South 43 Degrees 35 Minutes 50 Seconds West for a distance of 47.90 feet to a point; THENCE South 13 Degrees 16 Minutes 09 Seconds West for a distance of 24.19 feet to a point; THENCE South 45 Degrees 43 Minutes 37 Seconds West for a distance of 14.26 feet to a point; THENCE North 59 Degrees 38 Minutes 50 Seconds West for a distance of 30.39 feet to a point; THENCE North 31 Degrees 46 Minutes 50 Seconds West for a distance of 23.25 feet to a point; THENCE South 57 Degrees 45 Minutes 45 Seconds West for a distance of 16.77 feet to a point; THENCE South 65 Degrees 53 Minutes 46 Seconds West for a distance of 66.92 feet to a point; THENCE North 53 Degrees 43 Minutes 44 Seconds West for a distance of 57.48 feet to a point; THENCE North 68 Degrees 57 Minutes 33 Seconds West for a distance of 50.84 feet to a point; THENCE North 50 Degrees 52 Minutes 46 Seconds West for a distance of 71.35 feet to a point; THENCE North 69 Degrees 30 Minutes 43 Seconds West for a distance of 42.37 feet to a point; THENCE North 41 Degrees 57 Minutes 12 Seconds West for a distance of 15.61 feet to a point; THENCE North 74 Degrees 09 Minutes 11 Seconds West for a distance of 19.61 feet to a point; THENCE North 32 Degrees 23 Minutes 57 Seconds West for a distance of 62.50 feet to a point; THENCE South 85 Degrees 47 Minutes 38 Seconds West for a distance of 35.60 feet to a point; THENCE North 63 Degrees 10 Minutes 58 Seconds West for a distance of 39.33 feet to a point; THENCE South 89 Degrees 33 Minutes 54 Seconds West for a distance of 29.88 feet to a point; THENCE North 72 Degrees 35 Minutes 48 Seconds West for a distance of 26.53 feet to a point; THENCE North 43 Degrees 31 Minutes 42 Seconds West for a distance of 15.12 feet to a point;

THENCE leaving said centerline creek and traveling North 38 Degrees 54 Minutes 16 Seconds East for a distance of 449.56 feet to a point; THENCE North 62 Degrees 15 Minutes 58 Seconds East for a distance of 209.05 feet to a point, said point marked by a 1.5

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inch open top pipe; THENCE North 27 Degrees 36 Minutes 02 Seconds West for a distance of 1036.84 feet to a point on the southeasterly right of way of Gillsville Highway (80' right of way); THENCE traveling on said right of way North 63 Degrees 51 Minutes 15 Seconds East for a distance of 174.63 feet to a point, said point being THE TRUE POINT OF BEGINNING.

Said property contains +/-30.87 Acres.

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Anael Dominguez (CDI: Planning)

From: Emily McGahee (Environmental Health)
Sent: Friday, June 28, 2024 10:26 AM
To: Anael Dominguez (CDI: Planning); Beth Garmon (CDI: Planning); Katie L. Greenway (CDI: Planning)
Cc: Kelly Hairston (Environmental Health); Chad Harper (Environmental Health)
Subject: HCPC Tentative Agenda 8.5.24

Please find Environmental Health comments below:

Item 1, 0/3454 Gillsville Hwy, Chowdhury: All proposed lots must meet Hall County Board of Health Lot Size Resolution requirements. Please note that Zoning approval does not imply approval from other county departments. Further determination will be made during the plat review process.

Item 2A,B,C, 1954 Mountain View Road, Matheny: Must meet all residential permitting requirements.

Item 3A,B, 3193 Wallace Road, Del Toro: Must meet all residential permitting requirements.

Item 4A,B,C, 5248 Byers Road, Villeda: All proposed structures must meet all residential permitting requirements and/or required setbacks to existing septic system.

Item 5, 3117 Athens Hwy, Agile Cold Storage: No comment.

Item 6, 5820 McEver Road, Nabeel: If public sewer not available, development must meet all Environmental Health commercial septic system permitting requirements if able to be permitted by Environmental Health. Wastewater treatment and disposal may be required to be permitted through EPD. Further determination will be made during the civil plan review process. A detailed business plan must be submitted to Hall County Environmental Health for review. Tourist Accommodation permit/plan review and/or Food Service permit/plan review may be required after review of business plan.

Item 7, 2052 Spring Road, Ruelas: No comment. Public sewer.

Item 8A,B, 5181 Dudley Hill Road, Campbell: All proposed lots must meet Hall County Board of Health Lot Size Resolution requirements. Please note that Zoning approval does not imply approval from other county departments. Further determination will be made during the plat review process.

Item 9, 4518/4520 Cagle Road, Rochester: If public sewer not available, development must meet all Environmental Health commercial septic system permitting requirements if able to be permitted by Environmental Health. Further determination will be made during the civil plan review process. A detailed business plan must be submitted to Hall County Environmental Health for review.

Item 10, 5991 Swansey Road, Abernathy: No comment. Public sewer

Emily McGahee
Hall County Environmental Health
Hall County Government Center

2875 Browns Bridge Road
Mailing: PO Box 5901
Gainesville, GA 30504
(770) 531-3973 (phone)
emcgahee@hallcounty.org

<http://dph.georgia.gov/environmental-health> (State Website)
<http://www.phdistrict2.org/HallCounty.htm> (District Website)
<https://www.hallcounty.org/192/Environmental-Health> (County Website & Forms)

EMAIL Reader Advisory Notice: Email to and from a Georgia state agency is generally public record, except for content that is confidential under specific laws. Security by encryption is applied to all confidential information sent by email from the Georgia Department of Public Health (DPH). This message is only intended for specific recipient(s) and may contain privileged, private, or sensitive information. If you received this message in error, please delete it, and contact me.

Anael Dominguez (CDI: Planning)

From: Chavers, Veronica E <VChavers@dot.ga.gov>
Sent: Wednesday, July 3, 2024 1:56 PM
To: Anael Dominguez (CDI: Planning); Beth Garmon (CDI: Planning)
Subject: RE: Tentative Planning Agenda for August 5, 2024

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

See responses in red, below.

From: Anael Dominguez (CDI: Planning) <adominguez@hallcounty.org>
Sent: Thursday, June 27, 2024 10:48 AM
Subject: Tentative Planning Agenda for August 5, 2024

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning –

Here is the Tentative Agenda and Maps for the **Monday, August 5, 2024** Hall County Planning Commission Meeting.

Please use the links to review the documents and respond with comments to Hall County Planning and Development. Failure to provide comments in a timely manner may result in the information not being included in the staff report.

When submitting comments, please include the name of the applicant along with the address of the property with the corresponding comment.

Comments are due by **Friday, July 5th**. Email comments to Beth (bgarmon@hallcounty.org) and Ana (adominguez@hallcounty.org).

CALL TO ORDER

AGENDA REVIEW

APPROVAL OF MINUTES – July 15, 2024

OLD BUSINESS

1. [0 & 3454 Gillsville Highway | Rezone | from Agricultural Residential IV \(AR-IV\) to Planned Residential Development \(PRD\) | on a combined 30.78± acre tract located on the south side of Gillsville Highway \(GA-323\), approximately 370 feet from its intersection with East Hall Road | Zoned AR-IV; Tax Parcels 15016 000158A & 000028C | Proposed Use: 20-lot residential subdivision | ** Commission District 3 | Sabina Chowdhury, applicant](#) Access on SR 323 will require GDOT coordination.

NEW BUSINESS

2. [\(A\) 1954 Mountain View Road | Variance | 17.240.010. to reduce the front yard setback along Memorial Park Place | on a 0.37± acre tract located on the east side of Mountain View Road at its intersection with Memorial Park Place | Zoned R-II; Tax Parcel 08009 007001 | Proposed Use: Single-family residence | * Commission District 4 | Randy L. Matheny, applicant](#) No GDOT coordination required

- (B) 1954 Mountain View Road | Variance | 17.240.010.** to reduce the front yard setback along Mountain View Road | on a 0.37± acre tract located on the east side of Mountain View Road at its intersection with Memorial Park Place | Zoned R-II; Tax Parcel 08009 007001 | **Proposed Use: Single-family residence** | * Commission District 4 | **Randy L. Matheny, applicant** **No GDOT coordination required**
- (C) 1954 Mountain View Road | Variance | 17.240.010.** to reduce the rear yard setback | on a 0.37± acre tract located on the east side of Mountain View Road at its intersection with Memorial Park Place | Zoned R-II; Tax Parcel 08009 007001 | **Proposed Use: Single-family residence** | * Commission District 4 | **Randy L. Matheny, applicant** **No GDOT coordination required**
3. **(A) 3193 Wallace Road | Variance | 17.240.010.** to reduce the front yard setback | on a 0.49± acre tract located on the east side of Wallace Road at its intersection with Baker Road | Zoned AR-IV; Tax Parcel 15024 000058 | **Proposed Use: Single-family residence** | * Commission District 3 | **Julia Del Toro, applicant**
- (B) 3193 Wallace Road | Variance | 17.240.010.** to reduce the rear yard setback | on a 0.49± acre tract located on the east side of Wallace Road at its intersection with Baker Road | Zoned AR-IV; Tax Parcel 15024 000058 | **Proposed Use: Single-family residence** | * Commission District 3 | **Julia Del Toro, applicant** **No GDOT coordination required**
4. **(A) 5248 Byers Road | Variance | 17.240.010.** to reduce the right side yard setback | on a 0.61± acre tract located west side of Byers Road, approximately 941 feet from its intersection with Flat Creek Road | Zoned AR-III; Tax Parcel 08077 001017 | **Proposed Use: Detached garage** | * Commission District 2 | **Hector J & Teresa Villeda, applicant** **No GDOT coordination required**
- (B) 5248 Byers Road | Variance | 17.240.010.** to reduce the rear yard setback | on a 0.61± acre tract located west side of Byers Road, approximately 941 feet from its intersection with Flat Creek Road | Zoned AR-III; Tax Parcel 08077 001017 | **Proposed Use: Detached garage** | * Commission District 2 | **Hector J & Teresa Villeda, applicant** **No GDOT coordination required**
- (C) 5248 Byers Road | Variance | 17.240.010.** to reduce the rear yard setback | on a 0.61± acre tract located west side of Byers Road, approximately 941 feet from its intersection with Flat Creek Road | Zoned AR-III; Tax Parcel 08077 001017 | **Proposed Use: Single-family residence** | * Commission District 2 | **Hector J & Teresa Villeda, applicant** **No GDOT coordination required**
5. **3117 Athens Highway | Variance | 17.420.060.** to allow for additional wall signs | on a 34.52± acre tract located on the north side of Athens Highway (GA-129) at its intersection with Roy Parks Road | Zoned I-I (GCOD); Tax Parcel 15024 000036 | **Purpose: Wall sign** | * Commission District 3 | **Agile Cold Storage c/o John Blan, applicant** **No GDOT coordination required**
6. **5820 McEver Road | Amend Conditions of Zoning** | on a 3.57± acre tract located on the west side of McEver Road at its intersection with Lights Ferry Road | Zoned H-B, Tax Parcel 08119 000003 | **Proposed Use: Gas station and convenience store** | ** Commission District 2 | **Nabeel Group of Companies, Inc, applicant** **No GDOT coordination required**
7. **2052 Spring Road | Reestablishment of a Nonconforming Use** | on a 0.19± acre tract located on the north side of Spring Road, approximately 237 feet from its intersection with Skelton Road | Zoned H-B, Tax Parcel 00122 002010 | **Proposed Use: Single-family residence** | ** Commission District 4 | **Ashley Xitlaly Ruelas, applicant** **No GDOT coordination required**
8. **(A) 5181 Dudley Hill Road | Rezone** | from Agricultural Residential III (AR-III) to Residential-I-Low-Density (R-I-L) | on a 47.61± acre tract located on the west side of Dudley Hill Road at its intersection with Waterwood Drive | Zoned AR-III; Tax Parcel 11131 000001A | **Proposed Use: 20-lot single-family development** | ** Commission District 2 | **Blum & Campbell, LLC c/o Jody Campbell, applicant** **No GDOT coordination required**
- (B) 5181 Dudley Hill Road | Use Subject to County Commission Approval** | 17.70.040 for a subdivision | on a 47.61± acre tract located on the west side of Dudley Hill Road at its intersection with Waterwood Drive | Zoned AR-III; Tax Parcel 11131 000001A | **Proposed Use: 20-lot single-family development** | ** Commission District 2 | **Blum & Campbell, LLC c/o Jody Campbell, applicant** **No GDOT coordination required**
- (C) 5181 Dudley Hill Road | Variance** | 12.40.180. to allow for a common access drive to serve more than five lots | on a 47.61± acre tract located on the west side of Dudley Hill Road at its intersection with Waterwood Drive | Zoned AR-III; Tax Parcel 11131 000001A | **Proposed Use: 20-lot single-family development** | ** Commission District 2 | **Blum & Campbell, LLC c/o Jody Campbell, applicant** **No GDOT coordination required**

9. [\(A\) 4518 & 4520 Cagle Road | Rezone | from Agricultural Residential III \(AR-III\) to Light Industrial \(I-I\) & Gateway Corridors Overlay District \(GCOD\) | on a 16.61± combined tract located on the west side of Cornelia Highway, approximately 870 feet from its intersection with Cagle Road | Zoned AR-IV, Tax Parcel 15007 000030 & 15007 000031 | Proposed Use: Permitted uses in light industrial zoning district | ** Commission District 3 | Rochester|DCCM, applicant](#) Access on SR 365 will require GDOT coordination.
10. [\(B\) 4518 & 4520 Cagle Road | Use Subject to County Commission | 17.420.050 for outdoor storage within GCOD | on a 16.61± combined tract located on the west side of Cornelia Highway, approximately 870 feet from its intersection with Cagle Road | Zoned AR-IV, Tax Parcel 15007 000030 & 15007 000031 | Proposed Use: Outdoor storage | ** Commission District 3 | Rochester|DCCM, applicant](#) Access on SR 365 will require GDOT coordination.

[5991 Swansey Road | Amend Conditions of Zoning | on a 38.45 ± acre tract located on the south side of Swansey Road approximately 476 feet from its intersection with Circle Four Ranch | Zoned PRD, Tax Parcel 15048 000034 | Proposed Use: 100-lot subdivision | ** Commission District 1 | Abernathy Engineering Group, applicant](#) No GDOT coordination required

*The Planning Commission's decision will be the final action taken unless appealed to the Board of Commissioners. To do so, file an application with the Planning Department within 30 days of the Planning Commission's decision.

The Hall County Board of Commissioners will hear appeals at a public hearing **Thursday, September 12, 2024**, at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

The Planning Commission's recommendation will be forwarded to the Board of Commissioners for final action at a public hearing on **Thursday, September 12, 2024. The Board will meet at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

Thank you,
 Ana Dominguez
 Planning Commission Clerk
 Hall County Community Development and Infrastructure
 (770) 531-6810 | www.hallcounty.org



Human trafficking impacts every corner of the globe, including our state and local communities. Georgia DOT is committed to end human trafficking in Georgia through education enabling its employees and the public to recognize the signs of human trafficking and how to react in order to help make a change. To learn more about the warning signs of human trafficking, visit <https://doas.ga.gov/human-resources-administration/human-trafficking-awareness/trafficking-in-georgia>. To report any suspicious activity, call the Georgia Human Trafficking Hotline at 866-363-4842. Let's band together to end human trafficking in Georgia.



Hall County Government
COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
PUBLIC WORKS AND UTILITIES

MEMORANDUM

To: Randi Doveton, Director of Planning and Development

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

From: Bill Nash, Director of Public Works and Utilities

Date: July 5, 2024

t: 770.531.6800 | f: 770.531.3945

Subject: August 5, 2024 - Hall County Planning Commission Agenda

PUBLIC WORKS AND
UTILITIES DIRECTOR
Bill Nash, P.E.

Please be advised that our office has reviewed the Hall County Planning Commission agenda for the August 5, 2024 meeting. Upon review, we provide the following comments.

OLD BUSINESS

1. [0 & 3454 Gillsville Highway | Rezone | from Agricultural Residential IV \(AR-IV\) to Planned Residential Development \(PRD\) | on a combined 30.78± acre tract located on the south side of Gillsville Highway \(GA-323\), approximately 370 feet from its intersection with East Hall Road | Zoned AR-IV; Tax Parcels 15016 000158A & 000028C | Proposed Use: 20-lot residential subdivision | ** Commission District 3 | Sabina Chowdhury, applicant](#)
 - a. **Engineering:** This site may require a stormwater management report should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage. Show stream buffer and impervious setback from wretched vegetation not centerline of stream Show FEMA and Hall County studied Flood plains that are present on site.
 - b. **Traffic:** GA DOT driveway permit required
 - c. **Utilities:** NO sanitary sewer in area.

NEW BUSINESS

2. [\(A\) 1954 Mountain View Road | Variance | 17.240.010. to reduce the front yard setback along Memorial Park Place | on a 0.37± acre tract located on the east side of Mountain View Road at its intersection with Memorial Park Place | Zoned R-II; Tax Parcel 08009 007001 | Proposed Use: Single-family residence | * Commission District 4 | Randy L. Matheny, applicant](#)
[\(B\) 1954 Mountain View Road | Variance | 17.240.010. to reduce the front yard setback along Mountain View Road | on a 0.37± acre tract located on the east side of Mountain View Road at its intersection with Memorial Park Place | Zoned R-II; Tax Parcel 08009 007001 | Proposed Use: Single-family residence | * Commission District 4 | Randy L. Matheny, applicant](#)
[\(C\) 1954 Mountain View Road | Variance | 17.240.010. to reduce the rear yard setback | on a 0.37± acre tract located on the east side of Mountain View Road at its intersection with Memorial Park Place | Zoned R-II; Tax Parcel 08009 007001 | Proposed Use: Single-family residence | * Commission District 4 | Randy L. Matheny, applicant](#)

- a. **Engineering:** No comment
 - b. **Traffic:** No comment.
 - c. **Utilities:** No comment.
3. [\(A\) 3193 Wallace Road | Variance | 17.240.010. to reduce the front yard setback | on a 0.49± acre tract located on the east side of Wallace Road at its intersection with Baker Road | Zoned AR-IV; Tax Parcel 15024 000058 | Proposed Use: Single-family residence | * Commission District 3 | Julia Del Toro, applicant](#)
[\(B\) 3193 Wallace Road | Variance | 17.240.010. to reduce the rear yard setback | on a 0.49± acre tract located on the east side of Wallace Road at its intersection with Baker Road | Zoned AR-IV; Tax Parcel 15024 000058 | Proposed Use: Single-family residence | * Commission District 3 | Julia Del Toro, applicant](#)
- a. **Engineering:** No comment
 - b. **Traffic:** No comment.
 - c. **Utilities:** No comment.
4. [\(A\) 5248 Byers Road | Variance | 17.240.010. to reduce the right side yard setback | on a 0.61± acre tract located west side of Byers Road, approximately 941 feet from its intersection with Flat Creek Road | Zoned AR-III; Tax Parcel 08077 001017 | Proposed Use: Detached garage | * Commission District 2 | Hector J & Teresa Villeda, applicant](#)
[\(B\) 5248 Byers Road | Variance | 17.240.010. to reduce the rear yard setback | on a 0.61± acre tract located west side of Byers Road, approximately 941 feet from its intersection with Flat Creek Road | Zoned AR-III; Tax Parcel 08077 001017 | Proposed Use: Detached garage | * Commission District 2 | Hector J & Teresa Villeda, applicant](#)
[\(C\) 5248 Byers Road | Variance | 17.240.010. to reduce the rear yard setback | on a 0.61± acre tract located west side of Byers Road, approximately 941 feet from its intersection with Flat Creek Road | Zoned AR-III; Tax Parcel 08077 001017 | Proposed Use: Single-family residence | * Commission District 2 | Hector J & Teresa Villeda, applicant](#)
- a. **Engineering:** Drainage easement may be changed, but must enter and exit in the place as the final plat PB:40 PG:242.
 - b. **Traffic:** No comment.
 - c. **Utilities:** No comment.
5. [3117 Athens Highway | Variance | 17.420.060. to allow for additional wall signs | on a 34.52± acre tract located on the north side of Athens Highway \(GA-129\) at its intersection with Roy Parks Road | Zoned I-I \(GCOD\); Tax Parcel 15024 000036 | Purpose: Wall sign | * Commission District 3 | Agile Cold Storage c/o John Blan, applicant](#)
- a. **Engineering:** No comment
 - b. **Traffic:** No comment.
 - c. **Utilities:** No comment.

6. [5820 McEver Road | Amend Conditions of Zoning | on a 3.57± acre tract located on the west side of McEver Road at its intersection with Lights Ferry Road | Zoned H-B, Tax Parcel 08119 000003 | Proposed Use: Gas station and convenience store | ** Commission District 2 | Nabeel Group of Companies, Inc, applicant](#)
 - a. **Engineering:** This site may require a stormwater management report should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
 - b. **Traffic:** Driveway to be reviewed during plan review
 - c. **Utilities:** No Hall County sewer in area.

7. [2052 Spring Road | Reestablishment of a Nonconforming Use | on a 0.19± acre tract located on the north side of Spring Road, approximately 237 feet from its intersection with Skelton Road | Zoned H-B, Tax Parcel 00122 002010 | Proposed Use: Single-family residence | ** Commission District 4 | Ashley Xitlaly Ruelas, applicant](#)
 - a. **Engineering:** No comment
 - b. **Traffic:** No comment.
 - c. **Utilities:** No comment.

8. [\(A\) 5181 Dudley Hill Road | Rezone | from Agricultural Residential III \(AR-III\) to Residential-I-Low-Density \(R-I-L\) | on a 47.61± acre tract located on the west side of Dudley Hill Road at its intersection with Waterwood Drive | Zoned AR-III; Tax Parcel 11131 000001A | Proposed Use: 20-lot single-family development | ** Commission District 2 | Blum & Campbell, LLC c/o Jody Campbell, applicant](#)
 - a. **Engineering:** Show stream buffer and impervious setback from wooded vegetation not centerline of stream.
As this subdivision is greater than 6 lots on an existing road a stormwater management report prepared by a professional engineer will be required.
Show FEMA and Hall County studied Flood plains that are present on site.
 - b. **Traffic:** Provide sight distance for each drive
Common access drive will need to meet County standards and go through the development review process.
 - c. **Utilities:** No comment.

9. [\(A\) 4518 & 4520 Cagle Road | Rezone | from Agricultural Residential III \(AR-III\) to Light Industrial \(I-I\) & Gateway Corridors Overlay District \(GCOD\) | on a 16.61± combined tract located on the west side of Cornelia Highway, approximately 870 feet from its intersection with Cagle Road | Zoned AR-IV, Tax Parcel 15007 000030 & 15007 000031 | Proposed Use: Permitted uses in light industrial zoning district | ** Commission District 3 | Rochester|DCCM, applicant](#)
[\(B\) 4518 & 4520 Cagle Road | Use Subject to County Commission 17.420.050 for outdoor storage within GCOD | on a 16.61± combined tract located on the west side of Cornelia Highway, approximately 870 feet from its intersection with Cagle Road | Zoned AR-IV, Tax Parcel 15007 000030 & 15007 000031 | Proposed Use: Outdoor storage | ** Commission District 3 | Rochester|DCCM, applicant](#)

- a. **Engineering:** Show stream buffer and impervious setback from wretched vegetation not centerline of stream
This site may require a stormwater management report should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage
- b. **Traffic:** GA DOT permit required
- c. **Utilities:** Sanitary sewer on SR 365

10. [5991 Swansey Road | Amend Conditions of Zoning | on a 38.45 ± acre tract located on the south side of Swansey Road approximately 476 feet from its intersection with Circle Four Ranch | Zoned PRD, Tax Parcel 15048 000034 | Proposed Use: 100-lot subdivision | ** Commission District 1 | Abernathy Engineering Group, applicant](#)

- a. **Engineering:** This site may require a stormwater management report should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage
Show stream buffer and impervious setback from wretched vegetation not centerline of stream
Show FEMA and Hall County studied Flood plains that are present on site.
- b. **Traffic:** Needs to be reviewed by legal
- c. **Utilities:** No comment.

Anael Dominguez (CDI: Planning)

From: John Hornick (Fire Services)
Sent: Wednesday, May 1, 2024 1:27 PM
To: Anael Dominguez (CDI: Planning)
Cc: Beth Garmon (CDI: Planning)
Subject: Fire Comments

Monday, June 3, 2024 Hall County Planning Commission Meeting.

1. [0 & 3454 Gillsville Highway | Rezone | from Agricultural Residential IV \(AR-IV\) to Planned Residential Development \(PRD\) | on a combined 30.78± acre tract located on the south side of Gillsville Highway \(GA-323\), approximately 370 feet from its intersection with East Hall Road | Zoned AR-IV; Tax Parcels 15016 000158A & 000028C | Proposed Use: 20-lot residential subdivision | ** Commission District 3 | Sabina Chowdhury, applicant](#)

The Hall County Fire Marshal's Office considers the plan conceptual in nature, and if approved may require modifications during the development review process.

Regards,

John Hornick, NPQ Fire Service Plans Examiner 1
Lieutenant, Hall County Fire Rescue
Hall County Government
Main: 770-531-6838 | Cell: 404-597-0083
Website: www.Hallcounty.org



Print

Planning Commission Comments - June 3, 2024 - Submission #98059

Date Submitted: 5/30/2024

Comments completed in the form below will be submitted into the record for the April 1, 2024 meeting of the Hall County Planning Commission.

First Name*

Lynn

Last Name*

Marietta

Address1*

3941 Gillsville Hwy

Address2

City*

Gillsville

State*

GA

Zip*

30543

Zoning Item for Comment*

0 & 3454 Gillsville Highway

Select from the list below which zoning item you would like to register a comment on. Items are listed in the order in which they appear on the agenda.

Your Comments*

It has come to my attention that a residential subdivision entrance at 3454 Gillsville Highway has again been presented to Hall County Planning. As this proposed neighborhood is within a few feet of the previous proposal, the validity of safety is still a major concern--this would create a dangerous intersection. Please review the Board of Commissioners notes from the denial in 2021. There are numerous accidents at this intersection already, as those pulling out from East Hall Road onto Gillsville Highway don't have ample line of site to the right due to the hill. While I realize Hall County desperately needs additional housing, this is a dangerous place to add an entrance to a subdivision.

Please deny this subdivision request based on numerous safety concerns. Thank you in advance.

Please write your comments in the box above.

Print

Planning Commission Comments - June 3, 2024 - Submission #98116

Date Submitted: 6/2/2024

Comments completed in the form below will be submitted into the record for the April 1, 2024 meeting of the Hall County Planning Commission.

First Name*

amy

Last Name*

Cruce

Address1*

3648 Lebanon Church Road

Address2

City*

Gillsville

State*

GA

Zip*

30543

Zoning Item for Comment*

0 & 3454 Gillsville Highway

Select from the list below which zoning item you would like to register a comment on. Items are listed in the order in which they appear on the agenda.

Your Comments*

I am concerned about the development of this property and how it will affect the water table. We currently are on well water as is everyone on Lebanon Church Road. This development is such close proximity that I am concerned that the water will be contaminated by additional homes. The site of entry of said development is also of concern as it is in between a blind curve and East Hall Road which is already a source of numerous accidents. Highway 323 is a heavily truck traveled road which makes entry at that location dangerous.

Please write your comments in the box above.

File Upload

Choose File No file chosen

If you have files, such as photos, videos or text documents to include with your comments, upload them in the box above.

Print

Planning Commission Comments - June 3, 2024 - Submission #98124

Date Submitted: 6/2/2024

Comments completed in the form below will be submitted into the record for the April 1, 2024 meeting of the Hall County Planning Commission.

First Name*

Anna

Last Name*

Hewell

Address1*

3396 Gillsville Hwy

Address2

City*

Gainesville

State*

Ga

Zip*

30507

Zoning Item for Comment*

0 & 3454 Gillsville Highway

Select from the list below which zoning item you would like to register a comment on. Items are listed in the order in which they appear on the agenda.

Your Comments*

I am writing you to voice my concern and opposition to the proposed 20 lot PRD on Gillsville Hwy.

The area of the proposed entrance is on an already busy two-lane road. There is limited line of site due to the blind hill on Gillsville Hwy. Vehicles and large trucks travel this hill at high speeds, which is already dangerous at the East Hall Rd intersection at the bottom of this hill.

Many families in the area surrounding the subdivision also have wells, there is concern about contamination to the drinking water. I am also concerned about the impact on the agricultural land and our farmers nearby.

While I know and understand Hall County is growing, I also believe it is necessary to be diligent and mindful of how and where we are allowing growth. The rezoning is inconsistent with the current Comprehensive Land Use Plan and it is also inconsistent with what is currently in the surrounding area. Once you pass Tadmore School, it is single family homes and/or farmland.

Please write your comments in the box above.

Print

Planning Commission Comments - June 3, 2024 - Submission #98125

Date Submitted: 6/3/2024

Comments completed in the form below will be submitted into the record for the April 1, 2024 meeting of the Hall County Planning Commission.

First Name*

Donald

Last Name*

Snare

Address1*

3429 Holly Springs Rd

Address2

City*

Gainesville

State*

GA

Zip*

30507-9426

Zoning Item for Comment*

0 & 3454 Gillsville Highway

Select from the list below which zoning item you would like to register a comment on. Items are listed in the order in which they appear on the agenda.

Your Comments*

I strongly oppose the residential development proposed at 3454 Gillsville Highway, because of severe traffic hazards at that location.

DANGEROUS INTERSECTION:
 I live and work nearby, and the intersection of Gillsville Highway with East Hall Road is the most dangerous part of my drive every day. The intersection is awkward and has poor visibility. School buses cannot even make their right turns onto Gillsville Highway without going across the center line. And there are a lot of school buses using this intersection. Traffic turning from Gillsville Hwy onto East Hall Road often has to sit and wait to turn. Vehicles coming east on Gillsville Hwy, behind them, down the steep hill, often have to stop... but sometimes can't.

Traffic has increased the last few years, and is expected to continue to increase. One neighbor who lives and works close to the intersection counts several accidents happening most months.

INADEQUATE VISIBILITY, DUE TO BLIND CURVE & STEEP HILL ON EAST SIDE OF PROPOSED SUBDIVISION:
 Eastbound vehicles would come around the blind curve, and start down the steep hill, whose curvature hides the development entrance until you're practically on top of it. Drivers may not see vehicles pulling out of the development until too late to avoid a collision. Likewise, vehicles pulling out of the development would not be able to easily see oncoming eastbound traffic in time.

To add another difficult and dangerous ingredient to this area would be deadly.

For safety's sake, do not allow this.

Please write your comments in the box above.

File Upload

No file chosen

If you have files, such as photos, videos or text documents to include with your comments, upload them in the box above.

Would you like follow-up communication?

donaldsnare@gmail.com

Please leave an email address and/or phone number if you would like a Hall County staff member to follow-up with you.

Print

Planning Commission Comments - June 3, 2024 - Submission #98119

Date Submitted: 6/2/2024

Comments completed in the form below will be submitted into the record for the April 1, 2024 meeting of the Hall County Planning Commission.

First Name*

Last Name*

Gregory & Rhett

Marlow

Address1*

3630 Lebanon Church Rd

Address2

City*

State*

Zip*

Gillsville

Georgia

30543

Zoning Item for Comment*

0 & 3454 Gillsville Highway

Select from the list below which zoning item you would like to register a comment on. Items are listed in the order in which they appear on the agenda.

Your Comments*

I oppose the application to rezone. This area is zoned Agriculture-Residential and should remain that way. It fits our community. The proposed application is not consistent with our community and the surrounding area. This area is Single Home Residences and Agricultural.

The proposed entrance is a very dangerous section on Gillsville hwy. This is a very busy, heavy traffic, two lane highway. Lots of big trucks travel this highway carrying supplies and picking up from factories, farms businesses and warehouses. There are eighteen-wheelers hauling cages of chickens, feed trucks and other eighteen wheelers, dump trucks, etc. traveling up and down Gillsville hwy, day and night.

Trucks hauling manure, farm equipment and other agricultural supplies travel this highway daily and cut-through Lebanon Church Rd going to nearby farms and pastures. The proposed subdivision entrance is in a really dangerous and congested section from the top of the hill down to Lebanon Church Rd.

East Hall Rd which is a few feet down and across from the proposed entrance is already a busy and dangerous road to turn in and out of onto Gillsville hwy. There's a blind spot at the top of the hill on Gillsville hwy coming down, just above the proposed subdivision entrance. You can look and it's clear, pull out and a truck will appear over the hill right on you.

East Hall Rd has lots of buses pulling in and out onto Gillsville hwy. Vehicles pulling in and out of the subdivision would only make it more dangerous for those already traveling on the hwy. We already have lots of traffic in this area. More traffic on this already busy two lane highway would only add to the dangerous situation.

I have concerns of the flood zone run off. I am concerned about erosion on my property.

I live on Lebanon Church Rd and have my own private well on my property. I am really concerned about the sewage from the subdivision. The creek runs along the backside of the proposed subdivision property and into a nearby lake. The homes in this area have their own private wells on their property for water. We do not have access to city water on Lebanon Church Rd. I am concerned about the sewage from the subdivision getting into our water system and contaminating our private wells, creeks and lakes. I have concerns for clean water and natural habitat for the wildlife that lives here in this area. Rezoning doesn't fit the consistency of our community and surrounding area. We are Single Home Residences and have farmers that own, live and work their land in this community. The proposed entrance is a danger to those that travel Gillsville hwy and for all those that live here in the community and travel Gillsville hwy daily. I oppose the rezoning application. Please take all of this into consideration when making your decision. Thank you for letting me voice my concerns.

Please write your comments in the box above.

File Upload

No file chosen

If you have files, such as photos, videos or text documents to include with your comments, upload them in the box above.

Would you like follow-up communication?

Please leave an email address and/or phone number if you would like a Hall County staff member to follow-up with you.

Print

Planning Commission Comments - June 3, 2024 - Submission #98117

Date Submitted: 6/2/2024

Comments completed in the form below will be submitted into the record for the April 1, 2024 meeting of the Hall County Planning Commission.

First Name*

Jack & Virginia

Last Name*

Watson

Address1*

4054 Campground Dr

Address2

City*

Gillsville

State*

Georgia

Zip*

30543

Zoning Item for Comment*

0 & 3454 Gillsville Highway

Select from the list below which zoning item you would like to register a comment on. Items are listed in the order in which they appear on the agenda.

Your Comments*

Hall County Planning and Development Department:

I'm writing in response to the application of 0 & 3454 Gillsville Highway. We have several concerns about the proposed 20-lot residential subdivision proposed by Sabina Chowdhury. The residents on Lebanon Church Road and community have private wells and do not have access to city water. Our concern is that the waste water could affect the private wells. There is a creek and lake on nearby property that could also be affected by the waste water from the proposed subdivision. Another concern is the heavy traffic on Gillsville Highway and East Hall Road. Tadmore Elementary is approximately one-half mile from the entrance of the proposed subdivision. Traffic is heavy on East Hall Road and Gillsville Highway with buses traveling to Tadmore Elementary, East Hall Middle School, and East Hall High School. It is already difficult to pull out of East Hall Road onto Gillsville Highway because of the traffic. The entrance to the subdivision could be a very dangerous situation. Traffic flows around a blind curve and down a steep hill where the entrance would be. Traffic on Gillsville Highway is heavy with transfer trucks and other big trucks. When the trucks start down the hill they are traveling at a high rate of speed making it impossible for them to stop for vehicles turning into the subdivision or exiting. I feel that there would be wrecks and casualties.

Thank you for taking our concerns into consideration.

Jack & Virginia Watson

Please write your comments in the box above.

File Upload

No file chosen

If you have files, such as photos, videos or text documents to include with your comments, upload them in the box above.

Would you like follow-up communication?

Please leave an email address and/or phone number if you would like a Hall County staff member to follow-up with you.

Print

Planning Commission Comments - June 3, 2024 - Submission #98112

Date Submitted: 6/1/2024

Comments completed in the form below will be submitted into the record for the April 1, 2024 meeting of the Hall County Planning Commission.

First Name*

Jacqueline

Last Name*

Parks

Address1*

3618 Lebanon Church Road

Address2

City*

Gillsville

State*

Georgia

Zip*

30543

Zoning Item for Comment*

0 & 3454 Gillsville Highway

Select from the list below which zoning item you would like to register a comment on. Items are listed in the order in which they appear on the agenda.

Your Comments*

Letter attached: Thank you for taking our concerns into consideration and deny the proposal by Sabina Chowdhury.
Larry & Jacqueline Parks

Please write your comments in the box above.

File Upload

Letter county planning.jpg

If you have files, such as photos, videos or text documents to include with your comments, upload them in the box above.

3618 Lebanon Church Road

Gillsville, GA 30543,

Cell - 770 503-5726

Subject: 0 & 3454 Gillsville Highway/ Rezone

To Whom it may Concern:

I'm writing in response to the rezoning and proposed subdivision at 0 & 3454 Gillsville Highway. The applicant is Sabina Chowdhury. I have several concerns about the request to rezone for a residential subdivision. This same applicant made the same proposal in 2020, and the request was denied by the commissioners. I don't understand why or how Sabina Chowdhury can request it again if it has already been denied.

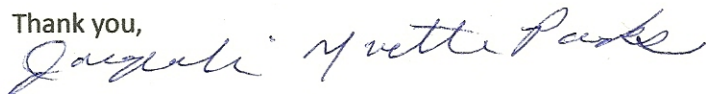
I, Jacqueline Parks, owns the home at 3618 Lebanon Church Road. Our home was built in 1995. We have a private well. We do not have access to city water on Lebanon Church Road. I am concerned about a 20 plus lot subdivision, because I feel that the waste water will affect our private well. There is also a creek and a lake near the proposed subdivision that would also be affected by the waste water.

My other concern is the traffic on Gillsville Hwy. I travel on East Hall Road to commute to and from work every day. The traffic is very heavy because of buses traveling to Tadmore Elementary about one half mile from the proposed entrance to the subdivision. The buses also travel on East Hall Road to East Hall Middle School and East Hall High School. It is already difficult to pull out of East Hall Road on to Gillsville Hwy because of traffic. The entrance would only be about 370 feet from East Hall Road. The proposed entrance is very dangerous and a death trap for an entrance for a subdivision. There is a blind curve before traffic starts down the hill to the proposed entrance. Traffic is also very heavy with transfer trucks. When the trucks come around the curve and start down the hill they are traveling at a high rate of speed and it would be impossible for them to stop if someone pulled out in front of them or if a car stopped to turn into the subdivision. I fear that there would be several wrecks and lives could be lost.

Another concern is overcrowding of the schools. Tadmore Elementary was on the list of schools to be closed in the future. Overcrowding of the schools effects the students and teachers in a negative way. Low classroom numbers are needed for students to be successful. Where would the students attend school if Tadmore is closed in the future?

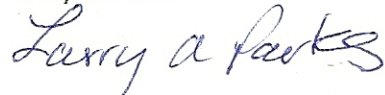
Thank you for taking my concerns into consideration and deny the proposal by Sabina Chowdhury.

Thank you,



Jacqueline Yvette Parks

Larry A. Parks



Print

Planning Commission Comments - June 3, 2024 - Submission #98118

Date Submitted: 6/2/2024

Comments completed in the form below will be submitted into the record for the April 1, 2024 meeting of the Hall County Planning Commission.

First Name*

Jennifer

Last Name*

Marlow

Address1*

3630 LEBANON CHURCH ROAD

Address2

City*

GILLSVILLE

State*

GA

Zip*

30543

Zoning Item for Comment*

0 & 3454 Gillsville Highway

Select from the list below which zoning item you would like to register a comment on. Items are listed in the order in which they appear on the agenda.

Your Comments*

I am writing in response to Application 0 &3454 to rezone from (AR-IV) TO (PRD) by Sabina Chowdhury. This community is Agricultural and the homes here are "Single Home Residences". To rezone doesn't keep it consistent with connecting property, the community or surrounding area.

The backside of the proposed subdivision connects to a pasture and North Georgia Bee Farm. The other sides connect to single home residences.

There are property owners that live in this community that farm their land. There are farmers that plant large fields of corn here. They bale hay and raise cattle in nearby pastures. This community has a Plant Nursery and a pick your own local produce. North Georgia Bee Farm sells honey, Honey queen bees and Nucs.

Rezoning would not keep it consistent with the surrounding area. This community is "Single Home Residences". My husband, son, and I own our home at 3630 Lebanon Church Rd. We have lived here since 1981. We built our home in 1999. We have our own private well on our property. The neighbors also have their own private wells. Those that live here, on Lebanon Church Rd, do not have access to city water. We all have our own private wells on our property. I am concerned about the sewage from the proposed subdivision contaminating our private wells. We have no other access to water. There is also no sewage system in this area. There is a creek that flows across the whole backside of the proposed subdivision property. The creek continues down neighboring property and into a nearby lake. The creek continues along Lebanon Church Rd and Lebanon Campground Rd and flows into the Oconee river. I am concerned that the sewage could seep into our water system, contaminating our private wells, creeks, nearby lake and river. We need clean flowing streams to keep our environment safe and healthy. I am concerned with the storm water run off. I am down hill from the proposed subdivision. I am concerned with soil erosion on my property.

I am also concerned with traffic issues. Gillsville hwy is so busy, its hard to enter and exit East Hall Rd. This highway is already a very busy, a high traffic, two lane highway.

Eighteen-wheelers are constantly traveling Gillsville hwy, you can hear them, especially as they travel down that hill, day and night. The purposed entrance is on a hill as traffic flows around a blind curve. The hill is a blind spot on Gillsville hwy. On one side of the purposed subdivision entrance, there is a bank that you would also have to look out from behind to pull out onto Gillsville hwy. Anyone entering or exiting the subdivision would cause a dangerous situation (a death trap) for anyone traveling Gillsville hwy. It would be impossible for an eighteen-wheeler to stop for anyone entering or exiting the subdivision.

We have lots of buses entering and exiting East Hall Rd from Tadmore elementary, East Hall Middle and East Hall High School, coming and going on Gillsville hwy.

I live on Lebanon Church Rd just a few feet down from East Hall Rd. We already get a lot of cut-through traffic from Gillsville hwy. Farming equipment travels from East Hall Rd down Gillsville hwy and through Lebanon Church Rd. to pastures nearby. This section of the roadway on Gillsville hwy. already has too much congestion all within a few feet of each other. The heavy flow of traffic coming from East Hall. Rd., Lebanon Church Rd and private residences adds to the heavy flow of traffic already on Gillsville hwy. I oppose the rezoning, it is not consistent with the community or surrounding area. It is also a very dangerous purposed entrance on a very busy two lane highway. Please take all of this into consideration when you make your decision. Thank you for letting me share my concerns.

Please write your comments in the box above.

File Upload

No file chosen

If you have files, such as photos, videos or text documents to include with your comments, upload them in the box above.

Would you like follow-up communication?

marlowjennifer@bellsouth.net

Please leave an email address and/or phone number if you would like a Hall County staff member to follow-up with you.

Print

Planning Commission Comments - June 3, 2024 - Submission #98126

Date Submitted: 6/3/2024

Comments completed in the form below will be submitted into the record for the April 1, 2024 meeting of the Hall County Planning Commission.

First Name*

Joanne

Last Name*

LaCourse

Address1*

3864 Gillsville Hwy

Address2

City*

Gillsville

State*

GA

Zip*

30543

Zoning Item for Comment*

0 & 3454 Gillsville Highway

Select from the list below which zoning item you would like to register a comment on. Items are listed in the order in which they appear on the agenda.

Your Comments*

On January 19, 2021, the Hall County Board of Commissioners DENIED essentially the same proposal from Atlas Development, because of dangerous traffic issues.

The years later, this proposal resurfaced from Sabina Choudhury. Now, it faces even more serious traffic dangers, since traffic has continued to build up on both Gillsville Hwy and East Hall Rd.

VISIBILITY IS SEVERELY LIMITED BY THE BLIND CURVE & STEEP HILL.

I did an experiment every day for the past week, as I travelled east on Gillsville Hwy at the posted speed limit (55 mph).

- 1) After entering the curve and beginning the steep descent on the hill, I waited until I could SEE the re-zoning sign at the proposed location.
- 2) Then I counted the seconds until I REACHED the sign.
- 3) The difference was only 3 seconds.

I was horrified to realize that – if the rezoning sign were a car pulling out of the subdivision entrance – I might not be able to stop in time to avoid hitting it!

Subdivision residents pulling out of the entrance could be in the worst danger, because they are moving slowly, and they can't see the 55-mph traffic coming at them, from over the hill, until it's practically right on top of them.

GILLSVILLE HWY AND EAST HALL RD INTERSECTION IS ALREADY DANGEROUS. Adding subdivision entering/departing traffic could make it even more dangerous.

BOTTOM LINE: The proposed 3454 Gillsville Hwy location has multiple dangerous factors -- blind curve, steep hill, already-dangerous intersection, and heavy schoolbus and truck traffic.

Please deny this proposal, for sake of saving lives.

Please write your comments in the box above.

File Upload

No file chosen

If you have files, such as photos, videos or text documents to include with your comments, upload them in the box above.

Would you like follow-up communication?

joannelacourse@gmail.com

Please leave an email address and/or phone number if you would like a Hall County staff member to follow-up with you.

Print

Planning Commission Comments - June 3, 2024 - Submission #98093

Date Submitted: 5/31/2024

Comments completed in the form below will be submitted into the record for the April 1, 2024 meeting of the Hall County Planning Commission.

First Name*

Last Name*

Kym & Donna

Chandler

Address1*

3464 Gillsville Hwy

Address2

City*

State*

Zip*

Gainesville

GA

30507

Zoning Item for Comment*

0 & 3454 Gillsville Highway

Select from the list below which zoning item you would like to register a comment on. Items are listed in the order in which they appear on the agenda.

Your Comments*

Would just like to say that as owners of the adjoining property on Gillsville Hwy we have no objections to the proposed development. We know Sabina Chowdury to be an honest and conscientious person. The land in question has been unused for decades and is not likely to be used for any agricultural purpose. Ms.Chowdury's proposed development is very community friendly, which is not always the case with such projects. That being said, there are points that need to be considered. Privacy fencing or natural blinds to prevent headlights beaming into adjoining residences. Drainage control will be critical as the property is steeply sloped in places. This might even require the construction of retaining. Restrictions on ATV's or other noisy recreational vehicles. This area has places where the number of people living in the homes doesn't seem to match up to the "single- family home" concept. I'm not sure how our county actually deals with that issue, but i hope this concept will not be violated.
Thank you for your time.
Kym and Donna Chandler

Please write your comments in the box above.

Print

Planning Commission Comments - June 3, 2024 - Submission #98127

Date Submitted: 6/3/2024

Comments completed in the form below will be submitted into the record for the April 1, 2024 meeting of the Hall County Planning Commission.

First Name*

Tara

Last Name*

Vandiver

Address1*

4511 Gillsville Highway

Address2

City*

Gillsville

State*

GA

Zip*

30543

Zoning Item for Comment*

0 & 3454 Gillsville Highway

Select from the list below which zoning item you would like to register a comment on. Items are listed in the order in which they appear on the agenda.

Your Comments*

Subject: Opposition to Sabrina Chowdbury's Proposed Subdivision

Dear Hall County Planning Commission,

I am writing to express my strong opposition to the proposed subdivision put forth by Sabrina Chowdburry, particularly concerning its entrance location on a hill that already harbors a dangerous intersection. As a concerned member of the community, I believe it is imperative to prioritize the safety and well-being of our residents, and siting a subdivision entrance in such a precarious location poses significant risks to both drivers and pedestrians alike.

The intersection in question is already known to be hazardous due to factors such as limited visibility and high traffic volume. Introducing additional vehicle ingress and egress points, particularly from a subdivision, would only exacerbate these dangers, potentially leading to an increase in accidents, injuries, and even fatalities.

Moreover, situating the entrance of a subdivision on a hill further compounds these risks, as it may impair drivers' visibility, particularly during inclement weather or at night. The hill could also pose challenges for vehicles navigating in and out of the subdivision, increasing the likelihood of collisions or traffic congestion.

In light of these concerns, I urge the Hall County Planning Commission to reject the proposed subdivision.

Thank you for considering my perspective on this matter. I trust that the Planning Commission will make a well-informed decision that reflects the best interests of our community.

Please write your comments in the box above.

File Upload

No file chosen

If you have files, such as photos, videos or text documents to include with your comments, upload them in the box above.

Would you like follow-up communication?

erictarav@yahoo.com

Please leave an email address and/or phone number if you would like a Hall County staff member to follow-up with you.

Print

Board of Commissioners Work Session Comments - August 5, 2024 - Submission #99141

Date Submitted: 8/5/2024

Comments completed in the form below will be submitted into the record for the April 8, 2024 Work Session of the Hall County Board of Commissioners.

First Name*

GREGORY

Last Name*

MARLOW

Address1*

3630 Lebanon Church Rd

Address2

City*

Gillsville

State*

GA

Zip*

30543

Your Comments*

I oppose application 0-0354 on Gillsville hwy from Sabina Chowdhury to rezone .This area is zoned Agriculture-Residential and should remain that way. The proposed entrance is already a busy and dangerous section on Gillsville Hwy. There are semi-trucks hauling cages of chickens ,feed trucks ,and other semi trucks continually traveling up and down Gillsville highway ,day and night .Trucks hauling manure and other farm equipment travel this highway daily and cut through Lebanon Church Road carrying supplies to nearby pastures and farms .Its a really congested section of the roadway from the top of the hill to Lebanon Church Road .There are already lots of private entrances on this small section of highway already making it dangerous to enter.East Hall Road ,which is across from the proposed subdivision entrance is already a busy and dangerous place to turn in and out of onto Gillsville highway There's a blind spot at the top of the hill on the highway coming down ,just above the proposed subdivision .You can look and its clear ,pull out and they pop over the hill right on you . East Hall Road has lots of buses from the elementary ,middle and high schools entering and exiting onto Gillsville Hwy .Vehicles stopped in the road or pulling out of the subdivision would only make it more dangerous for those already traveling on the highway .We already have lots of traffic in this area .More traffic would just add to this dangerous situation.Just below East Hall Road there is a trailer park entrance which connects to the proposed subdivison property.This is just before you get to Lebanon Church Road. There was a fatality where a motorcycle pulled out of the trailer park onto Gillsville Hwy and was hit by an on coming vehicle. There is also a business entrance across the road from the trailer park. The business has lots of large trucks and equipment entering the highway. There have been other accidents here. This road is dangerous and this is a high traffic area already.

I am also concerned about the sewage from the subdivision .The creek runs along the backside of the proposed subdivision and into a nearby lake .The homes in this area have their own private wells on their property for water .I am concerned about contamination to our water system.I have my own private well on my property.I am concerned about the storm water.My property is downhill from the proposed subdivision and I am concerned about erosion on my property.I have concerns for clean water and natural habitat for the wildlife and for the cattle in connecting pastures that lives here.Please take all of this into consideration when you make your decision. Thank you for hearing my concerns.

Please write your comments in the box above.

File Upload

No file chosen

If you have files, such as photos, videos or text documents to include with your comments, upload them in the box above.

Follow-up Communication

Would you like a Hall County staff member to follow up with you? If so, please leave your email address or phone number in the box above. Otherwise, leave this box blank.

Print

Board of Commissioners Work Session Comments - August 5, 2024 - Submission #99142

Date Submitted: 8/5/2024

Comments completed in the form below will be submitted into the record for the April 8, 2024 Work Session of the Hall County Board of Commissioners.

First Name*

Last Name*

Address1*

Address2

City*

State*

Zip*

Your Comments*

In response to Application 0 & 3454 Gillsville Hwy to rezone by Sabina Chowdhury. I oppose the rezoning.I have lived in this community all my life.This is a farming community and a subdivision isn't consistent with our community and surrounding area.The back of this property connects with a pasture and North Georgia Bee Farm. This community is "Single Home Residences." All the homes in this community are on 1 & 1/2 acres or more.We all have our private wells on our property and our own septic tank.We had to be a certain distance from neighboring property lines for everything we did on our property.The subdivision isn't consistent with our community and neighboring properties its connected to.The creek that flows on the backside of the proposed subdivision property concerns me.It flows into nearby streams and a lake.I am concerned about the safety of our well water on our property and neighboring properties.The subdivision will be sitting on a hill. Two sides slope onto neighboring properties.One side slopes down and connects to the back of my property.I am concerned about all those septic tanks contaminating our water system.Our wells are our only access to water here on Lebanon Church Road.The homes nearby on Gillsville Hwy which are older homes also have their own wells on their property.I am also concerned about storm water and erosion on my property.The proposed subdivision property slopes downhill and connects to the backside of my property.I would also like to know what the plans are for a piece of the property that connects to the back of my property.Another concern is the entrance on Gillsville Hwy.I have lived in this community all my life and I know how dangerous this section of the road is.There are steep hills and holes on both sides of the highway.There is no where to go if there is an emergency and you needed to get out of the way.There are private driveways across from East Hall Rd entering and exiting the hwy.There is a business just below East Hall Rd,with large trucks and equipment.Across from the business theres a trailer park entrance onto Gillsville Hwy.Then there is Lebanon Church Rd. All of these entrances are just in a few feet of each other.This is a very busy and dangerous road. Semi-trucks constantly travel up and down Gillsville highway ,day & night. We can hear them in our house coming down the hill,where the proposed subdivision entrance would be.I have heard them lately lay down on their horn when someones in their way.It sounds like a trains a coming.This is a school bus route also and its concerning with all those kids traveling Gillsville Hwy from the Elementary,Middle and High school.We also have elderly drivers in our community and new drivers from the high school.We have a Church and a Campground on Lebanon Church Rd.Its already a busy highway without the added cars from a subdivision.We have farming equipment traveling this section of the highway also.Please take all of this into consideration when making your decision and vote no. Thank you for letting me voice my concerns.Jennifer Marlow

Please write your comments in the box above.

File Upload

No file chosen

If you have files, such as photos, videos or text documents to include with your comments, upload them in the box above.

Follow-up Communication

Would you like a Hall County staff member to follow up with you? If so, please leave your email address or phone number in the box above. Otherwise, leave this box blank.

Jennifer Rivera (Administration)

From: Beth Garmon (CDI: Planning)
Sent: Tuesday, October 22, 2024 12:14 PM
To: Billy Powell (County Commission); Gregg Poole (County Commissioner); Jeff Stowe (County Commission); Kathy Cooper (County Commissioner); Richard Higgins (County Commissioner)
Cc: Zachary Propes (Administration); Casey Ramsey (Administration); Jennifer Rivera (Administration)
Subject: FW: FW: Sabina Chowdhury Rezoning 8/5/2024
Attachments: 07.19.2024 Site Plan with Site Distance Certification (06.07.24).pdf; Chowdhury - BOC App Action Letter.pdf

Good morning, Commissioners.

Please see the email below and attachments referenced regarding the Gillsville Highway rezoning request that comes before you this Thursday 10/24.

In summary, Steve Gilliam has provided comments addressing the passing lane, deceleration lane, and site distance issues that were raised in the Planning Commission meeting, as well as the size of the lots in relation to the septic regulations. There are no changes to the site plan or the narrative at this time.

Please feel free to reach out with any questions.

Thank you,
Beth

Beth Garmon
Director of Planning and Zoning
Hall County Community Development and Infrastructure
(office) 770-531-6809
(direct) 770-297-2626
bgarmon@hallcounty.org

All **ZONING, PLAT**, and **BUILDING PERMIT** submittals may be submitted online through [Accela](#). Plat inquiries may be submitted to plats@hallcounty.org. Zoning and general inquiries may be submitted to planning@hallcounty.org.



From: Steve Gilliam <sgilliam@sgwmfirm.com>
Sent: Tuesday, October 22, 2024 11:14 AM
To: Beth Garmon (CDI: Planning) <bgarmon@hallcounty.org>; Katie L. Greenway (CDI: Planning)

<klgreenway@hallcounty.org>; Kristie Turner (Planning) <kturner@hallcounty.org>

Cc: Amanda Graham <agraham@sgwmfirm.com>

Subject: FW: FW: Sabina Chowdhury Rezoning 8/5/2024

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Beth, Katie, Kristie- not sure who is responsible for distributing these to the Commissioners. Attached is the Site Plan for the above rezoning, prepared by Registered Professional Engineer Matt Sullins. It addresses both the passing lane, deceleration lane, and site distance issues that have been raised. Matt's e-mails also explain the passing lane and the septic tank issues. The Planning Commission and Planning Staff accepted the proposed condition #7, with respect to the highway design and construction and #4, with respect to the on-site septic systems. Both require approval by the appropriate department or government entity and permitting. Please send to the Commissioners.

I look forward to discussing these issues at the Commission meeting Thursday evening.

Thanks,
Steve Gilliam

Steve Gilliam
Smith Gilliam Williams & Miles
sgilliam@sgwmfirm.com
(O) 770-536-3381

From: Matthew Sullins <mattsullins@gmail.com>
Sent: Friday, October 18, 2024 3:32 PM
To: Steve Gilliam <sgilliam@sgwmfirm.com>
Cc: Sabina Chowdhury <ireen5562@gmail.com>; Amanda Graham <agraham@sgwmfirm.com>
Subject: Re: FW: Sabina Chowdhury Rezoning 8/5/2024

Usable lots by the health department are determined to be usable lots if the usable soils meets or exceeds 21,760sf. These lots exceed this requirement and most of the lots site on some of the best soils out there being the Madison Soil Group.

There may be 2 or 3 lots that are questionable but lotlines will be adjusted as needed during the design phase.

We could just move forward and submit to the health department for approval if we need to.

As for the County requiring additional requirements along the DOT road the answer is yes and no. The County could say you need 2 entrances but the DOT may only allow you to have 1.

BUT I feel if the County said we had to have a middle turn lane, I do not think the DOT would disagree with the County. We are right on the border line of requiring a middle turn lane but the plan we have now currently shows a passing lane. I was just hoping the condition would read "as required by GA DOT". A passing lane is MUCH cheaper than a middle turn lane. A middle turn lane would be overkill for sure.

From: Matthew Sullins <mattsullins@gmail.com>
Sent: Monday, September 9, 2024 12:51 PM
To: Steve Gilliam <sgilliam@sgwmfirm.com>
Cc: Sabina Chowdhury <ireen5562@gmail.com>; Amanda Graham <agraham@sgwmfirm.com>
Subject: Re: FW: Sabina Chowdhury Rezoning 8/5/2024

Each lot will need to be approved by the environmental health department of Hall County. A Level 3 soils report is also required to show the Environmental health department each lot is sized with the minimum usable soils square footage of 21,760sf.

My plan has taken into account areas of unusable soils and the lots have been sized accordingly.

mATT

Smith Gilliam Williams & Miles

sgilliam@sgwmfirm.com

(O) 770-536-3381

From: Matthew Sullins <mattsullins@gmail.com>
Sent: Tuesday, July 30, 2024 9:02 AM
To: Sabina Chowdhury <ireen5562@gmail.com>
Cc: Steve Gilliam <sgilliam@sgwmfirm.com>; Amanda Graham <agraham@sgwmfirm.com>
Subject: Re: FW: Sabina Chowdhury Rezoning 8/5/2024

The only per GA DOT standards to remove the 100ft Right Hand Passing Lane would be to reduce the number of lots in the subdivision.

The threshold for requiring the 100ft Right Hand Passing Lane is 75 Left Turns per day and currently as designed we are yielding 80 Left Hand Turns per day.

Each lot is responsible for 4-5 Left Hand Trips per day so the lot yield would have to be reduced by two if we wanted to have an argument with the DOT to not have to provide any kind of left turn lane.

FYI. Even if we reduced the lot count by two there is still a possibility they could still require a passing lane BUT we would have a real good argument.

Matt

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Hall County Government
COMMUNITY DEVELOPMENT & INFRASTRUCTURE
PLANNING AND ZONING

August 9, 2024

Sabina Chowdhury
275 Lily Cove Drive
Loganville, GA 30052

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

PLANNING AND ZONING
DIRECTOR
Beth Garmon

Dear Applicant:

On August 5, 2024 the Hall County Planning Commission voted to recommend approval, with conditions for your application for **0 & 3454 Gillsville Highway | Rezone** | from Agricultural Residential IV (AR-IV) to Planned Residential Development (PRD) | on a combined 30.78± acre tract located on the south side of Gillsville Highway (GA-323), approximately 370 feet from its intersection with East Hall Road | Zoned AR-IV; Tax Parcels 15016 000158A & 000028C | **Proposed Use: 20-lot residential subdivision** | Commission District 3 | **Sabina Chowdhury, applicant**

Conditions:

1. The property shall be developed in accordance with the site plan dated June 7, 2024, and as described in the project narrative dated May 15, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. The development shall be limited to no more than 20 single-family lots.
3. The minimum heated floor area (HFA) shall be 2,400 square feet for all residential units.
4. Each lot within the development shall be served by individual on-site septic systems. Each lot must follow Environmental Health regulations.
5. There shall be a mandatory Homeowners' Association (HOA).
6. All designated open space within the development shall be commonly held, and not held by any individual homeowner(s).
7. All interior roads shall be designed and constructed to Hall County standards. Coordination and approval from Hall County Engineering shall be required. The developer shall be responsible for all costs associated with improvements necessary for access to the development and the entrance from Gillsville Highway. The entrance shall be designed and constructed according to GDOT standards and requirements.
8. All stream buffers must be fully within Homeowners' Association common space and shall not encroach onto any individual residential building lot.
9. No variances or development exceptions are granted as part of this request unless explicitly listed herein. The development shall be compliant with the Official Code of Hall County.

10. The following statement regarding the potential impacts of agricultural operation 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.”
11. All conditions of zoning shall be made a part of any plats or development plans created for the subdivision.

The Board of Commissioners will hold a public hearing for final determination of this request at their meeting scheduled for **Tuesday, September 10, 2024 at 6:00 p.m.** at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

Please remember that removal of all Public Notice signs posted on the property is your responsibility and should be removed within five (5) working days following the Board of Commissioners final decision.

It is necessary that either you or your representative attend this meeting.

If you have any questions, please call this office.

Sincerely,

Beth Garmon,
Director of Planning and Zoning

/kg

Jennifer Rivera (Administration)

From: Beth Garmon (CDI: Planning)
Sent: Wednesday, November 6, 2024 12:29 PM
To: Jennifer Rivera (Administration)
Cc: Zachary Propes (Administration); Casey Ramsey (Administration)
Subject: FW: Sabina Chowdhury Site Plan
Attachments: 20241106101406144.pdf; 07.19.2024 Site Plan with Site Distance Certification (06.07.24).pdf

Jennifer,

Will you please add Mr. Gilliam's email and attachments to the file for Gillsville Highway (11/14 BOC)?

Thank you,
Beth

Beth Garmon

Director of Planning and Zoning
Hall County Community Development and Infrastructure
(office) 770-531-6809
(direct) 770-297-2626
bgarmon@hallcounty.org

All **ZONING, PLAT**, and **BUILDING PERMIT** submittals may be submitted online through [Accela](#). Plat inquiries may be submitted to plats@hallcounty.org. Zoning and general inquiries may be submitted to planning@hallcounty.org.



From: Steve Gilliam <sgilliam@sgwmfirm.com>
Sent: Wednesday, November 6, 2024 12:16 PM
To: Gregg Poole (County Commissioner) <gpoole@hallcounty.org>; Beth Garmon (CDI: Planning) <bgarmon@hallcounty.org>
Cc: Amanda Graham <agraham@sgwmfirm.com>; Matthew Sullins <mattsullins@gmail.com>; Katie L. Greenway (CDI: Planning) <klgreenway@hallcounty.org>
Subject: FW: Sabina Chowdhury Site Plan

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Commissioner Poole and Beth- attached are the new site plan and enlarged site plan showing the 100' Eastbound Passing Lane . Eastbound Existing Lane (which can be used as a left hand turn lane) , and the 200' Westbound Deceleration Lane. We feel that this resolves the left turn lane issue that Commissioner Poole has suggested. We suggest the language in your proposed Condition 20 be changed to "The entrance to the development shall include a west bound deceleration lane as well as an eastbound passing lane, thus allowing the existing eastbound lane to be used as a left hand turn lane from Gillsville Highway into the development as shown on the Concept Site Plan dated April 17, 2024, Revised May 15, 2014, and attached hereto. Road Improvements will be at the Developer's expense and must be approved by GDOT."

Since we previously agreed to limit the development to 18 lots that will not change and that meets the one dwelling unit per 1.5 acre density when you include the open space as explained in the staff report. Please let me know if you would like to discuss further.

Thanks, Steve

Steve Gilliam
Smith Gilliam Williams & Miles
sgilliam@sgwmfirm.com
(O) 770-536-3381

From: Amanda Graham <agraham@sgwmfirm.com>
Sent: Wednesday, November 6, 2024 10:17 AM
To: Steve Gilliam <sgilliam@sgwmfirm.com>
Subject: Sabina Chowdhury Site Plan

Amanda Graham

Legal Assistant
Smith, Gilliam, Williams & Miles, P.A.

(770) 536-3381
agraham@sgwmfirm.com

P.O. Box 1098
Gainesville, Georgia 30503-1098

340 Jesse Jewell Parkway, Suite 300
Gainesville, Georgia 30501



SMITH GILLIAM
WILLIAMS & MILES

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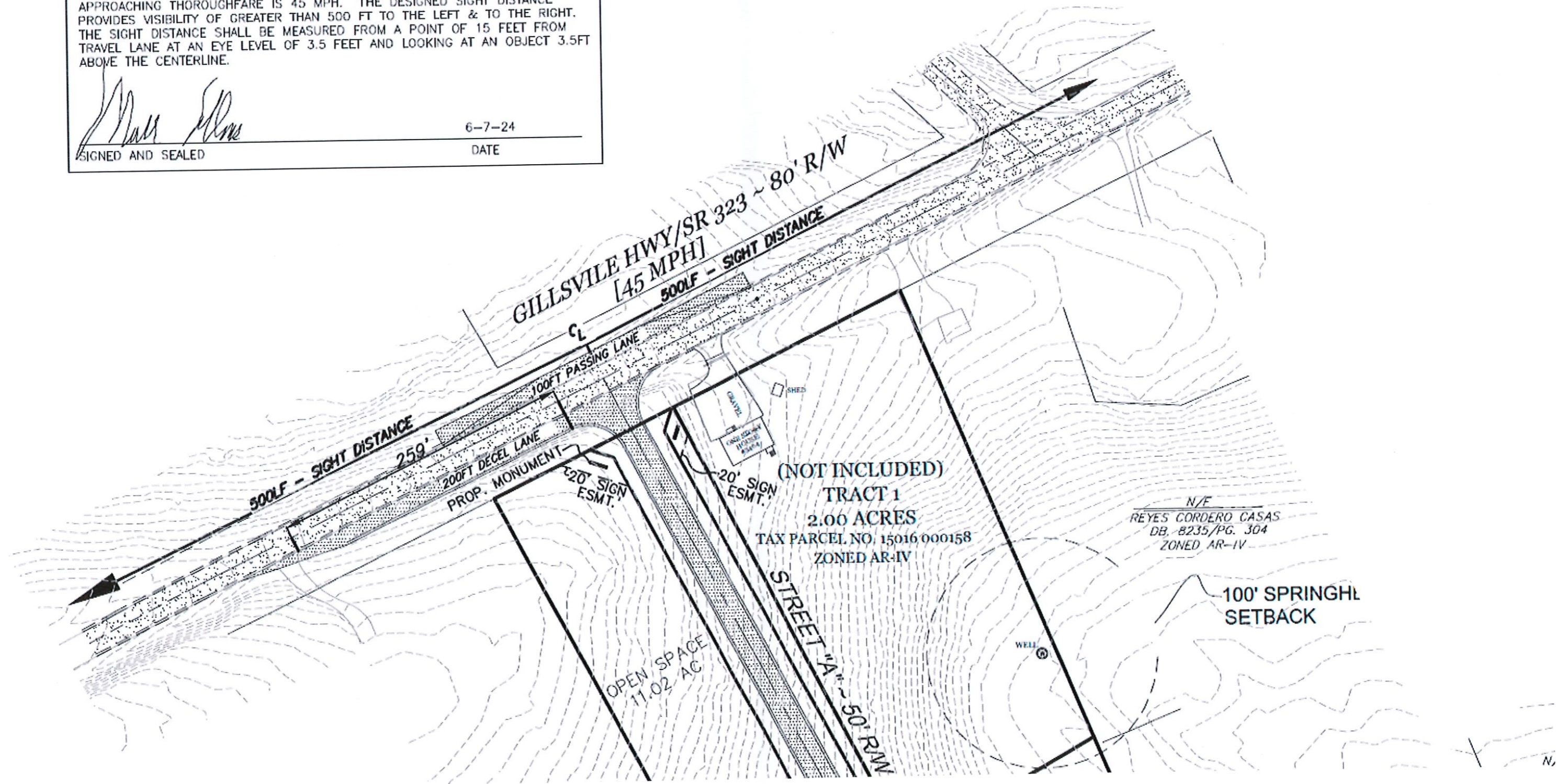
This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**, an innovator in Software as a Service (SaaS) for business. Providing a **safer** and **more useful** place for your human generated data. Specializing in; Security, archiving and compliance. To find out more [Click Here](#).

SIGHT DISTANCE CERTIFICATION GA-323

I, THE UNDERSIGNED, HEREBY CERTIFY THE SIGHT DISTANCE FOR THE PROJECT IS DESIGNED WITH ADEQUATE DISTANCE. THE REGULATED SPEED LIMIT ON THE APPROACHING THOROUGHFARE IS 45 MPH. THE DESIGNED SIGHT DISTANCE PROVIDES VISIBILITY OF GREATER THAN 500 FT TO THE LEFT & TO THE RIGHT. THE SIGHT DISTANCE SHALL BE MEASURED FROM A POINT OF 15 FEET FROM TRAVEL LANE AT AN EYE LEVEL OF 3.5 FEET AND LOOKING AT AN OBJECT 3.5 FT ABOVE THE CENTERLINE.

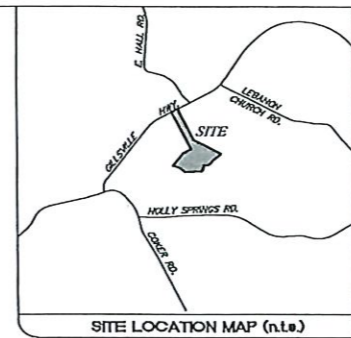
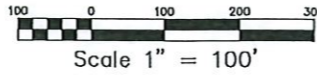
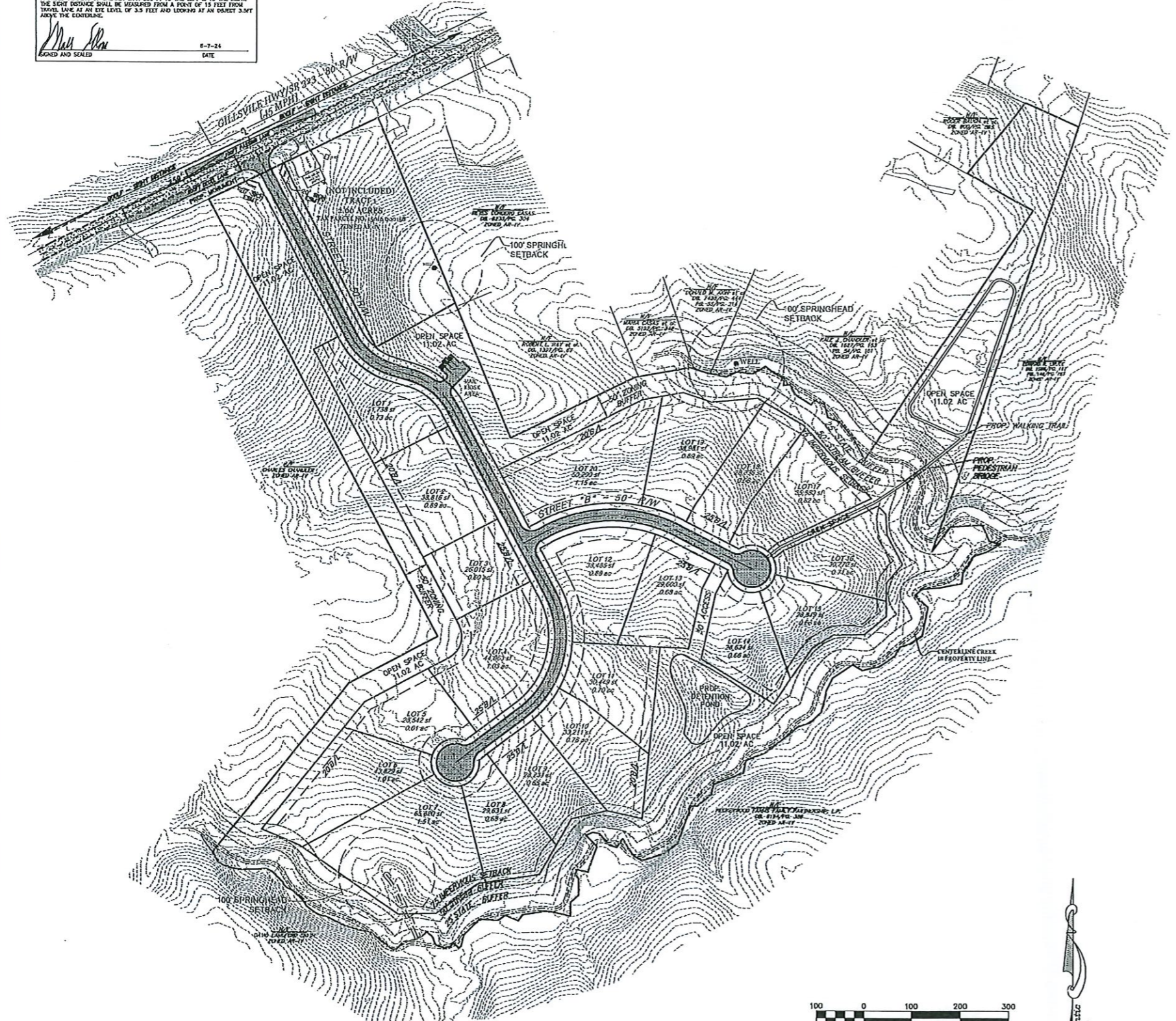
[Signature]
SIGNED AND SEALED

6-7-24
DATE



SIGHT DISTANCE CERTIFICATION (SA-31)
 1. THE UNDESIGNED HIGHWAY EXCEEDS THE MINIMUM SETBACK FOR THE PROJECT AS DEMAND WITH AVOIDANCE DISTANCE. THE REGULATED SPEED LIMIT ON THE APPROXIMATE HIGHWAY IS 45 MPH. THE DESIGNED SIGHT DISTANCE PREVIOUSLY VOUCHERED IS 500 FT TO THE LEFT & TO THE RIGHT. THE SIGHT DISTANCE SHALL BE MEASURED FROM A POINT OF 15 FEET FROM THE TRUCK LANE AT AN EYE LEVEL OF 4.5 FEET AND LOOKING AT AN ANGLE 3.47 ABOVE THE CENTERLINE.

Mark Allen
 RECD AND SEALED
 DATE: 5-7-24



- GENERAL NOTES**
- DOMESTIC WATER SUPPLY TO BE CITY OF GAINSVILLE
 - SANITARY SEWER TO BE INDIVIDUAL SEPTIC SYSTEMS
 - CURRENT ZONING: AR-IV
 - PROPOSED ZONING: PRO
 - MINIMUM LOT WIDTH 100FT
 - DENSITY: 20 UNITS/30.87AC = 0.65U/AC
 - TOTAL LENGTH OF NEW R/W = 1,122
 - 2400 MIN. SF HOUSE
 - MANDATORY HOA TO BE REQ.
 - DEVELOPMENT PROPOSES PEDESTRIAN BRIDGE TO OPEN SPACE WITH WALKING TRAILS TO COMPLIMENT
 - MINIMUM LOT SIZE TO BE 28,015SF
 - 9.26AC OF OPEN SPACE REQUIRED. 11.02AC OF OPEN SPACE PROVIDED.

BOUNDARY SURVEY
 -BOUNDARY REFERENCED FROM REED PLANNING & DESIGN DATED 11/15/19

FLOOD NOTE:
 NO FLOOD HAZARD DOES NOT EXIST ON SITE AS PER F.I.R.M. COMMUNITY PANEL No. 13139C02256, DATED 12/1/22

BUILDING SETBACKS:
 FRONT: 25' FROM R/W OF ROADS
 SIDE: 5' FROM PROPERTY LINES
 REAR: 20' FROM PROPERTY LINES

TOTAL AREA: 30.87 AC
OPENSOURCE REQ'D: 9.26 AC
OPENSOURCE PROVIDED: 11.02 AC

ENTRY MONUMENT SIGNAGE
 APPLICANT IS REQUESTING PERMISSION FOR AN ENTRY MONUMENT TRYP OF SIGN WITH A NATURAL STONE BASE WITH A SIGN SIZE (MONUMENT BASE AND SIGNAGE) TOTALING 425F.

- ENTRANCE MAY INCLUDE THE FOLLOWING STRUCTURAL ITEMS:**
- MASONRY WALLS
 - WOOD OR PVC FENCING
 - ILLUMINATED SIGNAGE IN ACCORDANCE WITH HALL CO. SIGN ORDINANCE
 - ORNAMENTAL SCULPTURE
 - LANDSCAPING AND IRRIGATION

ARCHITECTURAL MATERIALS & SITE IMPROVEMENTS
 THE BUILDER INTENDS TO BUILD:

- SINGLE FAMILY FEE SIMPLE DETACHED DWELLINGS WITH CAR GARAGES (GARAGE WIDTH NOT TO EXCEED 70% OF FRONT BUILDING WIDTH).
- FRONT FACADES WITH A COMBINATION OF MASONRY & FIBER CEMENT SIDING MATERIALS.
- SIDE/REAR FACADES WITH MASONRY, FIBER CEMENT SIDING, OR SHAKE SIDING
- SODDED YARDS (4 SIDES)

DATE:	5-15-24	REVISION:	DETAILED SINGLE FAMILY
			CA DOT SITE DISTANCE
			6-7-24

ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE INTERNATIONAL RESIDENTIAL CODE BOARDS (IRC) AND THE LATEST EDITION OF THE INTERNATIONAL BUILDING CODE (IBC). THE DESIGNER DISCLAIMS ANY RESPONSIBILITY FOR WORK CHANGES MADE BY OTHERS. THE DESIGNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS. THE DESIGNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS. THE DESIGNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS. THE DESIGNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.

302 WEST MAY STREET
 SUITE 200
 PHONE: (772) 887-8215
Sullins Engineering, LLC
 CONTACT: MATTHEW SULLINS
 CIVIL ENGINEERS - LAND PLANNERS



REDLINE PLAN FOR
GILLISVILLE HWY.
 LOCATED IN:
 PARCEL: 08C1581.L.L.16, 15th DIST.
 HALL COUNTY, GEORGIA

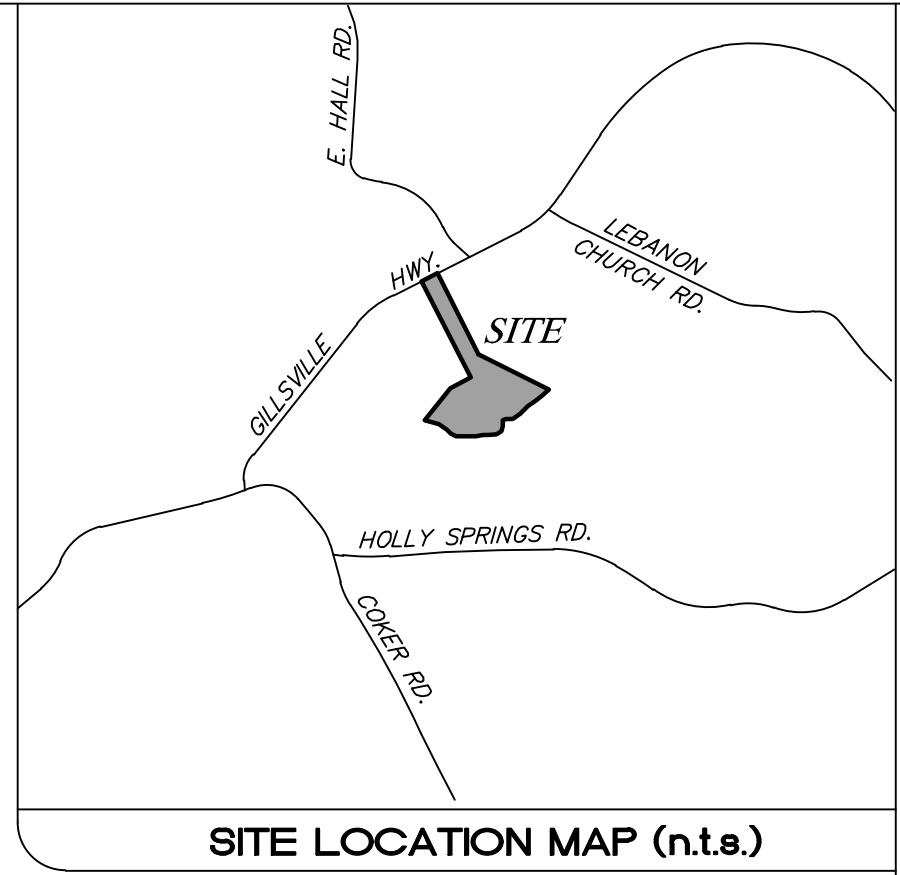


DATE	4/17/24	JOB #	2699
SHEET 1			

SIGHT DISTANCE CERTIFICATION GA-323
 I, THE UNDERSIGNED, HEREBY CERTIFY THE SIGHT DISTANCE FOR THE PROJECT IS DESIGNED WITH ADEQUATE DISTANCE. THE REGULATED SPEED LIMIT ON THE APPROACHING THOROUGHFARE IS 45 MPH. THE DESIGNED SIGHT DISTANCE PROVIDES VISIBILITY OF GREATER THAN 500 FT TO THE LEFT & TO THE RIGHT. THE SIGHT DISTANCE SHALL BE MEASURED FROM A POINT OF 15 FEET FROM TRAVEL LANE AT AN EYE LEVEL OF 3.5 FEET AND LOOKING AT AN OBJECT 3.5 FT ABOVE THE CENTERLINE.

Matthew W. Sullins
 SIGNED AND SEALED

6-7-24
 DATE

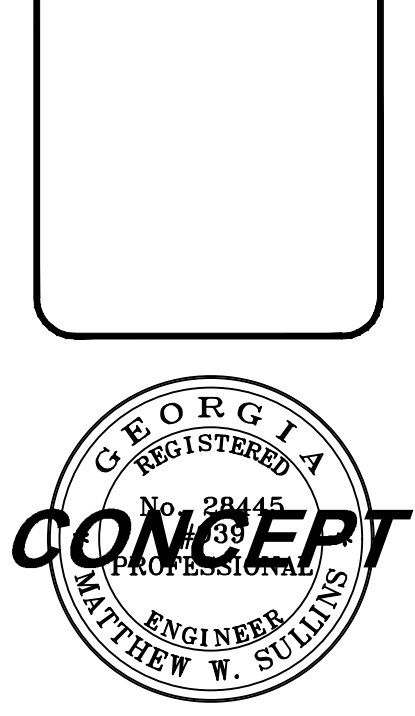


REVISION:	5-15-24	DETACHED SINGLE FAMILY
DATE:	6-7-24	GA DOT SITE DISTANCE

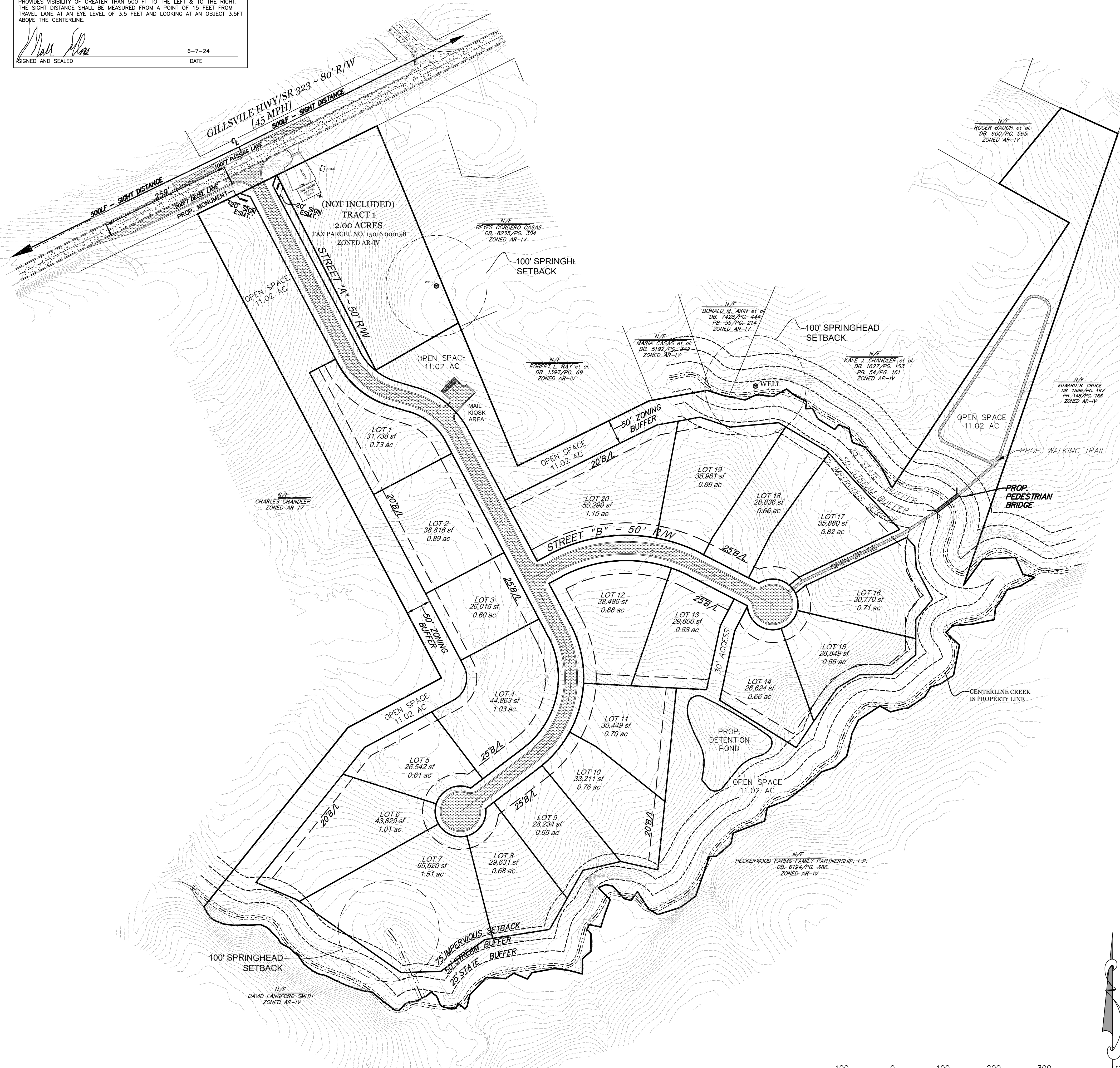
ALL MATERIAL, CONSTRUCTION, AND WORKMANSHIP ON THIS PROJECT SHALL BE IN STRICT ACCORDANCE WITH THE APPROPRIATE LOCAL SPECIFICATIONS AND REQUIREMENTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR NOTIFYING ALL UTILITY OWNERS, DETERMINING THE LOCATION OF ALL EXISTING UNDERGROUND UTILITIES, INCLUDING ALL THOSE NOT SHOWN ON THE PLANS PRIOR TO CONSTRUCTION AND SHALL BE THE DESIGNER DISCLAIMS ANY RESPONSIBILITY FOR DESIGN CHANGES MADE BY OTHERS. THE CONTRACTOR SHALL CALL THE UTILITIES PROTECTION CENTER THREE WORKING DAYS BEFORE DIGGING. IN METRO ATLANTA DIAL 404/235-5000. THROUGHOUT GEORGIA DIAL 800/882-7411.

302 WEST MAY STREET
 WINNER, GA 30680
Sullins Engineering, LLC
 PHONE: (678) 687-6219
 CONTACT: MATTHEW SULLINS
 CIVIL ENGINEERS ~ LAND PLANNERS

REZONE PLAN FOR:
GILLSVILLE HWY.
 LOCATED IN:
 PARCEL: 028C158 / L.L. 16, 15th DIST.
 HALL COUNTY, GEORGIA



DATE	JOB #
4/17/24	2999
SHEET 1	



- GENERAL NOTES**
- DOMESTIC WATER SUPPLY TO BE CITY OF GAINESVILLE
 - SANITARY SEWER TO BE INDIVIDUAL SEPTIC SYSTEMS
 - CURRENT ZONING: AR-IV
 - PROPOSED ZONING: PRD
 - MINIMUM LOT WIDTH 100FT
 - DENSITY: 20 UNITS/30.87AC = 0.65U/AC
 - TOTAL LENGTH OF NEW R/W = 1,122
 - 2400 MIN. SF HOUSE
 - MANDATORY HOA TO BE REQ.
 - DEVELOPMENT PROPOSES PEDESTRIAN BRIDGE TO OPEN SPACE WITH WALKING TRAILS TO COMPLIMENT
 - MINIMUM LOT SIZE TO BE 26,015SF
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BOUNDARY SURVEY
 -BOUNDARY REFERENCED FROM REED PLANNING & DESIGN DATED 11/15/19

FLOOD NOTE:
 NO FLOOD HAZARD DOES NOT EXIST ON SITE AS PER F.I.R.M. COMMUNITY PANEL No. 13139C0225G, DATED 12/1/22

BUILDING SETBACKS:
 FRONT: 25' FROM R/W OF ROADS
 SIDE: 5' FROM PROPERTY LINES
 REAR: 20' FROM PROPERTY LINES

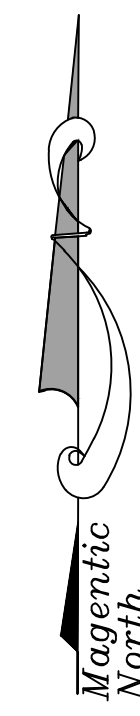
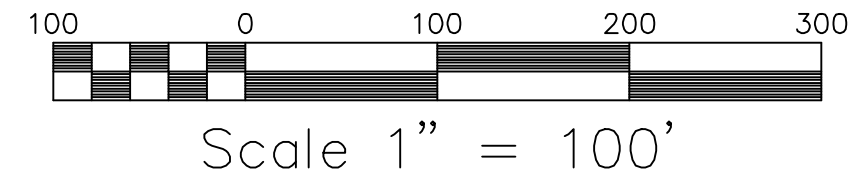
TOTAL AREA: 30.87 AC
OPENSAPCE REQ'D: 9.26 AC
OPENSAPCE PROVIDED: 11.02 AC ⁵⁻¹⁵⁻²⁴

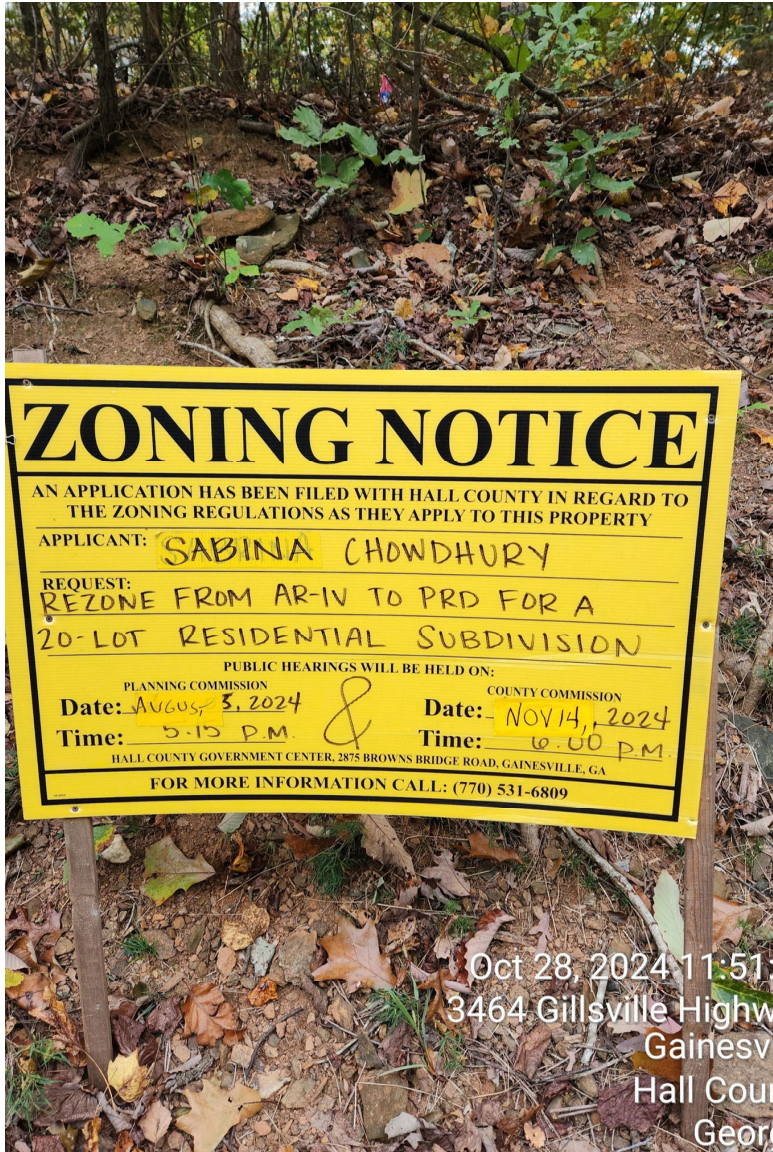
ENTRY MONUMENT SIGNAGE
 APPLICANT IS REQUESTING PERMISSION FOR AN ENTRY MONUMENT TRYP OF SIGN WITH A NATURAL STONE BASE WITH A SIGN SIZE (MONUMENT BASE AND SIGNAGE) TOTALING 42SF.

ENTRANCE MAY INCLUDE THE FOLLOWING STRUCTURAL ITEMS:
 -MASONRY WALLS
 -WOOD OR PVC FENCING
 -ILLUMINATED SIGNAGE IN ACCORDANCE WITH HALL CO. SIGN ORDINANCE
 -ORNAMENTAL SCULPTURE
 -LANDSCAPING AND IRRIGATION

ARCHITECTUAL MATERIALS & SITE IMPROVEMENTS
 THE BUILDER INTENDS TO BUILD: ⁵⁻¹⁵⁻²⁴

- SINGLE FAMILY FEE SIMPLE DETACHED DWELLINGS WITH CAR GARAGES(GARAGE WIDTH NOT TO EXCEED 70% OF FRONT BUILDING WIDTH).
- FRONT FACADES WITH A COMBINATION OF MASONRY & FIBER CEMENT SIDING MATERIALS.
- SIDE&REAR FACADES WITH MASONRY, FIBER CEMENT SIDING, OR SHAKE SIDING
- SODDED YARDS (4 SIDES)





ZONING NOTICE

AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: SABINA CHOWDHURY

REQUEST: REZONE FROM AR-IV TO PRD FOR A 20-LOT RESIDENTIAL SUBDIVISION

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION
Date: August 5, 2024

Time: 5-10 P.M.

COUNTY COMMISSION
Date: NOV 14, 2024

Time: 6:00 P.M.

HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809

Oct 28, 2024 11:51:34
3464 Gillsville Highway
Gainesville, FL 32609
Hall County
Georgia



AGENDA ITEM

Planning & Zoning

REPORT TO: Work Session (11/12/24)

REPORT TO: Voting Meeting (11/14/24)

ITEM NO: 585/2024

SUBJECT: **2002 Memorial Park Drive | Rezone** | from Residential (R-I) to Highway Business (H-B) on a 0.89± acre tract on the west side of Memorial Park Drive at its intersection with Browns Bridge Road | Zoned R-I: Tax Parcel 08014 005011| **Proposed Use: Retail sales** | Commission District 4 | **Salomon Sancen, applicant**

Meetings:

Work Session Date: 11/12/24

Voting Meeting Date: 11/14/24

Executive Summary:

Presenter: BG

Recommendation:

Approve Withdrawal.

Purpose of Request:

2002 Memorial Park Drive | Rezone | from Residential (R-I) to Highway Business (H-B) on a 0.89± acre tract on the west side of Memorial Park Drive at its intersection with Browns Bridge Road | Zoned R-I: Tax Parcel 08014 005011| **Proposed Use: Retail sales** | Commission District 4 | **Salomon Sancen, applicant**

History:

Facts and Issues:

Options:

Funding Requested	\$ 0.00
Are funds within current budget?	No
Source of Funds	
Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?	No
Has it been reviewed by the County Attorney?	Yes
Is there a deadline for this item?	

Approvals:

Submit	Approve	Attorney	Administration
--------	---------	----------	----------------

Submit	Approve	Attorney	Administration
KE	BG	WLI	CR
Clerk			
JR			

Attachments:

- Board Memo
- Recommendation Report
- Application
- Planning Commission Tabled Memos
- Narrative
- Site Plan
- Maps
- Environmental Health Comments
- GDOT Comments
- Public Works Comments
- Fire Comments
- Notice Photos



Hall County Government

COMMUNITY DEVELOPMENT & INFRASTRUCTURE
PLANNING AND ZONING

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

PLANNING AND ZONING
DIRECTOR
Beth Garmon

To: Richard Higgins, Chairman
Kathy Cooper, District 1 Commissioner
Billy Powell, District 2 Commissioner
Gregg Poole, District 3 Commissioner
Jeff Stowe, District 4 Commissioner

From: Beth Garmon, Director of Planning & Zoning

Date: October 28, 2024

Subject: 2002 Memorial Park Drive | Rezone | from Residential (R-I) to Highway Business (H-B) on a 0.89± tract | Proposed Use: Retail sales | Salomon Sancen, applicant

The request before you is the request of Salomon Sancen to withdraw an application to rezone from Residential (R-I) to Highway Business (H-B) to allow retail sales. This item is located within Commission District 4.

At their October 7, 2024 meeting, the Hall County Planning Commission voted to recommend **withdrawal (5-0)**.

There were **no comments submitted** in advance of the Planning Commission meeting and **no one spoke during the public hearing**.



Hall County Government

COMMUNITY DEVELOPMENT & INFRASTRUCTURE
PLANNING AND ZONING

To: Hall County Board of Commissioners
From: Beth Garmon, Director of Planning & Zoning
Date: October 28, 2024
Subject: 2002 Memorial Park Drive - HZON24-0034 - Updates to Salomon Sancen Rezone Request

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

PLANNING AND ZONING
DIRECTOR
Beth Garmon

The request before you is for the withdrawal of the following request:

2002 Memorial Park Drive | Rezone from Residential-I (R-I) to Highway Business (H-B) | 0.89 acres | Tax Parcel 08014 005011 | Proposed Use: Retail sales | Commission District 4 | Salomon Sancen, applicant

This request was first tabled at the July 5, 2022 Planning Commission meeting, to the October 17, 2022 Planning Commission meeting. At the October 17, 2022 meeting, the Hall County Planning Commission voted to table the item to **a date to be determined**. There has been no further activity on the request since the tabling on October 17, 2022.

The applicant requested to withdraw this application on August 24, 2024.

Staff supports the withdrawal of this application.

Excerpts from the minutes of the October 7, 2024 meeting

Background Information:

This request was first tabled at the July 5, 2022 Planning Commission meeting, to the October 17, 2022 Planning Commission meeting. At the October 17, 2022 meeting, the Hall County Planning Commission voted to table the item to a date to be determined. There has been no further activity on the request since the tabling on October 17, 2022. The applicant requested to withdraw this application on August 24, 2024.

Applicant's Presentation:

Kristie Turner, Principal Planner, stated the applicant has requested to withdraw.

Motion: A motion to withdraw was made by Mr. Varner and seconded by Ms. Pilcher and Mr. Sosebee. Vote: 5-0

PLANNING AND DEVELOPMENT DEPARTMENT
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504
MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30503
t: 770-531-6809 | f: 770-531-3902



ZONING APPLICATION

Applicant (Name & Mailing Address)

Salomon Sanchez
3569 Al Mangum rd
30515 Gainesville, GA
Phone 770 374 2262
Email Address ESIXStreetMC@gmail.com

Property Owner (Name & Mailing Address)

Bernardo Perez
41 Ophelia drive
Gainesville Georgia
Phone 678-617-8089
Email Address _____

→ Proposed Use RETAIL SALES

Contact Person (Name & Mailing Address)

Salomon Sanchez

Phone _____
Email Address _____
Tax Parcel Number _____
Location Address 2002 MEMORIAL PARK

Status of Applicant

- Owner
- Option to Purchase
- Area Resident
- Other

Requested Action

Existing Zoning: R-1
Rezone to: H-B
Fee: \$ 450.00
Receipt #: 858916
Check #: CASIT

Acreage 0.89

I hereby certify that the above information and all attached information are true and correct.

Sign Bernardo Perez Date: _____

Applicant must complete all information above. Failure to complete this section will result in the refusal of the application. The Planning Department has 15 days to review all applications and will set the dates for each application. If the application is found insufficient, an agenda date will not be set until the required information is submitted. Please note that the Planning Commission and County Commission dates are tentative.

Application Withdrawal: I hereby withdraw the application.

Sign Salomon Sanchez Date: 8/24

Staff Use Only

Application Date: 5/5/22 Taken by: Michelle
Tentative Planning Commission Date: 7/5/22 Tentative County Commission Date: 8/11/22
County Commission District: 4

202200047

PLANNING AND DEVELOPMENT DEPARTMENT
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504
MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30503
t: 770-531-6809 | f: 770-531-3902



AUTHORIZATION OF PROPERTY OWNERS

Note: If the applicant is the property owner, please disregard this form.

Name of owner(s) Bernado Perez

Address 41 Ophelia drive

Phone Number 678-617-8089

Name of applicant(s) Salomon Sanchez

Address 3569 Al Mangum rd

Phone Number ~~770~~ 770 314 2262

I swear that I am the owner of the property which is the subject matter of the attached applications as shown in the records of Hall County, Georgia.

I authorize the person named above to act as applicant in the pursuit of a rezoning, permissive use, or variance of this property.

Signature of Owner(s)
Bernado Perez

Personally appeared before me



who swears that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

Daisy Leyva
Notary Public

Date 5/6/22

PLANNING AND DEVELOPMENT DEPARTMENT
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504
MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30503
t: 770-531-6809 | f: 770-531-3902



CAMPAIGN CONTRIBUTIONS DISCLOSURE FORM

This form must be completed by the applicant and property owner, or person representing the property owner, for all zoning actions.

OCGA § 36-67A-3[C] Disclosure of campaign contributions:

(b) When any applicant for zoning action has made, within two years immediately preceding the filing of the applicant's application for the zoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:

(3) The name and official position of the local government official to whom the campaign contribution was made; and

(4) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.

(b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the zoning action is first filed. (Code 1981, Section OCGA § 36-67A-3[C], enacted by GA L. 1986, page 1269, Section 1, GA L. 1991, page 1365, Section 1).

I hereby certify that I have read the above and that:

I have** I have not

within the two years immediately preceding this date, made any contribution(s) aggregating \$250.00 or more to any local government official involved in the review or consideration of this application.

****If you have made such contributions, you must provide the data required below within ten (10) days of filing this application.**

Name of Official(s): _____

Office: _____

Dollar Amount: _____

Date of Contribution: _____

Applicant's/Owner's Signature: Bernardo Perez

Date: 5/5/2022

Applicant's/Owner's Name (Printed): Bernardo Perez

PLANNING AND DEVELOPMENT DEPARTMENT
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504
MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30503
t: 770-531-6809 | f: 770-531-3902



CAMPAIGN CONTRIBUTIONS DISCLOSURE FORM

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(3) The name and official position of the local government official to whom the campaign contribution was made; and

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I hereby certify that I have read the above and that:

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Name of Official(s): _____

Office: _____

Dollar Amount: _____

Date of Contribution: _____

Applicant's/Owner's Signature: Salomon Sancen

Date: 5/5/2022

Applicant's/Owner's Name (Printed): Salomon Sancen



2875 BROWNS BRIDGE ROAD
GAINESVILLE, GA, 30504

t: 770-531-6809 | f: 770-531-3902

MAILING ADDRESS: PO BOX 1435
GAINESVILLE, GA 30503

DIRECTOR
Randi Doveton

Hall County Government

PLANNING AND DEVELOPMENT DEPARTMENT

October 18, 2022

Salomon Sancen
3569 A.L. Mangum Road
Gainesville, GA 30575

Dear Applicant:

On October 17, 2022 the Hall County Planning Commission voted to table your application to rezone from Residential-I (R-I) to Highway Business (H-B) on a .89± acre tract located on the west side of Memorial Park Drive at its intersection with Browns Bridge Road; a.k.a. 2002 Memorial Park Drive; Zoned R-I; Tax Parcel 08014 005011. Proposed use: retail sales. Commission District 4.

The Planning Commission will hear the application at a **date to be determined** at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia. The Planning Commission's decision will then be forwarded to the Board of Commissioners.

If you have any questions, please call this office.

Sincerely,

Randi Doveton
Director

/ad



Hall County Government
PLANNING AND DEVELOPMENT DEPARTMENT

September 20, 2022

Salomon Sancen
3569 A.L. Mangum Road
Gainesville, GA 30575

Dear Applicant:

On September 19, 2022 the Hall County Planning Commission voted to table your application to rezone from Residential-I (R-I) to Highway Business (H-B) on a .89± acre tract located on the west side of Memorial Park Drive at its intersection with Browns Bridge Road; a.k.a. 2002 Memorial Park Drive; Zoned R-I; Tax Parcel 08014 005011. Proposed use: retail sales. Commission District 4.

The Planning Commission will hear the application at the **Monday, October 17, 2022 at 5:15 p.m.** at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia. The Planning Commission's decision will be forwarded to the Board of Commissioners.

The request will be heard by the Hall County Board of Commissioners at a public hearing on **Thursday, November 17, 2022 at 6:00 p.m.** at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

If you have any questions, please call this office.

Sincerely,

Randi Doveton
Director

/ad



Hall County Government
PLANNING AND DEVELOPMENT DEPARTMENT

August 2, 2022

Salomon Sancen
3569 A.L. Mangum Road
Gainesville, GA 30575

Dear Applicant:

On August 1, 2022 the Hall County Planning Commission voted to table your application to rezone from Residential-I (R-I) to Highway Business (H-B) on a .89± acre tract located on the west side of Memorial Park Drive at its intersection with Browns Bridge Road; a.k.a. 2002 Memorial Park Drive; Zoned R-I; Tax Parcel 08014 005011. Proposed use: retail sales. Commission District 4.

The Planning Commission will hear the application at the **Monday, September 19, 2022 at 5:15 p.m.** at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia. The Planning Commission's decision will be forwarded to the Board of Commissioners.

The request will be heard by the Hall County Board of Commissioners at a public hearing on **Thursday, October 27, 2022 at 6:00 p.m.** at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

If you have any questions, please call this office.

Sincerely,

Randi Doveton
Director

/ad



2875 BROWNS BRIDGE ROAD
GAINESVILLE, GA, 30504

t: 770-531-6809 | f: 770-531-3902

MAILING ADDRESS: PO BOX 1435
GAINESVILLE, GA 30503

DIRECTOR
Randi Doveton

Hall County Government

PLANNING AND DEVELOPMENT DEPARTMENT

July 7 2022

Salomon Sancen
3569 A L Mangum Road
Gainesville, GA 30575

Dear Applicant:

On July 5, 2022 the Hall County Planning Commission voted to table your application to rezone from Residential-I (R-I) to Highway Business (H-B) on a .89± acre tract located on the west side of Memorial Park Drive at its intersection with Browns Bridge Road; a.k.a. 2002 Memorial Park Drive; Zoned R-I; Tax Parcel 08014 005011. Proposed use: retail sales. Commission District 4.

The Planning Commission will hear the application at the **Monday, August 1, 2022 at 5:15 p.m.** at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia. The Planning Commission's decision will be forwarded to the Board of Commissioners.

The request will be heard by the Hall County Board of Commissioners at a public hearing on **Thursday, September 8, 2022 at 6:00 p.m.** at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

If you have any questions, please call this office.

Sincerely,

Randi Doveton
Director

/ad



Hall County Government

PLANNING & DEVELOPMENT

To: Hall County Planning Commission
From: David Webb, AICP, Principal Planner
Date: July 22, 2022

Subject: Previously tabled application of Salomon Sancen to rezone from Residential-I (R-I) to Highway Business (H-B) on a .89± acre tract located on the west side of Memorial Park Drive at its intersection with Browns Bridge Road; a.k.a. 2002 Memorial Park Drive; Zoned R-I; Tax Parcel 08014 005011. Proposed use: retail sales. ** Commission District 4.

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

DIRECTOR
Randi Doveton

At the July 5, 2022 the Planning Commission voted to table the request with the following comments:

Mr. Braswell listed what was needed from the applicant due to being on the Gateway Corridor Overlay such as a site plan to scale, narrative with architectural standards, along with artist renderings of the structure, type of materials and colors used. Mr. Braswell stated that the public forum would be opened at the tabled meeting date to have all the information presented to the public for accurate comments.

The applicant met with Planning Staff on July 18, 2022 to discuss requirements, but has not submitted any additional information.

2002 memorial park Rd

Gainesville, GA

Property Owner :

Bernando Castanenda

Contact Info/Applicant :

Salomon Sancen

770 374 2262

Easyxstreetmc@gmail.com

Bernando wants to convert this property from residential to commercial. The property owner wishes to make this change to open a business to sell fruits (not a restaurant or place to eat just selling fruits like watermelons, mangos, etc.. The property currently does not have any building structure (has sewage/septic tank, electricity services will be added) and just wants to presumably have a 20x30 Structure on the property to sell the fruits to clients (setback req on drawing). Also a 4x6 sign of the fruit store will be added at least 8 ft away from the front of the property line (from hours 10am to 7pm on weekdays). On the Drawing you can also see the parking spaces and plans to have an entrance from Memorial park rd, and space for the clients park. Bernardo hopes to accomplish this if and when allowed after the needed permits/applications have been turned in and completed by Salomon Sancen (Applicant for Bernardos Property) and after revised by needed authorities.

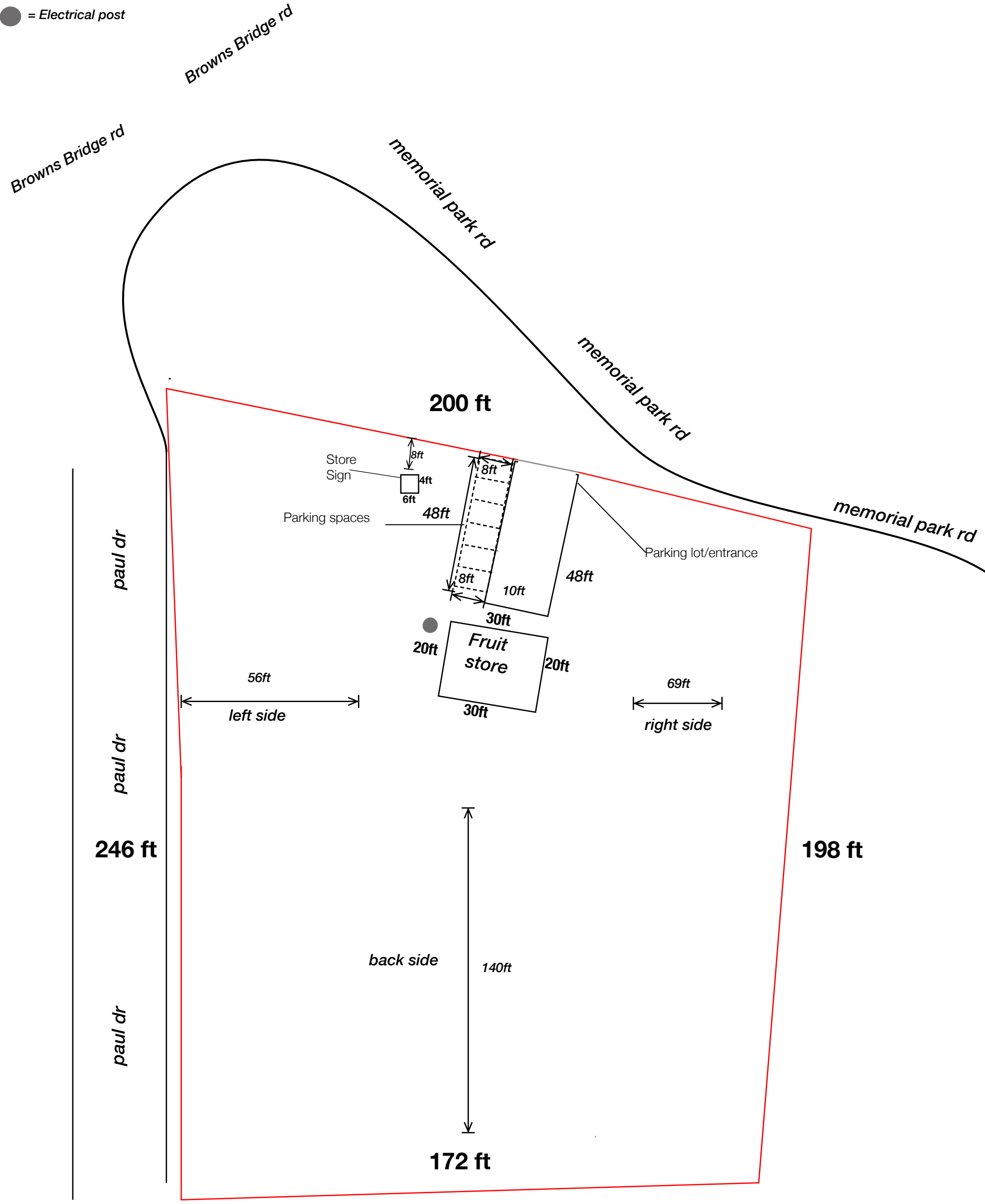
2002 Memorial Park Rd

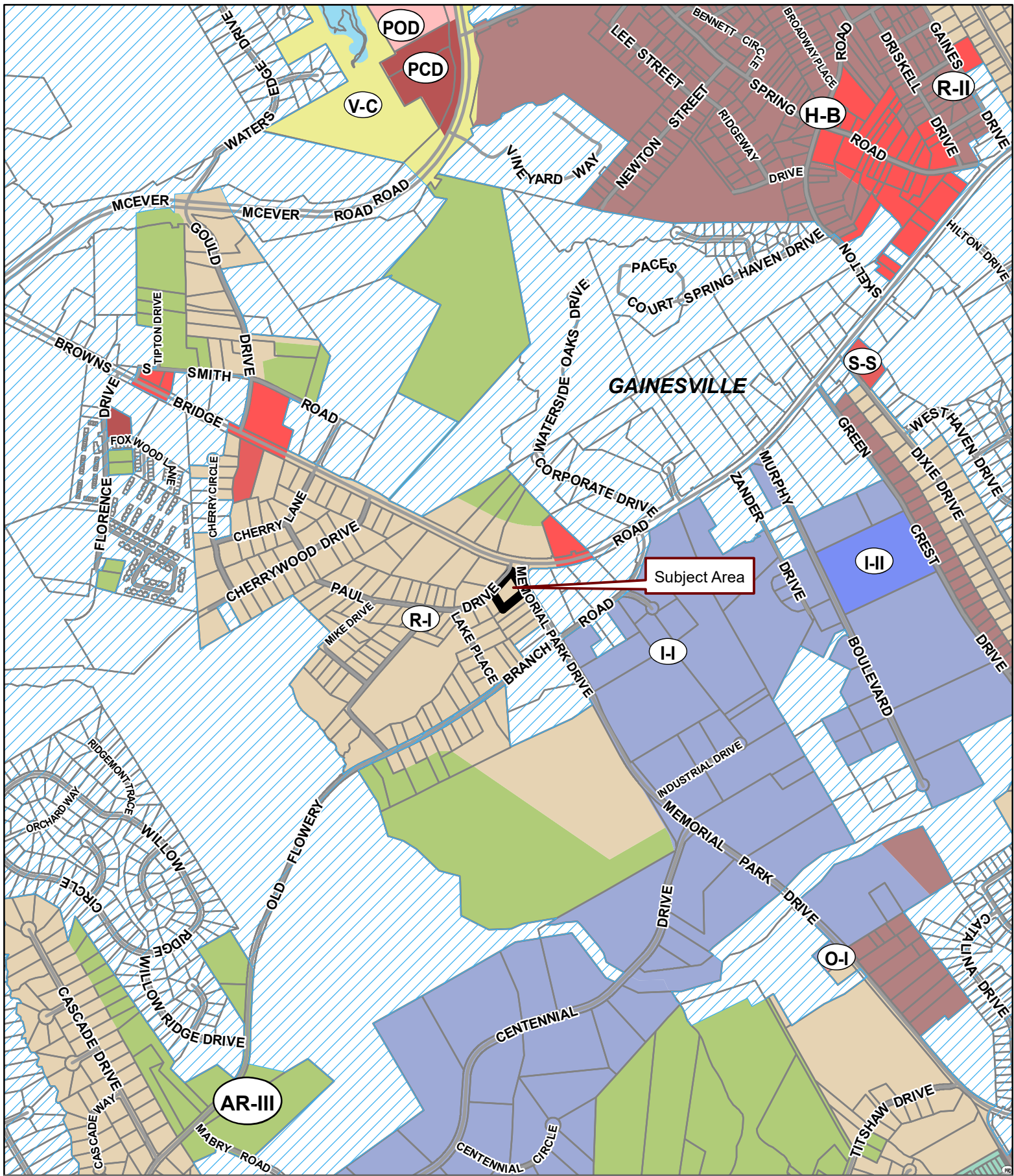
0.89 acres

2,048 sqft.

RED = Property Lines

● = Electrical post





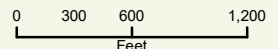
Applicant: SALOMON SANCEN

Tax Parcel #: 08014 005011

Location: 202 MEMORIAL PARK DRIVE, GAINESVILLE, GA 30504

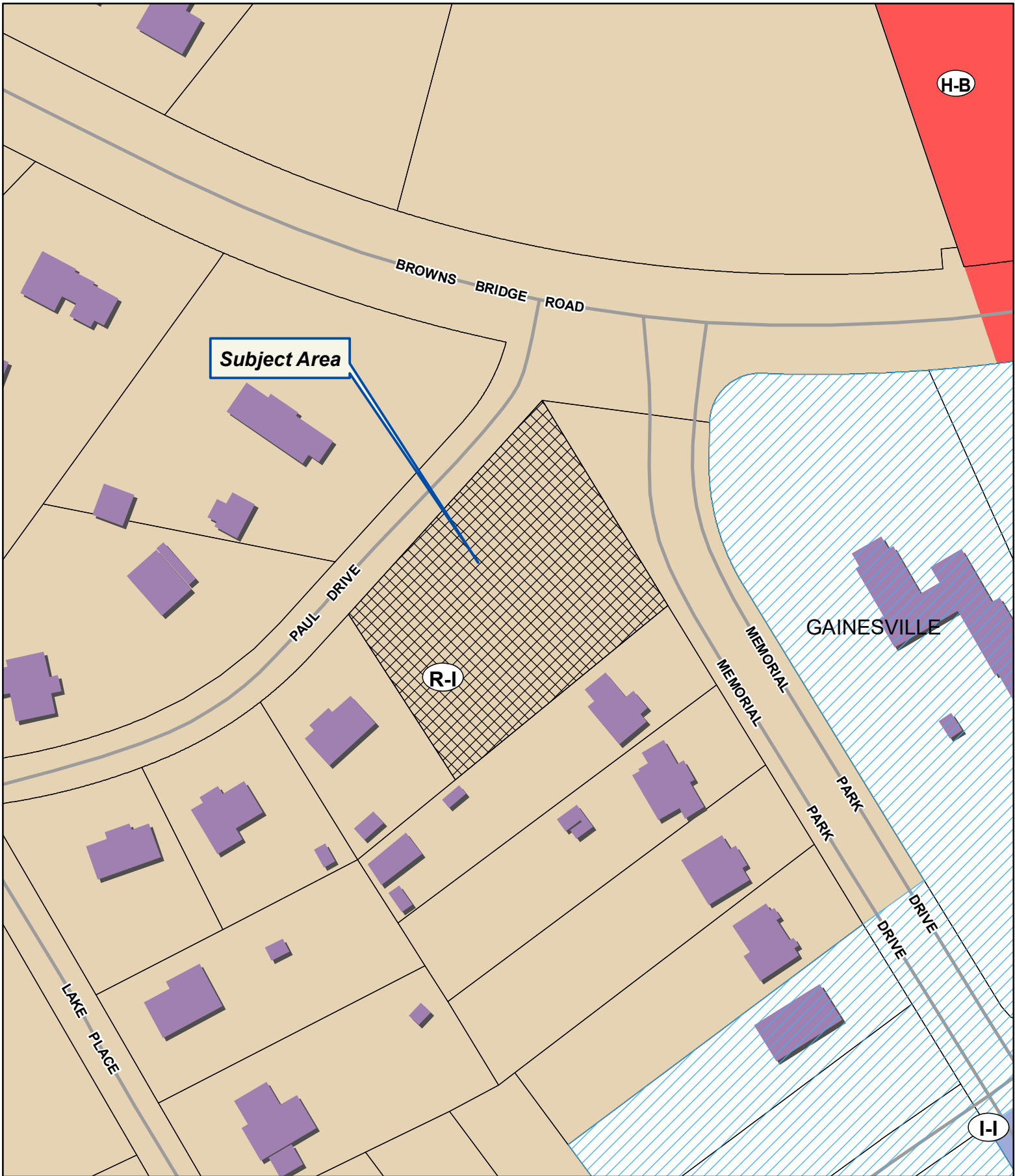
Commission District 4

PC Mtg. Date: 07/05/2022



- Zoning Boundary
- City Limits
- Subject Area
- Structure





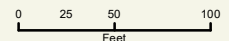
Applicant: SALOMON SANCEN

Tax Parcel #: 08014 005011

Location: 2022 MEMORIAL PARK DRIVE, GAINESVILLE, GA 30504

Commission District 4

PC Mtg. Date: 07/05/2022



- Zoning Boundary
- ▨ City Limits
- ▧ Subject Area
- Structure



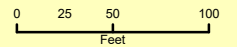





Applicant: SALOMON SANCEN

Tax Parcel #: 08014 005011

Location: 2002 MEMORIAL PARK DRIVE, GAINESVILLE, GA 30504

Commission District 4 **PC Mtg. Date:** 07/05/2022



-  Zoning Boundary
-  City Limits
-  Subject Area



Kaitlyn Elliott (Planning)

From: Emily McGahee (Environmental Health)
Sent: Thursday, September 5, 2024 4:55 PM
To: Kaitlyn Elliott (Planning); Beth Garmon (CDI: Planning); Katie L. Greenway (CDI: Planning)
Cc: Kelly Hairston (Environmental Health); Chad Harper (Environmental Health)
Subject: HCPC Tentative Agenda 10.7.2024

Follow Up Flag: Follow up
Flag Status: Completed

Please find Environmental Health comments below:

Items 1A,B,C, 6111 Oak Hill Drive, Hoffmann: All proposed structures must meet all residential permitting requirements and/or required setbacks to existing septic system. An existing system evaluation/site visit will be required for Environmental Health to process the building permit application.

Item 2, 3654 Thompson Bridge Road, Benson: No comment. Public sewer.

Item 3, 1600C Athens Hwy, Vargas: No floor drains or process wastewater to be discharged to the existing septic system. Domestic waste only.

Item 4, 6147 Dahlonega Hwy, Rich: Must meet all Environmental Health commercial septic system permitting requirements. Further determination will be made during the civil plan review process. A detailed business plan must be submitted to Hall County Environmental Health for review. Additional items, including, but not limited to: recorded plat, soil evaluation, and septic system installation/modification may be required after review of business plan.

Item 5, 4137 Short Rd, Allen: All proposed lots must meet Hall County Board of Health Lot Size Resolution requirements. This plat is currently under review by the Hall County Plat Review Team, which is waiting for revisions to be submitted for review under case number HPLT24-0090.

Item 6, 6000 Wellspring Trail, Barnes: Must meet all Environmental Health commercial septic system permitting requirements. Further determination will be made during the civil plan review process. A detailed business plan must be submitted to Hall County Environmental Health for review. Additional items, including, but not limited to: recorded plat, soil evaluation, and septic system installation/modification may be required after review of business plan. A Food Service permit/plan review may be required after review of business plan

Item 7, 5552 Bogus Road, Barnes: All proposed lots must meet Hall County Board of Health Lot Size Resolution requirements. Please note that Zoning approval does not imply approval from other county departments. Further determination will be made during the plat review process.

Item 8, 7011/7051 Pony Lake Road, Roys: Septic Permit OSC-9259 was issued on May 30, 2024 for the proposed structure.

Item 9, 7051 Pony Lake Road, Roys: Septic Permit OSC-9259 was issued on May 30, 2024 for the proposed structure.

Item 10, 2002 Memorial Park, Sancen: Must meet all Environmental Health commercial septic system permitting requirements. A detailed business plan must be submitted to Hall County Environmental Health for review. Additional items, including, but not limited to: recorded plat, soil evaluation, and septic system installation/modification may be required after review of business plan. An onsite sewage management system (and bathroom structure) will be required on the property if it is to be occupied for two hours or more.

Emily McGahee

Hall County Environmental Health

Hall County Government Center

2875 Browns Bridge Road

Mailing: PO Box 5901

Gainesville, GA 30504

(770) 531-3973 (phone)

emcgahee@hallcounty.org

<http://dph.georgia.gov/environmental-health> (State Website)

<http://www.phdistrict2.org/HallCounty.htm> (District Website)

<https://www.hallcounty.org/192/Environmental-Health> (County Website & Forms)

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Anael Dominguez (Planning)

From: Emily McGahee (Environmental Health)
Sent: Wednesday, June 15, 2022 2:44 PM
To: Randi Doveton (Planning); Anael Dominguez (Planning)
Cc: Chad Harper (Environmental Health); Kelly Hairston (Environmental Health)
Subject: HCPC Tentative Agenda 7.5.22

Please find Environmental Health comments below:

Item 1, 3053, 3087 McEver Road, Botrus: No parking of stock, employee, or customer vehicles on top of or within 5' of drainline or 10' from septic tank. Environmental Health will not approve any additional paved/gravel parking on parcel.

Item 2, 6286 Grand Fox Circle, Hewell: The proposed garage location was approved by Environmental Health on February 10, 2022.

Item 3, 5727/5769 Henson Road, Crawford: No comment.

Item 4, 2002 Memorial Park Drive, Sanchez: Must meet all Environmental Health commercial septic system permitting requirements. A detailed business plan must be submitted to Hall County Environmental Health for review. Additional items, including, but not limited to: recorded plat, soil evaluation, and septic system installation/modification may be required after review of business plan.

Item 5, 4745 Cagle Mill, Boling: Public sewer. Any abandoned well shall be properly closed as per Water Well Standards Act. Any abandoned septic tank shall be pumped by a State certified pumper/hauler and crushed/filled.

Item 6, 4740 Youngblood Road, Magnus: Connection to public sewer required.

Item 7, 4610/4616 Winder Hwy, Ponderosa Land Holdings: Public sewer. Any abandoned well shall be properly closed as per Water Well Standards Act. Any abandoned septic tank shall be pumped by a State certified pumper/hauler and crushed/filled.

Emily McGahee
Hall County Environmental Health
Hall County Government Center – 3rd Floor
2875 Browns Bridge Road
Mailing: PO Box 5901
Gainesville, GA 30504
(770) 531-3973
(770) 531-6767 (fax)

<http://dph.georgia.gov/environmental-health> (State Website)
<http://www.phdistrict2.org/HallCounty.htm> (District Website)
<http://www.hallcounty.org/devserv/environmental.asp> (County Website & Forms)

Kaitlyn Elliott (Planning)

From: Chavers, Veronica E <VChavers@dot.ga.gov>
Sent: Tuesday, September 3, 2024 12:40 PM
To: Beth Garmon (CDI: Planning); Katie L. Greenway (CDI: Planning); Kaitlyn Elliott (Planning)
Subject: RE: Tentative Planning Agenda for October 7, 2024

Follow Up Flag: Follow up
Flag Status: Completed

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See responses blow.

From: Kaitlyn Elliott (Planning) <kelliott@hallcounty.org>
Sent: Friday, August 30, 2024 8:59 AM
To: Beth Garmon (CDI: Planning) <bgarmon@hallcounty.org>; Bill Nash (CDI: Public Works) <bnash@hallcounty.org>; Bill Schmid <weschmid@rochester-assoc.com>; Brandi Smith (CDI: Business License) <bsmith@hallcounty.org>; Brent Holloway (Parks and Leisure) <bholloway@hallcounty.org>; Bryan Cash (Fire Services) <bcash@hallcounty.org>; Chad Harper (Environmental Health) <charper@hallcounty.org>; Cher Melendez (Tax Assessors) <cmelendez@hallcounty.org>; Chris Braswell (Planning) <cbraswell@hallcounty.org>; Christopher Armstrong (Fire Services) <carmstrong@hallcounty.org>; Daniel Costantini <dcostantini@gainesvillega.gov>; Emily McGahee (Environmental Health) <emcgahee@hallcounty.org>; Frank Miller (CDI: Engineering) <fmiller@hallcounty.org>; Dykes, Jason <jdykes@dot.ga.gov>; Jason Skarda (CDI: Engineering) <jskarda@hallcounty.org>; Jerry Smith (Fire Services) <jesmith@hallcounty.org>; John Hornick (Fire Services) <jhornick@hallcounty.org>; Peevy, Jonathan <jpeevy@dot.ga.gov>; Kaitlyn Elliott (Planning) <kelliott@hallcounty.org>; Karen Martinez (CDI: Public Works - Sewer) <kmartinez@hallcounty.org>; Katie L. Greenway (CDI: Planning) <klgreenway@hallcounty.org>; Kelly Hairston (Environmental Health) <khairston@hallcounty.org>; Kristie Turner (Planning) <kturner@hallcounty.org>; Matt Cox <matt.cox@hallco.org>; Michael Vieira (Fire Services) <mvieira@hallcounty.org>; Millie Perez (Community Development & Infrastructure) <mperez@hallcounty.org>; Nick Swafford <NSwafford@gainesvillega.gov>; Nicole Griffin (Tax Assessors) <nicole.griffin@hallcounty.org>; Niebauer, Parker J <PNiebauer@dot.ga.gov>; Pam Cravero <Pam.Cravero@hallco.org>; Randi Doveton (CDI: Planning) <rdoveton@hallcounty.org>; rich <rich@flowerybranchga.org>; Sarah Crowe (Administration) <scrowe@hallcounty.org>; Scott Puckett <spuckett@hallcounty.org>; Stephen Cain <troy.s.cain@usace.army.mil>; Steve Watson (Real Property) <rswatson@hallcounty.org>; Tammie Croy (CDI: Engineering) <tcroy@hallcounty.org>; Tracy Gilreath (Tax Assessors) <tgilreath@hallcounty.org>; Chavers, Veronica E <VChavers@dot.ga.gov>; Wanda Sutton (CDI: Engineering) <wsutton@hallcounty.org>; will schofield <will.schofield@hallco.org>
Subject: FW: Tentative Planning Agenda for October 7, 2024

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My apologies the links have been corrected below.

Kaitlyn Elliott
Planning Commission Clerk
Hall County Community Development and Infrastructure
(770) 531-6810 www.hallcounty.org



From: Kaitlyn Elliott (Planning)
Sent: Thursday, August 29, 2024 3:57 PM
Subject: Tentative Planning Agenda for October 7, 2024

Good afternoon –

Here is the Tentative Agenda and Maps for the **Monday, October 7, 2024** Hall County Planning Commission Meeting.

Please use the links to review the documents and respond with comments to Hall County Planning and Development. Failure to provide comments in a timely manner may result in the information not being included in the staff report.

When submitting comments, please include the name of the applicant along with the address of the property with the corresponding comment.

Comments are due by **Friday, September 6th**. Email comments to Beth (bgarmon@hallcounty.org), Katie (kgreenway@hallcounty.org) and Kaitlyn (kelliott@hallcounty.org).

Thank you!

CALL TO ORDER

AGENDA REVIEW

APPROVAL OF MINUTES – September 16, 2024

NEW BUSINESS

1. **(A) 6111 Oak Hill Drive | Variance | 17.240.010 to reduce the front yard setback along Oak Hill Road | on a 0.39± acre tract located on the west side of Oak Hill Drive approximately 190 feet from its intersection with White Oak Drive | Zoned R-I; Tax Parcel 08102A000030 | Proposed Use: Residential addition | * Commission District 2 | Terri Hoffmann, applicant No GDOT coordination required**
(B) 6111 Oak Hill Drive | Variance | 17.240.010 to reduce the left side yard setback | on a 0.39± acre tract located on the west side of Oak Hill Drive approximately 190 feet from its intersection with White Oak Drive | Zoned R-I; Tax Parcel 08102A000030 | Proposed Use: Residential addition | * Commission District 2 | Terri Hoffmann, applicant No GDOT coordination required
(C) 6111 Oak Hill Drive | Variance | 17.240.010 to reduce the left side yard setback | on a 0.39± acre tract located on the west side of Oak Hill Drive approximately 190 feet from its intersection with White Oak Drive | Zoned R-I; Tax Parcel 08102A000030 | Proposed Use: Detached carport | * Commission District 2 | Terri Hoffmann, applicant No GDOT coordination required
2. **3658 Thompson Bridge Road | Variance | 17.420. to vary the sign standards within GCOD | on a 4.33± acre tract located on the east side of Thompson Bridge Road approximately 650 feet from its intersection with**

Southers Road | Zoned PCD; Tax Parcel 10104 000004 | **Proposed Use: Wall sign** | * Commission District 2 | **Davis Sign & Awning c/o Matthew Benson, applicant** No GDOT coordination required

3. **1600 Athens Highway, Building C | Amend Conditions of Zoning** | on a 0.64± acre tract located on the south side of Athens Highway approximately 596 feet from its intersection with Athens Street | Zoned I-I (GCOD); Tax Parcel 15032 000050 | **Proposed Use: Automobile repair garage** | ** Commission District 3 | **Gerado Vargas, applicant** GDOT coordination required
4. **6147 Dahlonga Highway | Use Subject to County Commission Approval** | on a 19.34± acre tract located on the southwest side of Dahlonga Highway approximately 703 feet from its intersection with Kenimer Road | Zoned AR-IV; Tax Parcel 11003 000002A | **Proposed Use: Commercial kennel** | ** Commission District 3 | **Rachel Christensen Rich, applicant** No GDOT coordination required
5. **4137 Short Road | Use Subject to County Commission Approval** | on a 4.02± acre tract located on the south side of Short Road approximately 160 feet from its intersection with Sardis Road | Zoned R-I; Tax Parcel 10080 000010 | **Proposed Use: 2-lot subdivision** | ** Commission District 2 | **Connie Allen, applicant** No GDOT coordination required
6. **6000 Wellspring Trail | Amend Conditions of Zoning** | on a 20.29± acre tract located at the terminus of Wellspring Trail | Zoned POD; Tax Parcel 12046 000001 | **Proposed Use: Expansion of services** | ** Commission District 3 | **Seth Barnes, applicant** No GDOT coordination required
7. **5552 Bogus Road | Rezone** | from Planned Residential Development (PRD) & Agricultural Residential IV (AR-IV) to Planned Residential Development (PRD) | on a 13.81± acre tract located on the west side of Bogus Road approximately 420 feet from its intersection with Claude Peck Road | Zoned PRD & AR-IV; Tax Parcel 12051 000015 | **Proposed Use: 15-lot residential development** | ** Commission District 3 | **Seth Barnes, applicant** No GDOT coordination required
8. **7011 & 7051 Pony Lake Road | Amend Conditions of Zoning** | on a 101.74± acre tract located on the west side of Pony Lake Road approximately 498 feet from its intersection with Old Whelchel Road | Zoned PRD & AR-IV; Tax Parcels 11101 000003A & 000008 | **Proposed Use: Staff residence** | ** Commission District 3 | **Steve Roys, applicant** No GDOT coordination required
9. **7051 Pony Lake Road | Rezone** | from Agricultural Residential IV (AR-IV) to Planned Residential Development (PRD) | on a 1.74± acre tract located on the west side of Pony Lake Road at its intersection with Old Whelchel Road | Zoned AR-IV; Tax Parcel 11101 000008 | **Proposed Use: Staff residence** | ** Commission District 3 | **Steve Roys, applicant** No GDOT coordination required
10. **2002 Memorial Park Drive | Rezone** | from Residential (R-I) to Highway Business (H-B) on a 0.89± tract on the west side of Memorial Park Drive at its intersection with Browns Bridge Road | Zoned R-I; Tax Parcel 08014 005011 | **Proposed Use: Retail sales** | ** Commission District 4 | **Salomon Sancen, applicant**

*The Planning Commission's decision will be the final action taken unless appealed to the Board of Commissioners. To do so, file an application with the Planning Department within five working days of the Planning Commission's decision.

The Hall County Board of Commissioners will hear appeals at a public hearing **Thursday, November 14, 2024** at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

The Planning Commission's recommendation will be forwarded to the Board of Commissioners for final action at a public hearing on **Thursday, November 14, 2024. The Board will meet at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

Kaitlyn Elliott
Planning Commission Clerk
Hall County Community Development and Infrastructure
(770) 531-6810 www.hallcounty.org



Human trafficking impacts every corner of the globe, including our state and local communities. Georgia DOT is committed to end human trafficking in Georgia through education enabling its employees and the public to recognize the signs of human trafficking and how to react in order to help make a change. To learn more about the warning signs of human trafficking, visit <https://doas.ga.gov/human-resources-administration/human-trafficking-awareness/trafficking-in-georgia>. To report any suspicious activity, call the Georgia Human Trafficking Hotline at 866-363-4842. Let's band together to end human trafficking in Georgia.

Anael Dominguez (Planning)

From: Niebauer, Parker J <PNiebauer@dot.ga.gov>
Sent: Thursday, June 16, 2022 5:37 PM
To: Anael Dominguez (Planning); Randi Doveton (Planning)
Cc: Peevy, Jonathan; Chavers, Veronica E
Subject: RE: Tentative Planning Agenda for July 5, 2022

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Please see responses in red below

Thank you,

Parker Niebauer

DITO Traffic Operations Supervisor



District 1 Division of Field Services

1475 Jesse Jewell Pkwy

Suite 100

Gainesville, GA, 30501

770.533.8275 office

770.519.3223 cell

From: Anael Dominguez (Planning) <adominguez@hallcounty.org>

Sent: Thursday, June 9, 2022 10:05 AM

To: Becky Ruffner (Parks & Leisure) <bruffner@hallcounty.org>; Bill Nash (Public Works) <bnash@hallcounty.org>; Brandi Smith (Business License) <bsmith@hallcounty.org>; Bryan Cash (Fire Services) <bcash@hallcounty.org>; Chad Harper (Environmental Health) <charper@hallcounty.org>; Chris Braswell (Planning) <cbraswell@hallcounty.org>; Christopher Armstrong (Fire Services) <carmstrong@hallcounty.org>; Dan Barnes <Daniel.C.Barnes@usace.army.mil>; Emily McGahee (Environmental Health) <emcgahee@hallcounty.org>; Frank Miller (Engineering) <fmiller@hallcounty.org>; Dykes, Jason <jdykes@dot.ga.gov>; Jason Skarda (Engineering) <jskarda@hallcounty.org>; Jeremy Wills <jeremy.wills@gainesville.org>; John Hornick (Fire Services) <jhornick@hallcounty.org>; Peevy, Jonathan <jpeevy@dot.ga.gov>; Kelly Hairston (Environmental Health) <khairston@hallcounty.org>; Lamar Carver (Building Inspection) <lcarver@hallcounty.org>; Matt Cox <matt.cox@hallco.org>; Michael Vieira (Fire Services) <mvieira@hallcounty.org>; Mike Little (Parks and Leisure) <mlittle@hallcounty.org>; Nicole Griffin (Tax Assessors) <nicole.griffin@hallcounty.org>; nswofford <nswafford@gainesville.org>; Pam Cravero <Pam.Cravero@hallco.org>; Niebauer, Parker J <PNiebauer@dot.ga.gov>; Randi Doveton (Planning) <rdoveton@hallcounty.org>; rich <rich@flowerybranchga.org>; Scott Puckett <spuckett@hallcounty.org>; Srikanth Yamala (Public Works) <syamala@hallcounty.org>; Stephen Cain <troy.s.cain@usace.army.mil>; Steve Watson (Real Property) <rswatson@hallcounty.org>; Tammie Croy (Engineering) <tcroy@hallcounty.org>; Tracy Gilreath (Tax Assessors) <tgilreath@hallcounty.org>; Wanda Moreno (Engineering) <wmoreno@hallcounty.org>; Wanda Sutton (Engineering) <wsutton@hallcounty.org>; will schofield <will.schofield@hallco.org>

Subject: Tentative Planning Agenda for July 5, 2022

Good morning–

Here is the Tentative Agenda and Maps for the **Tuesday, July 5, 2022** Hall County Planning Commission Meeting. Please use the links to review the documents and respond with comments to Hall County Planning and Development. Failure to provide comments in a timely manner may result in the information not being included in the staff report. When submitting comments, please include the name of the applicant along with the address of the property with the corresponding comment.

Comments are due by **Thursday, June 16, 2022**. Email comments to Randi (rdoveton@hallcounty.org) and Ana (adominguez@hallcounty.org).

Thank you–

CALL TO ORDER

AGENDA REVIEW

APPROVAL OF MINUTES – June 20, 2022

OLD BUSINESS

1. [Previously tabled application on Ayoub Botrus to amend conditions of a Planned Commercial Development \(PCD\) on a .36± acre tract located on the south side of Mcever Road approximately 347 feet from its intersection with Waterworks Road; a.k.a. 3053 & 3087 Mcever Road; Zoned PRD; Tax Parcel 07299 002007A & 002007. Proposed Use: auto sales. ** Commission District 2.](#)

NEW BUSINESS

2. [Application of Ken Hewell for a left side yard setback variance from 10 feet to 6 feet on a .27± acre tract located on the west side of Grand Fox Circle approximately 302 feet from its intersection with Forest Knoll Drive; a.k.a. 6286 Grand Fox Circle; Zoned R-I; Tax Parcel 15046K000006. Proposed use: attached garage. * Commission District 1.](#)
None
3. [Application of Jamie T. Crawford to rezone from Planned Commercial Farm District \(PCFD\) to Agricultural Residential-IV \(AR-IV\) on a 3.19± acre tract located on the south side of Henson Road approximately 358 feet from its intersection with Fields Road; a.k.a. 5727 & 5769 Henson Road; Zoned PCFD; Tax Parcel 12044 000016 & 12044 000001 \(pt.\). Proposed use: homestead. ** Commission District 3.](#)
None
4. [Application of Salomon Sancen to rezone from Residential-I \(R-I\) to Highway Business \(H-B\) on a .89± acre tract located on the west side of Memorial Park Drive at its intersection with Browns Bridge Road; a.k.a. 2002 Memorial Park Drive; Zoned R-I; Tax Parcel 08014 005011. Proposed use: retail sales. ** Commission District 4.](#)
None
5. [Application of Josh Boling to rezone from Agricultural Residential-III \(AR-III\) and Agricultural Residential-IV \(AR-IV\) to Planned Residential District \(PRD\) on a 72.67± acre tract located on the west side of Cagle Mill Road approximately 429 feet from Noah Martin Drive; a.k.a. 4745 Cagle Mill Road; Zoned AR-III & AR-IV; Tax Parcel 15007 000254. Proposed use: single family, townhome, & cluster home development. ** Commission District 3.](#)
GDOT Coordination Required
6. [Application of Rochester & Associates/Doug Magnus to rezone from Light Industrial \(I-I\) to Residential-I \(R-I\) on a 2.06± acre tract located on the west side of Youngblood Road approximately 416 feet from its intersection with Winder Highway; a.k.a. 4740 Youngblood Road; Zoned I-I; Tax Parcel 15037A000031\(pt.\). Proposed use: single family residence. ** Commission District 1.](#)
None
7. [Application of Ponderosa Land Holdings, LLC to rezone from Agricultural Residential-III \(AR-III\) and Residential-I \(R-I\) to Planned Residential District \(PRD\) on a 31.64± acre tract located on the west side of Winder Highway at](#)

[its intersection with Plantation Drive; a.k.a. 4610 & 4616 Winder Highway; Zoned AR-III & R-I; Tax Parcel 15037A000070 & 000001. Proposed use: single family development. ** Commission District 1.](#)

GDOT Coordination Required

*The Planning Commission's decision will be the final action taken unless appealed to the Board of Commissioners. To do so, file an application with the Planning Department within five working days of the Planning Commission's decision.

The Hall County Board of Commissioners will hear appeals at a public hearing **Thursday, August 11, 2022** at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

The Planning Commission's recommendation will be forwarded to the Board of Commissioners for final action at a public hearing on **Thursday, August 11, 2022. The Board will meet at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

Ana Dominguez
Planning Commission Clerk
Hall County Government
2875 Browns Bridge Road, Gainesville, GA 30504
www.hallcounty.org | 770-531-6810



Georgia is a state of natural beauty. And it's a state that spends millions each year cleaning up litter that not only mars that beauty, but also affects road safety, the environment and the economy. Do your part – don't litter. How can you play an active role in protecting the splendor of the Peach State? Find out at <http://keepgaclean.com/>.



Hall County Government
COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
PUBLIC WORKS AND UTILITIES

MEMORANDUM

To: Beth Garmon, Director of Planning and Zoning
From: Bill Nash, Director of Public Works and Utilities
Date: September 6, 2024
Subject: October 7, 2024 - Hall County Planning Commission Agenda

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

PUBLIC WORKS AND
UTILITIES DIRECTOR
Bill Nash, P.E.

Please be advised that our office has reviewed the Hall County Planning Commission agenda for the October 7, 2024 meeting. Upon review, we provide the following comments.

NEW BUSINESS

1. **(A) 6111 Oak Hill Drive | Variance | 17.240.010 to reduce the front yard setback along Oak Hill Road | on a 0.39± acre tract located on the west side of Oak Hill Drive approximately 190 feet from its intersection with White Oak Drive | Zoned R-I; Tax Parcel 08102A000030 | Proposed Use: Residential addition | * Commission District 2 | Terri Hoffmann, applicant**
(B) 6111 Oak Hill Drive | Variance | 17.240.010 to reduce the left side yard setback | on a 0.39± acre tract located on the west side of Oak Hill Drive approximately 190 feet from its intersection with White Oak Drive | Zoned R-I; Tax Parcel 08102A000030 | Proposed Use: Residential addition | * Commission District 2 | Terri Hoffmann, applicant

(C) 6111 Oak Hill Drive | Variance | 17.240.010 to reduce the left side yard setback | on a 0.39± acre tract located on the west side of Oak Hill Drive approximately 190 feet from its intersection with White Oak Drive | Zoned R-I; Tax Parcel 08102A000030 | Proposed Use: Detached carport | * Commission District 2 | Terri Hoffmann, applicant

- a. **Engineering:** Show FEMA and Hall County studied Flood plains that are present on site
- b. **Traffic:** No Comment
- c. **Utilities:** No Comment

2. [3658 Thompson Bridge Road | Variance | 17.420. to vary the sign standards within GCOD | on a 4.33± acre tract located on the east side of Thompson Bridge Road approximately 650 feet from its intersection with Southers Road | Zoned PCD; Tax Parcel 10104 000004 | Proposed Use: Wall sign | * Commission District 2 | Davis Sign & Awning c/o Matthew Benson, applicant](#)
 - a. **Engineering:** No Comment
 - b. **Traffic:** No comment
 - c. **Utilities:** No comment

3. [1600 Athens Highway, Building C | Amend Conditions of Zoning | on a 0.64± acre tract located on the south side of Athens Highway approximately 596 feet from its intersection with Athens Street | Zoned I-I \(GCOD\); Tax Parcel 15032 000050 | Proposed Use: Automobile repair garage | ** Commission District 3 | Gerado Vargas, applicant](#)
 - a. **Engineering:** This site may require a stormwater management report should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
 - b. **Traffic:** No comment
 - c. **Utilities:** No comment

4. [6147 Dahlonega Highway | Use Subject to County Commission Approval | on a 19.34± acre tract located on the southwest side of Dahlonega Highway approximately 703 feet from its intersection with Kenimer Road | Zoned AR-IV; Tax Parcel 11003 000002A | Proposed Use: Commercial kennel | ** Commission District 3 | Rachel Christensen Rich, applicant](#)
 - a. **Engineering:** This site may require a stormwater management report should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage. Show stream buffer and impervious setback from wrested vegetation not centerline of stream Show FEMA and Hall County studied Flood plains that are present on site.
 - b. **Traffic:** No comment
 - c. **Utilities:** No comment

5. [4137 Short Road | Use Subject to County Commission Approval | on a 4.02± acre tract located on the south side of Short Road approximately 160 feet from its intersection with Sardis Road | Zoned R-I; Tax Parcel 10080 000010 | Proposed Use: 2-lot subdivision | ** Commission District 2 | Connie Allen, applicant](#)
 - a. **Engineering:** If this subdivision is greater than 6 lots on an existing road, a stormwater management report prepared by a professional engineer will be required.
 - b. **Traffic:** No comment
 - c. **Utilities:** No comment

6. [6000 Wellspring Trail | Amend Conditions of Zoning | on a 20.29± acre tract located at the terminus of Wellspring Trail | Zoned POD: Tax Parcel 12046 000001 | Proposed Use: Expansion of services | ** Commission District 3 | Seth Barnes, applicant](#)

- a. **Engineering:** This site may require a stormwater management report should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage. Show stream buffer and impervious setback from wrested vegetation not centerline of stream Show FEMA and Hall County studied Flood plains that are present on site.
- b. **Traffic:** No comment
- c. **Utilities:** No comment

7. [5552 Bogus Road | Rezone | from Planned Residential Development \(PRD\) & Agricultural Residential IV \(AR-IV\) to Planned Residential Development \(PRD\) | on a 13.81± acre tract located on the west side of Bogus Road approximately 420 feet from its intersection with Claude Peck Road | Zoned PRD & AR-IV: Tax Parcel 12051 000015 | Proposed Use: 15-lot residential development | ** Commission District 3 | Seth Barnes, applicant](#)

- a. **Engineering:** This site may require a stormwater management report should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
Traffic: Access apron at Bogus Rd. must be paved to county standards regardless if gravel road is permitted.
If variances are not approved, the new roadway will need to meet Hall County Subdivision regulations.
Unclear, is new roadway proposed to be County maintained? If so, the County does not typically accept gravel roadways into maintenance.
- b. **Utilities:** No comment

8. [7011 & 7051 Pony Lake Road | Amend Conditions of Zoning | on a 101.74± acre tract located on the west side of Pony Lake Road approximately 498 feet from its intersection with Old Whelchel Road | Zoned PRD & AR-IV; Tax Parcels 11101 000003A & 000008 | Proposed Use: Staff residence | ** Commission District 3 | Steve Roys, applicant](#)

- a. **Engineering:** No comment
- b. **Traffic:** No comment
- c. **Utilities:** No comment

9. [7051 Pony Lake Road | Rezone | from Agricultural Residential IV \(AR-IV\) to Planned Residential Development \(PRD\) | on a 1.74± acre tract located on the west side of Pony Lake Road at its intersection with Old Whelchel Road | Zoned AR-IV; Tax Parcel 11101 000008 | Proposed Use: Staff residence | ** Commission District 3 | Steve Roys, applicant](#)

- a. **Engineering:** No comment

- b. **Traffic:** No comment
- c. **Utilities:** No comment

10. 2002 Memorial Park Drive | Rezone | from Residential (R-I) to Highway Business (H-B) on a 0.89± tract on the west side of Memorial Park Drive at its intersection with Browns Bridge Road | Zoned R-I: Tax Parcel 08014 005011 | Proposed Use: Retail sales | ** Commission District 4 | Salomon Sancen, applicant

- a. **Engineering:** This site may require a stormwater management report should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
- b. **Traffic:** Driveway would need to meet Hall County and GDOT requirements.
- c. **Utilities:** No comment



Hall County Government

PUBLIC WORKS AND UTILITIES
ENGINEERING DIVISION

MEMORANDUM

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

SRIKANTH YAMALA
Director

BILL NASH, P.E.
Assistant Director

FRANKLIN P. MILLER, P.E.
County Engineer

To: Randi Doveton, Director of Planning and Development

From: Srikanth Yamala, Director of Public Works and Utilities

Date: June 16, 2022

Subject: July 5, 2022 Hall County Planning Commission Agenda

Please be advised that our office has reviewed the Hall County Planning Commission agenda for the July 5, 2022 meeting. Upon review, we provide the following comments:

1. Previously tabled application on Ayoub Botrus to amend conditions of a Planned Commercial Development (PCD) on a .36± acre tract located on the south side of Mcever Road approximately 347 feet from its intersection with Waterworks Road; a.k.a. 3053 & 3087 Mcever Road; Zoned PRD; Tax Parcel 07299 002007A & 002007. Proposed Use: auto sales. ** Commission District
 - a) **Engineering:** The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
 - b) **Traffic:** No comments
 - c) **Utilities:** Buford Sewer
2. [Application of Ken Hewell for a left side yard setback variance from 10 feet to 6 feet on a .27± acre tract located on the west side of Grand Fox Circle approximately 302 feet from its intersection with Forest Knoll Drive; a.k.a. 6286 Grand Fox Circle; Zoned R-I; Tax Parcel 15046K000006. Proposed use: attached garage. * Commission District 1.](#)
 - a) **Engineering:** No comments
 - b) **Traffic:** No comments
 - c) **Utilities:** No comments
3. [Application of Jamie T. Crawford to rezone from Planned Commercial Farm District \(PCFD\) to Agricultural Residential-IV \(AR-IV\) on a 3.19± acre tract located on the south side of Henson Road approximately 358 feet from its intersection with Fields Road; a.k.a. 5727 & 5769 Henson Road; Zoned PCFD; Tax Parcel 12044 000016 & 12044 000001 \(pt.\). Proposed use: homestead. ** Commission District 3.](#)
 - a) **Engineering:** No comments
 - b) **Traffic:** No comments
 - c) **Utilities:** No comments



Hall County Government

PUBLIC WORKS AND UTILITIES
ENGINEERING DIVISION

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

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SRIKANTH YAMALA
Director

BILL NASH, P.E.
Assistant Director

FRANKLIN P. MILLER, P.E.
County Engineer

4. [Application of Salomon Sancen to rezone from Residential-I \(R-I\) to Highway Business \(H-B\) on a .89± acre tract located on the west side of Memorial Park Drive at its intersection with Browns Bridge Road; a.k.a. 2002 Memorial Park Drive; Zoned R-I; Tax Parcel 08014 005011. Proposed use: retail sales. ** Commission District 4.](#)

- a) **Engineering:** The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
- b) **Traffic:** Driveway must meet Hall County and GDOT requirements.
- c) **Utilities:** Will water and sewer service the facility?

5. [Application of Josh Boling to rezone from Agricultural Residential-III \(AR-III\) and Agricultural Residential-IV \(AR-IV\) to Planned Residential District \(PRD\) on a 72.67± acre tract located on the west side of Cagle Mill Road approximately 429 feet from Noah Martin Drive; a.k.a. 4745 Cagle Mill Road; Zoned AR-III & AR-IV; Tax Parcel 15007 000254. Proposed use: single family, townhome, & cluster home development. ** Commission District 3.](#)

- a) **Engineering:** The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage. Show Hall County studied flood zone. North Oconee Reservoir District requires 150' buffer from top of bank not centerline of stream.
- b) **Traffic:** Proposed access on Cornelia Hwy (SR365) will require a GDOT permit and their approval. Proposed access on Cagle Mill Road must meet Hall County requirements. Any required roadway improvements for either proposed access will be the financial responsibility of the applicant/developer and must be constructed concurrently with the development. Internal roadways shown on the concept do not meet Title 16 of the Hall County Code. If roadways are proposed to be private, variance requests to Title 16 must be specific, justified and approved by the Commission. Any alternate designs not requested/approved will default to the requirements in Title 16. If the roadways are to be considered driveways, subdividing individual lots is not permitted. A bridge is shown along one access. Be aware that Hall County will not accept bridges into County maintenance.
- c) **Utilities:** Hall County sewer district.



Hall County Government

PUBLIC WORKS AND UTILITIES
ENGINEERING DIVISION

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

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SRIKANTH YAMALA
Director

BILL NASH, P.E.
Assistant Director

FRANKLIN P. MILLER, P.E.
County Engineer

6. [Application of Rochester & Associates/Doug Magnus to rezone from Light Industrial \(I-I\) to Residential-I \(R-I\) on a 2.06± acre tract located on the west side of Youngblood Road approximately 416 feet from its intersection with Winder Highway; a.k.a. 4740 Youngblood Road; Zoned I-I; Tax Parcel 15037A000031\(pt.\).Proposed use: single family residence. ** Commission District 1.](#)
 - a) **Engineering:** Show Hall County studied flood zone. Show stream and impervious setback from wretched vegetation not centerline of stream.
 - b) **Traffic:** No comments
 - c) **Utilities:** Hall County sewer district.

7. [Application of Ponderosa Land Holdings, LLC to rezone from Agricultural Residential-III \(AR-III\) and Residential-I \(R-I\) to Planned Residential District \(PRD\) on a 31.64± acre tract located on the west side of Winder Highway at its intersection with Plantation Drive; a.k.a. 4610 & 4616 Winder Highway; Zoned AR-III & R-I; Tax Parcel 15037A000070 & 000001. Proposed use: single family development. ** Commission District 1.](#)
 - a) **Engineering:** The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
 - b) **Traffic:** Access must be permitted/approved through GDOT.
 - c) **Utilities:** Hall County sewer.

Kaitlyn Elliott (Planning)

From: John Hornick (Fire Services)
Sent: Friday, August 30, 2024 10:32 AM
To: Beth Garmon (CDI: Planning)
Cc: Katie L. Greenway (CDI: Planning); Kaitlyn Elliott (Planning)
Subject: Fire Comments

Follow Up Flag: Follow up
Flag Status: Flagged

Monday, October 7, 2024 Hall County Planning Commission Meeting.

1. [2002 Memorial Park Drive | Rezone | from Residential \(R-I\) to Highway Business \(H-B\) on a 0.89± tract on the west side of Memorial Park Drive at its intersection with Browns Bridge Road | Zoned R-I: Tax Parcel 08014 005011 | Proposed Use: Retail sales | ** Commission District 4 | Salomon Sancen, applicant](#)

The Hall County Fire Marshal's Office has no comments as proposed

Regards,

John Hornick, NPQ Fire Service Plans Examiner 1
Lieutenant, Hall County Fire Rescue
Hall County Government
Main: 770-531-6838 | Cell: 404-597-0083
Website: www.Hallcounty.org



PLANNING AND DEVELOPMENT DEPARTMENT
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504
MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30503
t: 770-531-6809 | f: 770-531-3902



PUBLIC NOTICE REQUIREMENTS

Zoning regulations require that public notice must be given prior to all zoning hearings as follows:

1. The Planning Department shall publish a legal advertisement no less than fifteen (15) days and no more than forty-five (45) days prior to the public hearing.
2. The Planning Department shall send notification by letter of all other property owners within a 500-foot radius of the applicant's property is standard administrative policy of the Planning Department.
3. The applicant/property owner shall place the public notice sign in a conspicuous location on the property not less than fifteen (15) days and not more than forty-five (45) days prior to the public hearing.

The Planning Department shall post the legal advertisement and notify property owners within a 500ft radius to the subject property.

The applicant is required to post the public notice sign not less than fifteen (15) days and not more than forty-five (45) days prior to the public hearing. **A photo of the sign placed at the location is required and must be sent to the Planning Department.**

Multiple sign postings on a site may be required as determined by the Planning Department. The sign must be in a location where it is clearly visible from the roadway. The sign cannot be obstructed in any manner, placed too far from the road, or placed in such manner as would cause it to blend into the landscape.

Should you find the sign missing or vandalized in any manner, contact the Planning Department for a replacement sign. When the proceeding is complete and final Board action has occurred, the sign shall then be removed from the property by the applicant.

THE ZONING SIGN MUST BE POSTED NO EARLIER THAN 05/21/22 AND NO LATER THAN 06/20/22.

THE ORIGINAL SIGNED AFFIDAVIT MUST BE AND RETURNED TO THE PLANNING DEPARTMENT NO LATER THAN _____ ALONG WITH A MINIMUM OF ONE PHOTO SHOWING THE SIGN POSTED AT THE SUBJECT PROPERTY.

Failure to comply will result in a delay of the application.

AFFIDAVIT

By my signature, I, Salomon Sanchez, hereby acknowledge that I have
Please Print Name

read and understand the sign posting requirements. I further certify that the required

public notice sign was posted on 06-1-2022 for Re-zoning
Date (Name application filed as)

Signature *Salomon Sanchez*
(The original document is required)

ZONING NOTICE

AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: SALOMN SANCEN

REQUEST: REZONE FROM R-1 TO H-B
FOR RETAIL SALES

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION

Date: 7-5-2022

and

COUNTY COMMISSION

Date: 8-11-2022

Time: 5:15 pm

Time: 6:00 p.m

HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809





Sep 6, 2024
2509 Browns Bridge Rd
Gainesville, GA
Hall County

ZONING NOTICE

AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: SALOMON SANCEN

REQUEST: REZONE FROM R-1 TO HB FOR RETAIL SALES

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION

Date: OCT 07, 2024

Time: 5:15 PM



COUNTY COMMISSION

Date: NOV 14, 2024

Time: 6:00 PM

HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809



AGENDA ITEM

Planning & Zoning

REPORT TO: Work Session (11/12/24)

REPORT TO: Voting Meeting (11/14/24)

ITEM NO: 584/2024

SUBJECT: **4137 Short Road | Use Subject to County Commission Approval** | on a 4.02± acre tract located on the south side of Short Road approximately 160 feet from its intersection with Sardis Road | Zoned R-I; Tax Parcel 10080 000010 | **Proposed Use: 2-lot subdivision** | Commission District 2 | **Connie Allen, applicant**

Meetings:

Work Session Date: 11/12/24

Voting Meeting Date: 11/14/24

Executive Summary:

Presenter: BG

Recommendation:
Approve Withdrawal and Issue Refund

Purpose of Request:
4137 Short Road | Use Subject to County Commission Approval | on a 4.02± acre tract located on the south side of Short Road approximately 160 feet from its intersection with Sardis Road | Zoned R-I; Tax Parcel 10080 000010 | **Proposed Use: 2-lot subdivision** | Commission District 2 | **Connie Allen, applicant**

History:

Facts and Issues:

Options:

Funding Requested	\$ 0.00
Are funds within current budget?	No
Source of Funds	
Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?	No
Has it been reviewed by the County Attorney?	Yes
Is there a deadline for this item?	

Approvals:

Submit	Approve	Attorney	Administration
--------	---------	----------	----------------

Submit	Approve	Attorney	Administration
KE	BG	WLI	CR
Clerk			
JR			

Attachments:

Board Memo
Application
Narrative
Site Plan
Maps
Deed
Legal Description
1983 Board of Commissioners Letter
Environmental Health Comments
GDOT Comments
Public Works Comments
Fire Comments
Notice Photos



Hall County Government

COMMUNITY DEVELOPMENT & INFRASTRUCTURE
PLANNING AND ZONING

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

PLANNING AND ZONING
DIRECTOR
Beth Garmon

To: Richard Higgins, Chairman
Kathy Cooper, District 1 Commissioner
Billy Powell, District 2 Commissioner
Gregg Poole, District 3 Commissioner
Jeff Stowe, District 4 Commissioner

From: Beth Garmon, Director of Planning & Zoning

Date: October 28, 2024

Subject: 4137 Short Road | Use Subject to County Commission Approval | on a 4.02± acre tract | Proposed Use: 2-lot subdivision | Connie Allen, applicant

The request before you is the request of Connie Allen to withdraw an application for a use subject to county commission approval for a two lot subdivision. This item is located within Commission District 2.

At their October 7, 2024, the Hall County Planning Commission voted to recommend **withdrawal (5-0)**.

Staff supports the withdrawal of this application, as well as the refund of the application fee.

There were **no comments submitted** in advance of the Planning Commission meeting and **no one spoke during the public hearing**.

PLANNING AND DEVELOPMENT DEPARTMENT
 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504
 MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30503
 t: 770-531-6809 | f: 770-531-3902



CONDITIONAL USE APPLICATION

Applicant (Name & Mailing Address)

Property Owner (Name & Mailing Address)

Connie Allen
4188 Highway 115 F
Cleveland, Ga 30528
 Phone 770-654-6679
 Email Address conconallen@gmail.com

Connie Allen and Marcus T Allen and Rhonda Allen Trust
4188 Highway 115 F
Cleveland, GA 30528
 Phone 770-654-6679
 Email Address conconallen@gmail.com

Proposed Use My mother will continue to reside at 4137 Short Road. I will own 2 acres and my brother will own 2 acres as my father deeded

Contact Person (Name & Mailing Address)

Status of Applicant

Requested Action

Connie Allen } Owner
Same } Option to Purchase HCPC HCC
 } Area Resident Fee: \$ _____
 Phone _____ } Other Receipt #: _____
 Email Address _____ Zoning: Residential Check #: _____
 Tax Parcel Number 10080 - 000010 Acreage 4.02 total
 Location Address 4137 Short Road, Gainesville GA 30506

I hereby certify that the above information and all attached information are true and correct.

Sign [Signature] Date: 8/5/24

Applicant must complete all information above. Failure to complete this section will result in the refusal of the application. The Planning Department has 15 days to review all applications and will set the dates for each application. If the application is found insufficient, an agenda date will not be set until the required information is submitted. Please note that the Planning Commission and County Commission dates are tentative.

Application Withdrawal: I hereby withdraw the application.

Sign _____ Date: _____

Staff Use Only

Application Date: _____ Taken by: _____
 Tentative Planning Commission Date: _____ Tentative County Commission Date: _____
 County Commission District: _____

PLANNING AND DEVELOPMENT DEPARTMENT
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504
MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30503
t: 770-531-6809 | f: 770-531-3902



AUTHORIZATION OF PROPERTY OWNERS

Note: If the applicant is the property owner, please disregard this form.

Name of owner(s) Marcus T. and Rhonda L. Allen
Address 21474 River Ranch Rd
ESTERO FL 33928
Phone Number 863 599 2595
Name of applicant(s) Connie Allen
Address 4188 SR 115 East
Cleveland, GA 30528.
Phone Number 770 654 6679

I swear that I am the owner of the property which is the subject matter of the attached applications as shown in the records of Hall County, Georgia.

I authorize the person named above to act as applicant in the pursuit of a rezoning, permissive use, or variance of this property.

Signature of Owner(s)

[Signature] Rhonda L. Allen

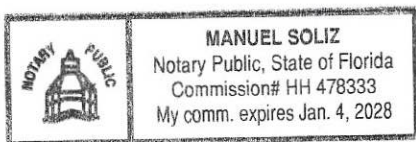
Personally appeared before me

Marcus T. Allen Rhonda L. Allen

who swears that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

[Signature]
Notary Public

08/08/2024
Date



PLANNING AND DEVELOPMENT DEPARTMENT
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504
MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30503
t: 770-531-6809 | f: 770-531-3902



AUTHORIZATION OF PROPERTY OWNERS

Note: If the applicant is the property owner, please disregard this form.

Name of owner(s) Marcus T. and Rhonda L. Allen Trust

Address 21474 River Ranch Rd
Estero FL 33928

Phone Number 863 599 2595

Name of applicant(s) Connie Allen

Address 4188 SR 115 East
Cleveland, GA 30528

Phone Number 770 654-6679

I swear that I am the owner of the property which is the subject matter of the attached applications as shown in the records of Hall County, Georgia.

I authorize the person named above to act as applicant in the pursuit of a rezoning, permissive use, or variance of this property.

Signature of Owner(s)

 Rhonda L. Allen

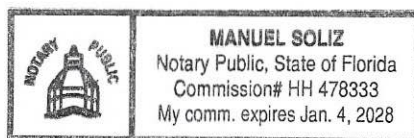
Personally appeared before me

Marcus T. Allen Rhonda L. Allen

who swears that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.


Notary Public

08/08/2024
Date



CAMPAIGN CONTRIBUTIONS DISCLOSURE FORM

This form must be completed by the applicant and property owner, or person representing the property owner, for all zoning actions.

OCGA § 36-67A-3[C] Disclosure of campaign contributions:

(b) When any applicant for zoning action has made, within two years immediately preceding the filing of the applicant's application for the zoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:

(3) The name and official position of the local government official to whom the campaign contribution was made; and

(4) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.

(b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the zoning action is first filed. (Code 1981, Section OCGA § 36-67A-3[C], enacted by GA L. 1986, page 1269, Section 1, GA L. 1991, page 1365, Section 1).

I hereby certify that I have read the above and that:

I have** _____ I have not x

within the two years immediately preceding this date, made any contribution(s) aggregating \$250.00 or more to any local government official involved in the review or consideration of this application.

****If you have made such contributions, you must provide the data required below within ten (10) days of filing this application.**

Name of Official(s): _____

Office: _____

Dollar Amount: _____

Date of Contribution: _____

Applicant's/Owner's Signature: _____

Date: 8/5/24

Applicant's/Owner's Name (Printed): Connie Allen

PLANNING AND DEVELOPMENT DEPARTMENT
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504
MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30503
t: 770-531-6809 | f: 770-531-3902



CAMPAIGN CONTRIBUTIONS DISCLOSURE FORM

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I hereby certify that I have read the above and that:

I have** _____ I have not

within the two years immediately preceding this date, made any contribution(s) aggregating \$250.00 or more to any local government official involved in the review or consideration of this application.

****If you have made such contributions, you must provide the data required below within ten (10) days of filing this application.**

Name of Official(s): _____ Office: _____

Dollar Amount: _____ Date of Contribution: _____

Applicant's/Owner's Signature: [Signature] Date: 8/7/2024

Applicant's/Owner's Name (Printed): Marcus T. Allen

PLANNING AND DEVELOPMENT DEPARTMENT
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504
MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30503
t: 770-531-6809 | f: 770-531-3902



CAMPAIGN CONTRIBUTIONS DISCLOSURE FORM

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- (3) The name and official position of the local government official to whom the campaign contribution was made; and
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I hereby certify that I have read the above and that:

I have** I have not

within the two years immediately preceding this date, made any contribution(s) aggregating \$250.00 or more to any local government official involved in the review or consideration of this application.

**If you have made such contributions, you must provide the data required below within ten (10) days of filing this application.

Name of Official(s): _____ Office: _____

Dollar Amount: _____ Date of Contribution: _____

Applicant's/Owner's Signature: Rhonda Allen Date: 8/7/2024

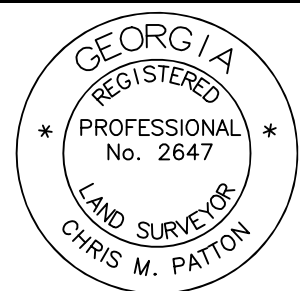
Applicant's/Owner's Name (Printed): Rhonda Allen

We own a parcel of family land on Short Road of 4.02 acres. We seek approval to divide it into two-2 acre tracts. We have met size requirements and had a septic evaluation completed. We had a soil test completed. This is a family division not for development. Our mother will continue to live in the one story residence. The trailer structure is used for storage and is to be removed in the future.

Sent from Connie Allen, iPhone, 770-654-6679

8/9/24 CA

SURVEYOR'S CERTIFICATION:



HALL COUNTY SURVEYOR
THIS PLAT IS A RETRACEMENT OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT SUBDIVIDE OR CREATE A NEW PARCEL OR MAKE ANY CHANGES TO ANY REAL PROPERTY BOUNDARIES...

RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND.

FURTHER, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT, COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT OCGA 15-6-67.

Chris M. Patton
11/01/2023
CHRIS M. PATTON, GA. R.L.S. #2647
DATE:

THIS BLOCK IS RESERVED FOR THE CLERK OF THE SUPERIOR COURT

SURVEYOR'S NOTES:

- 1. THIS SURVEY WAS PREPARED ON THE GEORGIA STATE PLANE COORDINATE SYSTEM, TRANSVERSE MERCATOR PROJECTION, WEST ZONE, NORTH AMERICAN DATUM OF 1983/2007 ADJUSTMENT...
2. THIS SURVEY COMPLIES WITH BOTH THE RULES OF THE GEORGIA BOARD OF REGULATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS...
3. CONVENTIONAL EQUIPMENT USED FOR MEASUREMENT WAS A TOPCON PS 103. GPS EQUIPMENT USED FOR MEASUREMENT WAS A CHAMPION TRX GNSS RECEIVER...
4. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 46,243 FEET...
5. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND WAS FOUND TO BE ACCURATE AS FOLLOWS:
TRACT 1 - WITHIN ONE FOOT IN 1,296,086 FEET.
TRACT 2 - WITHIN ONE FOOT IN 526,817 FEET.
PARCEL "A" - WITHIN ONE FOOT IN 78,915 FEET.
PARCEL "B" - WITHIN ONE FOOT IN 471,123 FEET.
6. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF TITLE REVIEW AND IS SUBJECT TO ANY RESERVATIONS, RESTRICTIONS, RIGHTS-OF-WAY AND EASEMENTS OF RECORD.
7. THIS PLAT OF SURVEY IS FOR THE EXCLUSIVE USE OF THE PARTIES LISTED UNDER THE CAPTION "SURVEY FOR" ANY THIRD PARTY USE TO BE AT THEIR OWN RISK.
8. THE FIELD SURVEY WAS LAST CONDUCTED ON 07/25/2024.
9. THE UNDERGROUND UTILITIES SHOWN HEREON WERE LOCATED BASED ON SURFACE EVIDENCE AND FROM INFORMATION TAKEN FROM G.I.S./UTILITY WEB SITES. THERE MAY BE OTHER SUBSURFACE UTILITIES THAT SERVICE THE PROPERTY THAT ARE NOT SHOWN ON THIS SURVEY.

HALL COUNTY PLAT NOTES:

- 1. ANY STREAM OR STATE WATER LOCATED ON THIS PROPERTY MAY BE SUBJECT TO A 50 FEET UNDISTURBED NATURAL VEGETATIVE BUFFER AND A 75 FEET IMPERVIOUS SURFACE SETBACK MEASURED FROM THE POINT OF WRESTED VEGETATION (HALL COUNTY CODE § 8.170.070).
2. IF PROPERTY IS LOCATED IN THE NORTH OCOONEE WATERSHED DISTRICT, THEN ADDITIONAL STREAM BUFFERS AND IMPERVIOUS SETBACKS MAY BE REQUIRED FOR COMPLIANCE. (HALL COUNTY CODE § 17.225.040).
3. THIS PROPERTY IS NOT LOCATED WITHIN A FLOOD HAZARD AREA AS PER FIRM FLOOD INSURANCE RATE MAP OF HALL COUNTY, GA. COMMUNITY FLOOD INSURANCE PLAN NO. 130466 0070 G, EFFECTIVE DATE: APRIL 4, 2018. THIS OPINION IS NOT A CERTIFICATION OF FLOOD HAZARD STATUS, BUT IS AN INTERPRETATION OF THE REFERENCED MAP AND PUBLIC DATA. IF THE EXACT LOCATION OR ELEVATIONS OF THE FLOOD HAZARD BOUNDARIES ARE NECESSARY, A MORE DETAILED STUDY MAY BE NEEDED. THIS FIRM ASSUMES NO RESPONSIBILITY OR LIABILITY FOR THE ACCURACY OF THE REFERENCED MAP OR PUBLIC DATA.
4. THIS PROPERTY IS NOT LOCATED IN THE HALL COUNTY STUDIED FLOOD ZONE PER HALL COUNTY GIS.
5. IF RESIDENTIAL PROPERTY IS SUBDIVIDED INTO SEVEN LOTS OR MORE WITH ALL LOTS ACCESSING EXISTING HALL COUNTY, GEORGIA ROADS, THEN STORMWATER MANAGEMENT IS REQUIRED FOR COMPLIANCE. (HALL COUNTY CODE § 8.180.160)
6. ALL DRIVEWAYS MUST MEET HALL COUNTY DRIVEWAY REGULATIONS PER CODE § 12.40.
7. ALL LAND DISTURBANCE OVER ONE ACRE SHALL REQUIRE AN EROSION SEDIMENTATION POLLUTION CONTROL PLAN.

REFERENCES:

- 1. DEED BOOK 8204, PAGES 224-225
2. DEED BOOK 6757, PAGES 490-491
3. DEED BOOK 8464, PAGES 193-194
4. PLAT BOOK 142, PAGE 164
5. DEED BOOK 9123, PAGES 764-766
6. DEED BOOK 8415, PAGES 10-11
7. DEED BOOK 7990, PAGES 457-459
8. PLAT BOOK 874, PAGE 460

ZONING AND BUILDING SETBACKS (S/B):

INFORMATION PROVIDED BY HALL COUNTY G.I.S.
WEB SITE LOCATED AT:
http://gis.hallcounty.org/Public/WebPages/Map/FundyViewer.aspx
CURRENT HALL COUNTY ZONING:
R-1 - RESIDENTIAL-1
BUILDING SETBACKS:
FRONT: 30' FROM RIGHT-OF-WAY LINE OR 55' FROM CENTERLINE ROAD (WHICHEVER IS GREATER)
SIDE: 10' FROM PROPERTY LINE
REAR: 20' FROM PROPERTY LINE

TOTAL AREA: 4.02 ACRES
TRACT 1: 2.01 ACRES (INCLUDES PARCEL "B")
TRACT 2: 2.01 ACRES (INCLUDES PARCEL "A")
PARCEL "A": 0.18 ACRES
PARCEL "B": 0.12 ACRES

WATER SERVICE BY:

CITY OF GAINESVILLE
TRACT 1: ON-SITE PRIVATE SEPTIC SYSTEM
TRACT 2: FUTURE ON-SITE PRIVATE SEPTIC SYSTEM

SEWER SERVICE BY:

TRACT 1: ON-SITE PRIVATE SEPTIC SYSTEM
TRACT 2: FUTURE ON-SITE PRIVATE SEPTIC SYSTEM

PARCEL CONTROL NUMBER:

10080 000010

LEGEND:

- A.I.F. - ANGLE IRON FOUND
A.F. - AXLE FOUND
C.M.F. - CONCRETE MONUMENT FOUND
A.M.F. - ALUMINUM MONUMENT FOUND
C.T.F. - CRIMP TOP PIN FOUND
R.B.F. - REBAR FOUND (SEE DRAWING FOR SIZE)
O.T.F. - OPEN TOP FOUND (SEE DRAWING FOR SIZE)
I.P.F. - IRON PIN FOUND
P.K.N.F. - PARKER KALON NAIL FOUND
F.X. - X-CUT FOUND
N.F. - NAIL FOUND
R.F. - ROCK FOUND
R.R.F. - RAILROAD SPIKE FOUND
T.F. - TACK FOUND
P.K.N.S. - PARKER KALON NAIL SET
R.B.S. - 1/2" REBAR SET & CAP STAMPED "LSF 1029"
C.M.S. - CONCRETE MONUMENT SET
N.S. - NAIL SET
C.P. - CALCULATED POINT
D.I. - DROP INLET
J.B. - JUNCTION BOX
W.I. - WIER INLET
Y.I. - YARD INLET
C.V. - CABLE TV VAULT
C.R. - CABLE RISER
T.R. - TELEPHONE RISER
T.V. - TELEPHONE VAULT
T.P. - TELEPHONE POLE
T.M. - TELEPHONE MANHOLE
U.T.B. - UNDERGROUND TELEPHONE BOX
A.C. - AIR CONDITIONER
P.B. - POWER TRANSFORMER BOX
E.P.B. - ELECTRIC PULL-BOX
E.M. - ELECTRIC METER
P.P. - POWER POLE
F.L. - FLOOD LIGHT
S.P. - SERVICE POLE
L.P. - LIGHT POLE
G.W. - GUY WIRE
G.Y.A. - GUY ANCHOR POLE
E.S. - ELECTRIC SERVICE
W.M. - WATER METER
W.V. - WATER VALVE
F.H. - FIRE HYDRANT
F.D.C. - FIRE DEPARTMENT CONNECTION
I.C.V. - IRRIGATION CONTROL VALVE
W.P. - WELL POINT
S.P.G. - WATER SPIGOT
B.O. - WATER BLOW OFF
B.F.P. - WATER BACKFLOW PREVENTER
SPK - SPRINKLER
S.S.M.H. - SANITARY CLEANOUT
S.S.M.H. - SANITARY SEWER MANHOLE
S.V. - SANITARY GATE VALVE
G.T. - GREASE TRAP
U.M. - UNKNOWN TYPE MANHOLE
G.A.S. - GAS VALVE
G.M. - GAS METER
P.P.R. - PROPANE TANK
F.P. - FLAG POLE
T.S.P. - TRAFFIC SIGNAL POLE
T.S.B. - TRAFFIC SIGNAL BOX
M.W. - MONITORING WELL
S.H. - SPRING HEAD
B.P. - BOLLARD POST
S.N.L. - TRAFFIC SIGN
H.C.P. - HANDICAP PARKING
B.M. - BENCHMARK
M.B. - MAILBOX
H.C.R. - HANDICAP RAMP
A.H. - ACCESS HATCH
R.L. - ROOF LINE
E.P. - EDGE OF PAVEMENT
C. - CURB
S.W.C.B. - SINGLE WING CATCH BASIN
D.W.C.B. - DOUBLE WING CATCH BASIN
I.E. - INVERT ELEVATION
EL - ELEVATION
C.M.P. - CORRUGATED METAL PIPE
R.C.P. - REINFORCED CONCRETE PIPE
B.C.C.M.P. - BITUMINOUS COATED CORRUGATED PIPE
H.D.P.E. - HIGH DENSITY POLYETHYLENE PIPE
P.V.C. - POLYVINYL CHLORIDE PIPE
D.I.P. - DUCTILE IRON PIPE
R.W. - RETAINING WALL
T - BURIED TELEPHONE LINE
O.T.L. - OVERHEAD TELEPHONE LINE
B.W.M. - BURIED WATER MAIN
B.S.L. - BURIED SEWER LINE
B.G.L. - BURIED GAS LINE
B.E.L. - BURIED ELECTRIC LINE
B.C.T.V. - BURIED CABLE TV
C.L.F. - CHAIN LINK FENCE
W.F. - WOOD FENCE
W.F. - WIRE FENCE
W.I.F. - WROUGHT IRON FENCE
O.H.P. - OVERHEAD POWER LINES
T.S.L. - TRAFFIC SIGNAL LINE
FENCE GATE
P/L - PROPERTY LINE
R/W - RIGHT-OF-WAY
N/F - NOW OR FORMERLY
INTX - INTERSECTION
R - CURVE RADIUS
C - CURVE ARC LENGTH
A - CURVE CENTRAL ANGLE
C.B.R.G. - CHORD BEARING
C.DIST. - CHORD DISTANCE
L.L. - LAND LOT
N - NORTHING COORDINATE
E - EASTING COORDINATE
S/B - SETBACK
O.B. - POINT OF BEGINNING
P.O.C. - POINT OF COMMENCEMENT
G.D.O.T. - GEORGIA DEPARTMENT OF TRANSPORTATION
STA - STATION
SQ. FT. - SQUARE FEET
C.O. - CONTINUOUS OWNERSHIP
B.H.L. - BUILDING HEIGHT LOCATION
B.H. - BUILDING HEIGHT (FROM GROUND TO ROOF PEAK)
S - SPOT ELEVATION
- CONCRETE
- WOOD DECKING
- GRAVEL
- ASPHALT
- PAVBRICK

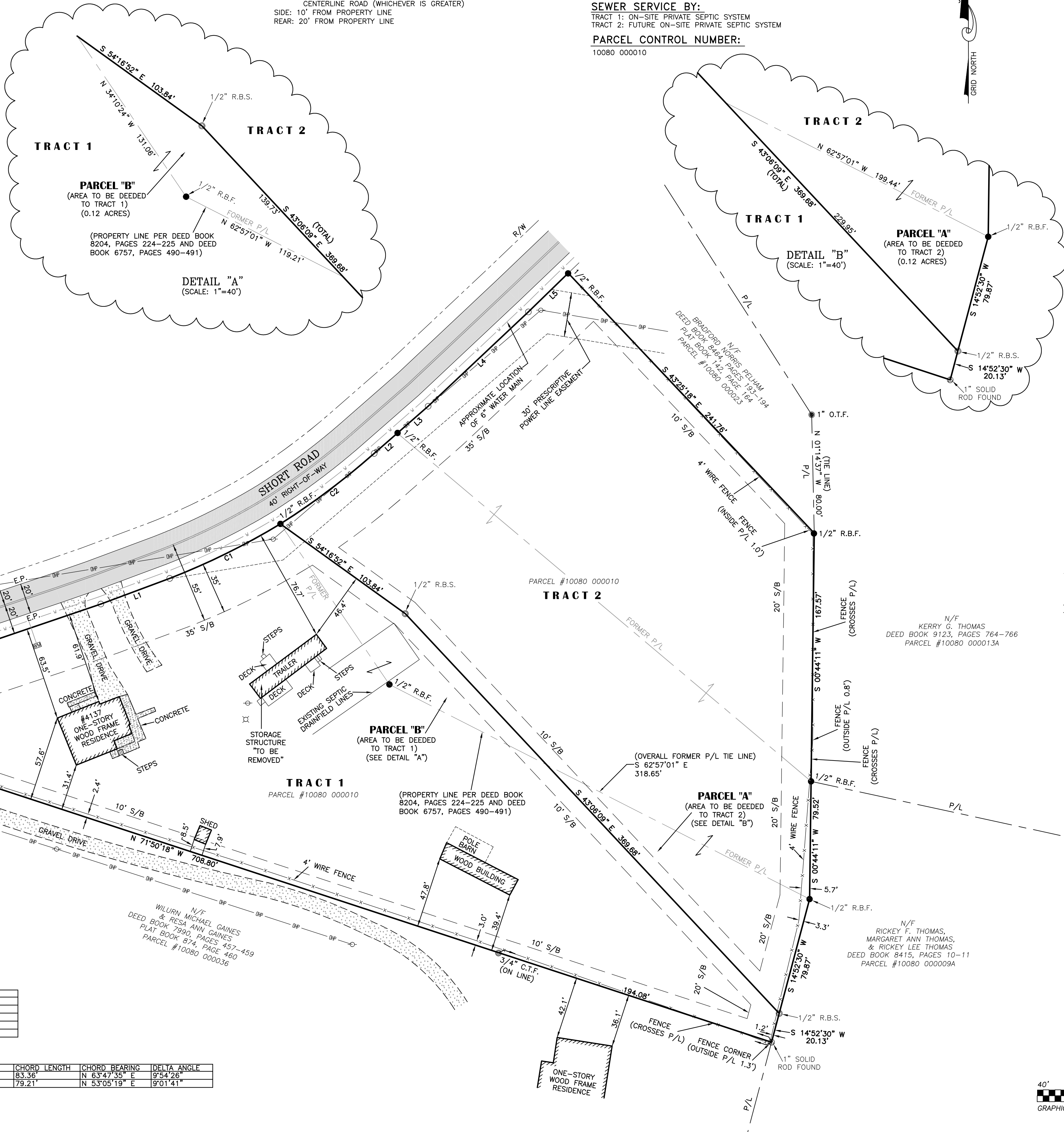


Table with 3 columns: LINE, BEARING, DISTANCE. Contains lines L1 through L5.

Table with 5 columns: CURVE, RADIUS, ARC LENGTH, CHORD LENGTH, CHORD BEARING, DELTA ANGLE. Contains curves C1 and C2.

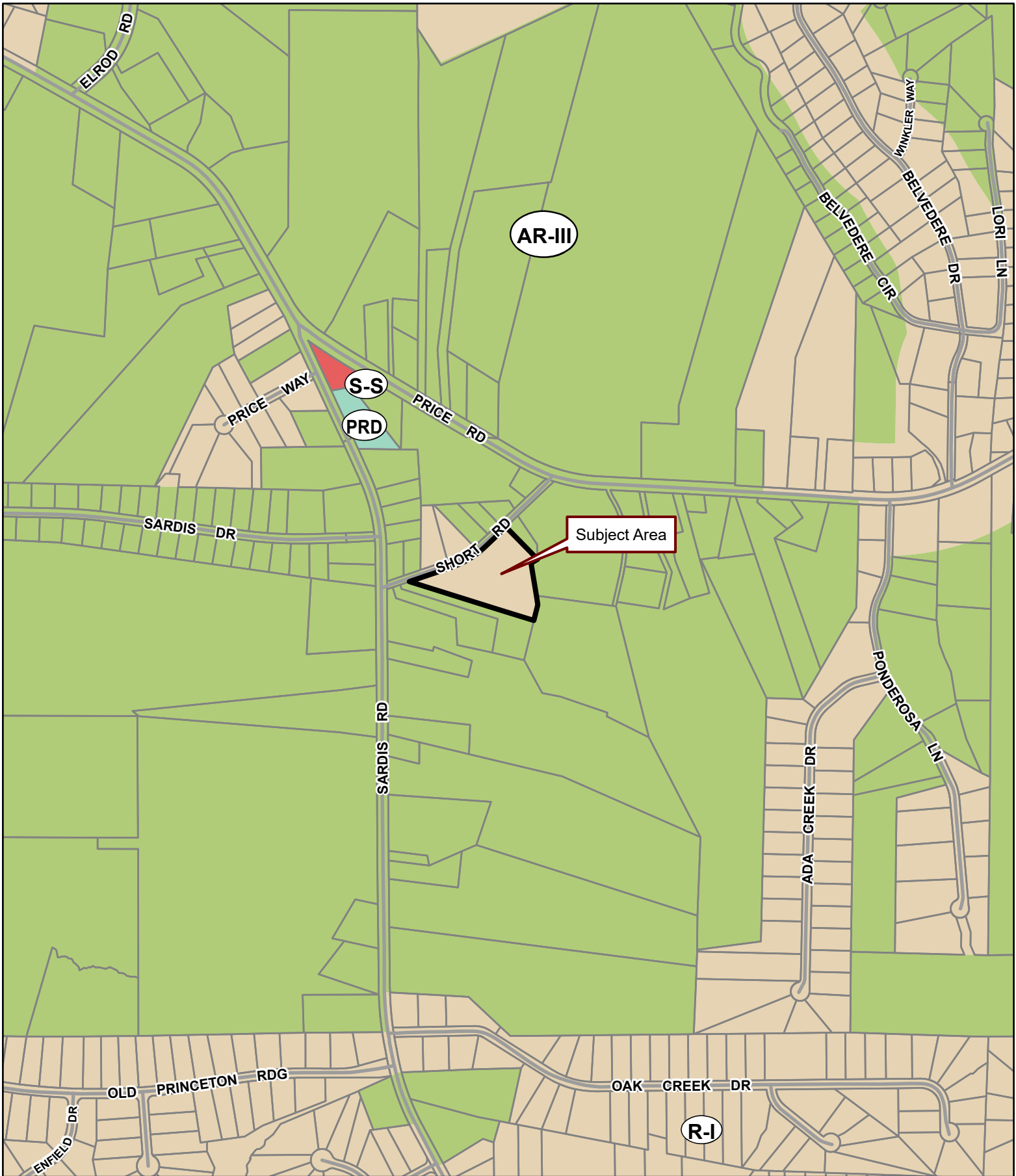
REGISTERED PROFESSIONAL LAND SURVEYORS
PATTON LAND SURVEYING, LLC
P.O. BOX 256
GAINESVILLE, GA. 30503
PHONE: (770) 532-6492
www.pattonlandsurveying.com

COMPUTATIONS BY: W.G.H.
SURVEYED BY: J.J. & D.T.
DRAFTED BY: W.G.H.
CHECKED BY: C.M.P.

CONNIE ALLEN & MARCUS T. ALLEN
SUBDIVIDE SURVEY FOR:
- LOCATED IN - LAND LOT 80, 10TH LAND DISTRICT, HALL COUNTY, GEORGIA

Table with 4 columns: NO., DATE, DESCRIPTION, REVISED PER COUNTY COMMENTS. Contains 3 entries for parcel revisions.

SHEET NUMBER: 1 of 1
SCALE: 1" = 40'
SURVEY DATE: 07/25/2024
PLAT DATE: 11/01/2023
23-097.dwg
JN. 23-097



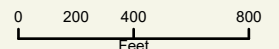
Applicant: CONNIE ALLEN

Tax Parcel #: 10080 000010

Location: 4137 SHORT ROAD, GAINESVILLE, GA 30506

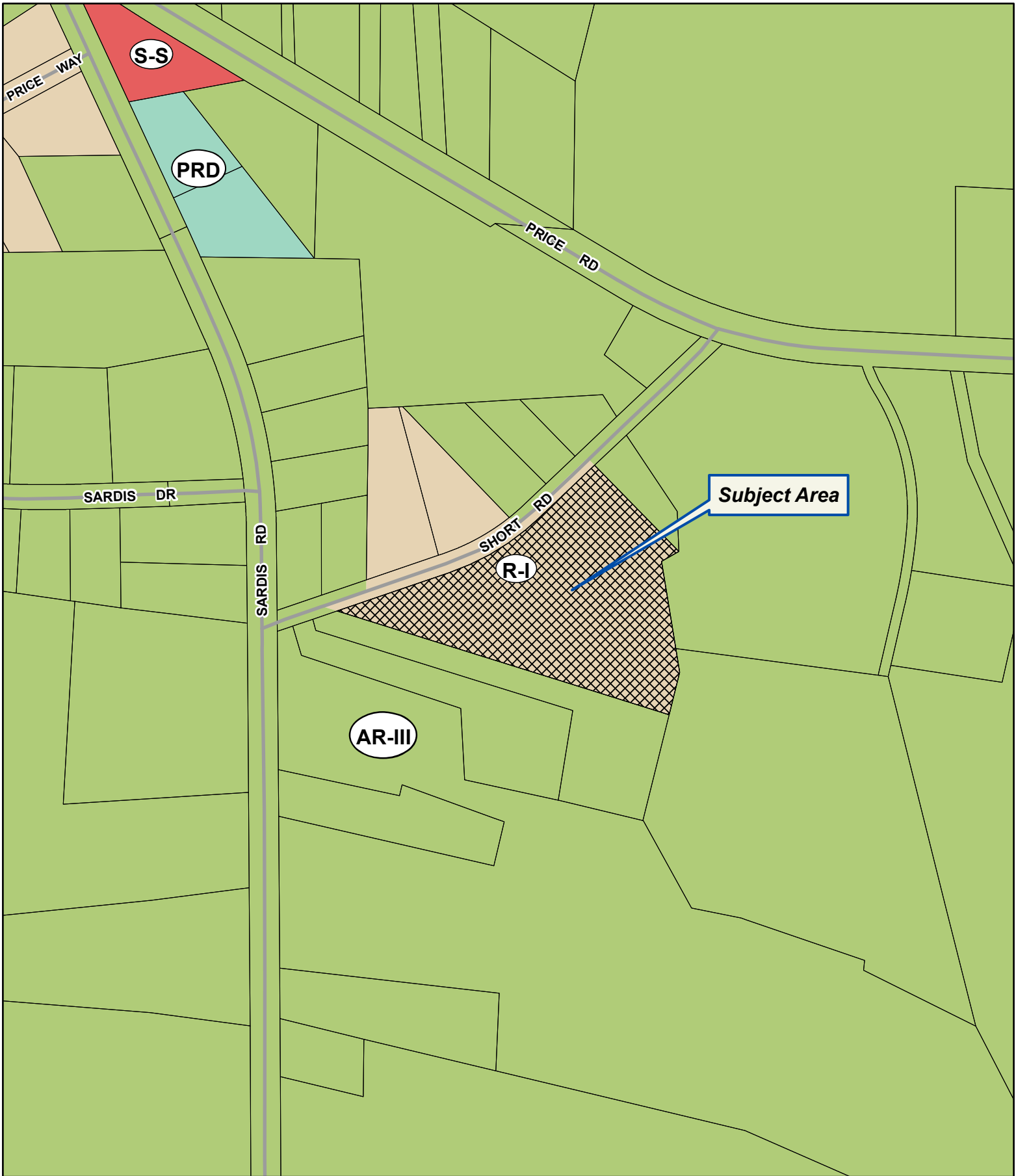
Commission District 2

PC Mtg. Date: 10/07/2024

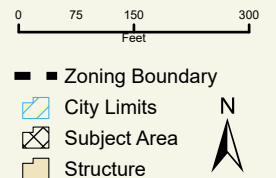


- Zoning Boundary
- ▭ City Limits
- ▭ Subject Area
- ▭ Structure





Applicant: CONNIE ALLEN
Tax Parcel #: 10080 000010
Location: 4137 SHORT ROAD, GAINESVILLE, GA 30506
Commission District 2 **PC Mtg. Date: 10/07/2024**





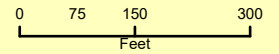
Applicant: CONNIE ALLEN




Tax Parcel #: 10080 000010

Location: 4137 SHORT ROAD, GAINESVILLE, GA 30506

Commission District 2

PC Mtg. Date: 10/07/2024



-  Zoning Boundary
-  City Limits
-  Subject Area



FILED & RECORDED
DATE: 1/7/2019
TIME: 12:33PM
DEED BOOK: 8204
PAGES: 224-225
FILING FEES: \$12.00
PT61: 0692018009652
TRANSFER TAX: \$0.00
Recorded By: MT
Charles Baker, C.S.C.
Hall County, GA

RETURN TO: ANGELA GRANT CLARK
P.O. BOX 611
DAHLONEGA, GA 30533



WARRANTY DEED

STATE OF GEORGIA
COUNTY OF HALL

THIS INDENTURE, made this 21st day of December in the Year of Our Lord Two Thousand and Eighteen, between Marcus Tillman Allen, as party of the first part, and Marcus Tillman Allen and Rhonda Lee Allen as Trustees of the Marcus T. and Rhonda L. Allen Revocable Trust dated the 7th day of December, 2018, as party of the second part,

WITNESSETH, That the said party of the first part, for and in consideration of the sum of TEN DOLLARS (\$10.00) AND OTHER VALUABLE CONSIDERATIONS in hand paid at and before the sealing and delivery of these present, the receipt whereof is hereby acknowledged, has granted, bargained, sold and conveyed, and by these present does grant, bargain, sell and convey unto said party of the second part, their successors and assigns, the following described property:

**SEE EXHIBIT 'A' ATTACHED HERETO
AND MADE A PART HEREOF BY REFERENCE**

TO HAVE AND TO HOLD the said bargained premises, together with all and singular the rights, members, and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit, and behoof of the said party of the second part, their successors and assigns, forever, in fee simple.

And the said party of the first part, for his heirs, executors and administrators, will warrant and forever defend the right and title of the above-described property unto the said party of the second part, their successors and assigns, against the claims of all persons whomsoever.

IN WITNESS WHEREOF, the said party of the first part have hereunto set hand and affixed seal, the day and year first above written.

Signed, this 21st day of December, 2018,
in the presence of:

Sylvia V. Thomas
Unofficial Witness

M T Allen (SEAL)
Marcus Tillman Allen

Angela G. Clark
Notary Public
State of Georgia



A title search was not requested or performed.

EXHIBIT A

TRACT ONE: ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 80, 10TH DISTRICT, HALL COUNTY, GEORGIA AND BEING FULLY DESCRIBED BY A PLAT PREPARED BY CHRIS M. PATTON, GEORGIA REGISTERED LAND SURVEYOR, DATED MAY 27, 2004: AND AS PER SAID PLAT, THE PROPERTY CONTAINS 0.97 ACRES, MORE OR LESS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO FIND THE POINT OF BEGINNING, BEGIN AT THE CENTERLINE OF THE INTERSECTION OF SHORT ROAD AND SARDIS ROAD; THENCE NORTH 73 DEGREES 17 MINUTES 23 SECONDS EAST 500.76 FEET TO A ½" REBAR SET BEING THE POINT OF BEGINNING; THENCE ALONG SHORT ROAD A CHORD BEARING OF NORTH 54 DEGREES 12 MINUTES 33 SECONDS EAST A CHORD LENGTH OF 79.21 FEET, A RADIUS OF 503.22, AND AN ARC LENGTH OF 79.29 TO A POINT; THENCE NORTH 49 DEGREES 57 MINUTES 36 SECONDS EAST 20.84 FEET TO A ½" REBAR SET; THENCE LEAVING SHORT ROAD SOUTH 48 DEGREES 47 MINUTES 58 SECONDS EAST 365.18 FEET TO A ½" REBAR SET; THENCE SOUTH 01 DEGREES 51 MINUTES 25 SECONDS WEST 79.52 FEET TO A ½" REBAR SET; THENCE NORTH 61 DEGREES 49 MINUTES 46 SECONDS WEST 318.65 FEET TO A ½" REBAR SET; THENCE NORTH 33 DEGREES 03 MINUTES 11 SECONDS WEST 131.06 FEET TO A ½" REBAR SET BEING THE POINT OF BEGINNING. SAID PLAT IS HEREBY INCORPORATED BY REFERENCE.

TRACT TWO: ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 80, 10TH DISTRICT, HALL COUNTY, GEORGIA AND BEING FULLY DESCRIBED BY A PLAT PREPARED BY CHRIS M. PATTON, GEORGIA REGISTERED LAND SURVEYOR, DATED MAY 27, 2004: AND AS PER SAID PLAT, THE PROPERTY CONTAINS 0.98 ACRES, MORE OR LESS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO FIND THE POINT OF BEGINNING, BEGIN AT THE CENTERLINE OF THE INTERSECTION OF SHORT ROAD AND SARDIS ROAD; THENCE NORTH 70 DEGREES 00 MINUTES 14 SECONDS EAST 595.73 FEET TO A ½" REBAR SET BEING THE POINT OF BEGINNING; THENCE ALONG SHORT ROAD NORTH 49 DEGREES 57 MINUTES 34 SECONDS EAST 27.56 FEET TO A POINT; THENCE SOUTH 47 DEGREES 51 MINUTES 55 SECONDS WEST 92.96 FEET TO A POINT; THENCE NORTH 46 DEGREES 55 MINUTES 24 SECONDS EAST 37.57 FEET TO A ½" REBAR FOUND; THENCE LEAVING SHORT ROAD SOUTH 42 DEGREES 18 MINUTES 04 SECONDS EAST 241.76 FEET TO A ½" REBAR SET; THENCE SOUTH 01 DEGREES 51 MINUTES 25 SECONDS WEST 167.57 FEET TO A ½" REBAR SET; THENCE NORTH 48 DEGREES 47 MINUTES 58 SECONDS WEST 365.18 FEET TO A ½" REBAR SET BEING THE POINT OF BEGINNING.

Legal Description: Tract 1

All that tract or parcel of land lying and being in Land Lot 80, 10th Land District, Hall County, Georgia as shown on a plat prepared by Patton Land Surveying, LLC, for Connie Allen & Marcus T. Allen, dated November 1st, 2023, last revised August 8th, 2024 and being more particularly described as follows:

Commencing at a PK Nail found at the centerline intersection of Short Road (40' wide right-of-way) & Sardis Road, located at Georgia State Plane Coordinate Northing 1591710.00, Easting 2377083.74, Georgia West Zone, North American Datum of 1983/2007 adjustment, THENCE North 79 degrees 48 minutes 12 seconds East for a distance of 137.13 feet to a 1/2" rebar pin found on the Southerly right-of-way line of said Short Road and said point being the TRUE POINT OF BEGINNING.

Thence following the Southerly right-of-way line of said Short Road the following courses:

Thence North 71 degrees 13 minutes 10 seconds East for a distance of 232.81 feet to a point;
Thence North 69 degrees 36 minutes 43 seconds East for a distance of 49.65 feet to a point;
Thence along a curve to the left having a radius of 482.70 feet and an arc length of 83.47 feet, being subtended by a chord of North 63 degrees 47 minutes 35 seconds East for a distance of 83.36 feet to a 1/2" rebar pin found;

Thence leaving said Short Road the following courses:

Thence South 54 degrees 16 minutes 52 seconds East for a distance of 103.84 feet to a 1/2" rebar pin set; Thence South 43 degrees 06 minutes 09 seconds East for a distance of 369.68 feet to a 1/2" rebar pin set; Thence South 14 degrees 52 minutes 30 seconds West for a distance of 20.13 feet to a 1" solid iron rod found; Thence North 71 degrees 50 minutes 18 seconds West for a distance of 708.80 feet to a 1/2" rebar pin found and said point being the POINT OF BEGINNING.

Said property contains 2.01 acres more or less.



LAND SURVEYING, LLC
REGISTERED PROFESSIONAL
LAND SURVEYORS
P.O. BOX 256
GAINESVILLE, GA. 30503
PHONE: (770) 532-6492
www.pattonsurveying.com

LAND SURVEYING FIRM CERTIFICATE OF
AUTHORIZATION NUMBER LSF 001029



HALL COUNTY SURVEYOR

SCALE:
N/A

DATE:
08/08/2024

23-097.dwg
JN. 23-097

LEGAL DESCRIPTION FOR:

**CONNIE ALLEN &
MARCUS T. ALLEN**

(TRACT 1)

- LOCATED IN -

**LAND LOT 80
10TH LAND DISTRICT
HALL COUNTY, GEORGIA**

Legal Description: Tract 1

All that tract or parcel of land lying and being in Land Lot 80, 10th Land District, Hall County, Georgia as shown on a plat prepared by Patton Land Surveying, LLC, for Connie Allen & Marcus T. Allen, dated November 1st, 2023, last revised August 8th, 2024 and being more particularly described as follows:

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Thence following the Southerly right-of-way line of said Short Road the following courses:

Thence North 71 degrees 13 minutes 10 seconds East for a distance of 232.81 feet to a point; Thence North 69 degrees 36 minutes 43 seconds East for a distance of 49.65 feet to a point; Thence along a curve to the left having a radius of 482.70 feet and an arc length of 83.47 feet, being subtended by a chord of North 63 degrees 47 minutes 35 seconds East for a distance of 83.36 feet to a 1/2" rebar pin found;

Thence leaving said Short Road the following courses:

Thence South 54 degrees 16 minutes 52 seconds East for a distance of 103.84 feet to a 1/2" rebar pin set; Thence South 43 degrees 06 minutes 09 seconds East for a distance of 369.68 feet to a 1/2" rebar pin set; Thence South 14 degrees 52 minutes 30 seconds West for a distance of 20.13 feet to a 1" solid iron rod found; Thence North 71 degrees 50 minutes 18 seconds West for a distance of 708.80 feet to a 1/2" rebar pin found and said point being the POINT OF BEGINNING.

Said property contains 2.01 acres more or less.

Legal Description: Tract 2

All that tract or parcel of land lying and being in Land Lot 80, 10th Land District, Hall County, Georgia as shown on a plat prepared by Patton Land Surveying, LLC, for Connie Allen & Marcus T. Allen, dated November 1st, 2023, last revised August 8th, 2024 and being more particularly described as follows:

Commencing at a PK Nail found at the centerline intersection of Short Road (40' wide right-of-way) & Sardis Road, located at Georgia State Plane Coordinate Northing 1591710.00, Easting 2377083.74, Georgia West Zone, North American Datum of 1983/2007 adjustment, THENCE North 79 degrees 48 minutes 12 seconds East for a distance of 137.13 feet to a 1/2" rebar pin found on the Southerly right-of-way line of said Short Road:

Thence following the Southerly right-of-way line of said Short Road the following courses:

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Thence North 69 degrees 36 minutes 43 seconds East for a distance of 49.65 feet to a point;
Thence along a curve to the left having a radius of 482.70 feet and an arc length of 83.47 feet, being subtended by a chord of North 63 degrees 47 minutes 35 seconds East for a distance of 83.36 feet to a 1/2" rebar pin found and said point being the TRUE POINT OF BEGINNING.

Thence continuing along the Southerly right-of-way line of said Short Road the following courses:

Thence along a curve to the left having a radius of 503.22 feet and an arc length of 79.29 feet, being subtended by a chord of North 53 degrees 05 minutes 19 seconds East for a distance of 79.21 feet to a point; Thence North 48 degrees 50 minutes 22 seconds East for a distance of 20.84 feet to a point; Thence North 48 degrees 50 minutes 20 seconds East for a distance of 27.56 feet to a point; Thence North 46 degrees 44 minutes 41 seconds East for a distance of 92.96 feet to a point; Thence North 45 degrees 48 minutes 10 seconds East for a distance of 37.57 feet to a 1/2" rebar pin found;

Thence leaving the Southerly right-of-way line of said Short Road the following courses:

Thence South 43 degrees 25 minutes 18 seconds East for a distance of 241.76 feet to a 1/2" rebar pin found; Thence South 00 degrees 44 minutes 11 seconds West for a distance of 167.57 feet to a 1/2" rebar pin found; Thence South 00 degrees 44 minutes 11 seconds West for a distance of 79.52 feet to a 1/2" rebar pin found; Thence South 14 degrees 52 minutes 30 seconds West for a distance of 79.87 feet to a 1/2" rebar pin set; Thence North 43 degrees 06 minutes 09 seconds West for a distance of 369.68 feet to a 1/2" rebar pin set; Thence North 54 degrees 16 minutes 52 seconds West for a distance of 103.84 feet to a 1/2" rebar pin found and said point being the POINT OF BEGINNING.

Said property contains 2.01 acres more or less.



LAND SURVEYING, LLC
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PHONE: (770) 532-6492
www.pattonsurveying.com

LAND SURVEYING FIRM CERTIFICATE OF
AUTHORIZATION NUMBER LSF 001029



HALL COUNTY SURVEYOR

SCALE:
N/A

DATE:
08/08/2024

23-097.dwg
JN. 23-097

LEGAL DESCRIPTION FOR:

**CONNIE ALLEN &
MARCUS T. ALLEN**

(TRACT 2)

- LOCATED IN -

**LAND LOT 80
10TH LAND DISTRICT
HALL COUNTY, GEORGIA**

Legal Description: Tract 2

All that tract or parcel of land lying and being in Land Lot 80, 10th Land District, Hall County, Georgia as shown on a plat prepared by Patton Land Surveying, LLC, for Connie Allen & Marcus T. Allen, dated November 1st, 2023, last revised August 8th, 2024 and being more particularly described as follows:

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Said property contains 2.01 acres more or less.



Board of Commissioners
Hall County, Georgia

POST OFFICE DRAWER 1435

GAINESVILLE, GEORGIA 30508

404/536-6681

COMMISSIONERS
HENRY O. WARD, CHAIRMAN
BILL VICKERS
LOU STARGEL
CECIL COCHRAN
WILBERT STOWERS

August 9, 1983

MICHAEL G. BRYANT
COUNTY ADMINISTRATOR
JULIUS HULSEY
COUNTY ATTORNEY
SYLVIA G. COOPER
CLERK

Mr. Coleman Allen
Route 7, Box 96
Gainesville, Ga. 30501

Dear Mr. Allen:

The Hall County Board Of Commissioners in their Meeting on August 8, 1983 voted to approve your application to rezone from AR-III to R-I a 5.2 acre tract located on the east side of Short Road, 300 + feet south of Price Road; Tax Parcel 10-80-10 and 10A. Proposed Use: Single-Family Site Built Homes.

If further information is needed, please advise.

Sincerely,

Sylvia G. Cooper
Clerk Of Commission

SGC/mb

cc: Hall County Planning Commission

Kaitlyn Elliott (Planning)

From: Emily McGahee (Environmental Health)
Sent: Thursday, September 5, 2024 4:55 PM
To: Kaitlyn Elliott (Planning); Beth Garmon (CDI: Planning); Katie L. Greenway (CDI: Planning)
Cc: Kelly Hairston (Environmental Health); Chad Harper (Environmental Health)
Subject: HCPC Tentative Agenda 10.7.2024

Follow Up Flag: Follow up
Flag Status: Completed

Please find Environmental Health comments below:

Items 1A,B,C, 6111 Oak Hill Drive, Hoffmann: All proposed structures must meet all residential permitting requirements and/or required setbacks to existing septic system. An existing system evaluation/site visit will be required for Environmental Health to process the building permit application.

Item 2, 3654 Thompson Bridge Road, Benson: No comment. Public sewer.

Item 3, 1600C Athens Hwy, Vargas: No floor drains or process wastewater to be discharged to the existing septic system. Domestic waste only.

Item 4, 6147 Dahlonega Hwy, Rich: Must meet all Environmental Health commercial septic system permitting requirements. Further determination will be made during the civil plan review process. A detailed business plan must be submitted to Hall County Environmental Health for review. Additional items, including, but not limited to: recorded plat, soil evaluation, and septic system installation/modification may be required after review of business plan.

Item 5, 4137 Short Rd, Allen: All proposed lots must meet Hall County Board of Health Lot Size Resolution requirements. This plat is currently under review by the Hall County Plat Review Team, which is waiting for revisions to be submitted for review under case number HPLT24-0090.

Item 6, 6000 Wellspring Trail, Barnes: Must meet all Environmental Health commercial septic system permitting requirements. Further determination will be made during the civil plan review process. A detailed business plan must be submitted to Hall County Environmental Health for review. Additional items, including, but not limited to: recorded plat, soil evaluation, and septic system installation/modification may be required after review of business plan. A Food Service permit/plan review may be required after review of business plan

Item 7, 5552 Bogus Road, Barnes: All proposed lots must meet Hall County Board of Health Lot Size Resolution requirements. Please note that Zoning approval does not imply approval from other county departments. Further determination will be made during the plat review process.

Item 8, 7011/7051 Pony Lake Road, Roys: Septic Permit OSC-9259 was issued on May 30, 2024 for the proposed structure.

Item 9, 7051 Pony Lake Road, Roys: Septic Permit OSC-9259 was issued on May 30, 2024 for the proposed structure.

Item 10, 2002 Memorial Park, Sancen: Must meet all Environmental Health commercial septic system permitting requirements. A detailed business plan must be submitted to Hall County Environmental Health for review. Additional items, including, but not limited to: recorded plat, soil evaluation, and septic system installation/modification may be required after review of business plan. An onsite sewage management system (and bathroom structure) will be required on the property if it is to be occupied for two hours or more.

Emily McGahee

Hall County Environmental Health

Hall County Government Center

2875 Browns Bridge Road

Mailing: PO Box 5901

Gainesville, GA 30504

(770) 531-3973 (phone)

emcgahee@hallcounty.org

<http://dph.georgia.gov/environmental-health> (State Website)

<http://www.phdistrict2.org/HallCounty.htm> (District Website)

<https://www.hallcounty.org/192/Environmental-Health> (County Website & Forms)

EMAIL Reader Advisory Notice: Email to and from a Georgia state agency is generally public record, except for content that is confidential under specific laws. Security by encryption is applied to all confidential information sent by email from the Georgia Department of Public Health (DPH). This message is only intended for specific recipient(s) and may contain privileged, private, or sensitive information. If you received this message in error, please delete it, and contact me.

Kaitlyn Elliott (Planning)

From: Chavers, Veronica E <VChavers@dot.ga.gov>
Sent: Tuesday, September 3, 2024 12:40 PM
To: Beth Garmon (CDI: Planning); Katie L. Greenway (CDI: Planning); Kaitlyn Elliott (Planning)
Subject: RE: Tentative Planning Agenda for October 7, 2024

Follow Up Flag: Follow up
Flag Status: Completed

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

See responses blow.

From: Kaitlyn Elliott (Planning) <kelliott@hallcounty.org>
Sent: Friday, August 30, 2024 8:59 AM
To: Beth Garmon (CDI: Planning) <bgarmon@hallcounty.org>; Bill Nash (CDI: Public Works) <bnash@hallcounty.org>; Bill Schmid <weschmid@rochester-assoc.com>; Brandi Smith (CDI: Business License) <bsmith@hallcounty.org>; Brent Holloway (Parks and Leisure) <bholloway@hallcounty.org>; Bryan Cash (Fire Services) <bcash@hallcounty.org>; Chad Harper (Environmental Health) <charper@hallcounty.org>; Cher Melendez (Tax Assessors) <cmelendez@hallcounty.org>; Chris Braswell (Planning) <cbraswell@hallcounty.org>; Christopher Armstrong (Fire Services) <carmstrong@hallcounty.org>; Daniel Costantini <dcostantini@gainesvillega.gov>; Emily McGahee (Environmental Health) <emcgahee@hallcounty.org>; Frank Miller (CDI: Engineering) <fmiller@hallcounty.org>; Dykes, Jason <jdykes@dot.ga.gov>; Jason Skarda (CDI: Engineering) <jskarda@hallcounty.org>; Jerry Smith (Fire Services) <jesmith@hallcounty.org>; John Hornick (Fire Services) <jhornick@hallcounty.org>; Peevy, Jonathan <jpeevy@dot.ga.gov>; Kaitlyn Elliott (Planning) <kelliott@hallcounty.org>; Karen Martinez (CDI: Public Works - Sewer) <kmartinez@hallcounty.org>; Katie L. Greenway (CDI: Planning) <klgreenway@hallcounty.org>; Kelly Hairston (Environmental Health) <khairston@hallcounty.org>; Kristie Turner (Planning) <kturner@hallcounty.org>; Matt Cox <matt.cox@hallco.org>; Michael Vieira (Fire Services) <mvieira@hallcounty.org>; Millie Perez (Community Development & Infrastructure) <mperez@hallcounty.org>; Nick Swafford <NSwafford@gainesvillega.gov>; Nicole Griffin (Tax Assessors) <nicole.griffin@hallcounty.org>; Niebauer, Parker J <PNiebauer@dot.ga.gov>; Pam Cravero <Pam.Cravero@hallco.org>; Randi Doveton (CDI: Planning) <rdoveton@hallcounty.org>; rich <rich@flowerybranchga.org>; Sarah Crowe (Administration) <scrowe@hallcounty.org>; Scott Puckett <spuckett@hallcounty.org>; Stephen Cain <troy.s.cain@usace.army.mil>; Steve Watson (Real Property) <rswatson@hallcounty.org>; Tammie Croy (CDI: Engineering) <tcroy@hallcounty.org>; Tracy Gilreath (Tax Assessors) <tgilreath@hallcounty.org>; Chavers, Veronica E <VChavers@dot.ga.gov>; Wanda Sutton (CDI: Engineering) <wsutton@hallcounty.org>; will schofield <will.schofield@hallco.org>
Subject: FW: Tentative Planning Agenda for October 7, 2024

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My apologies the links have been corrected below.

Kaitlyn Elliott
Planning Commission Clerk
Hall County Community Development and Infrastructure
(770) 531-6810 www.hallcounty.org



From: Kaitlyn Elliott (Planning)
Sent: Thursday, August 29, 2024 3:57 PM
Subject: Tentative Planning Agenda for October 7, 2024

Good afternoon –

Here is the Tentative Agenda and Maps for the **Monday, October 7, 2024** Hall County Planning Commission Meeting.

Please use the links to review the documents and respond with comments to Hall County Planning and Development. Failure to provide comments in a timely manner may result in the information not being included in the staff report.

When submitting comments, please include the name of the applicant along with the address of the property with the corresponding comment.

Comments are due by **Friday, September 6th**. Email comments to Beth (bgarmon@hallcounty.org), Katie (kgreenway@hallcounty.org) and Kaitlyn (kelliott@hallcounty.org).

Thank you!

CALL TO ORDER

AGENDA REVIEW

APPROVAL OF MINUTES – September 16, 2024

NEW BUSINESS

1. **(A) 6111 Oak Hill Drive | Variance | 17.240.010 to reduce the front yard setback along Oak Hill Road | on a 0.39± acre tract located on the west side of Oak Hill Drive approximately 190 feet from its intersection with White Oak Drive | Zoned R-I; Tax Parcel 08102A000030 | Proposed Use: Residential addition | * Commission District 2 | Terri Hoffmann, applicant No GDOT coordination required**
(B) 6111 Oak Hill Drive | Variance | 17.240.010 to reduce the left side yard setback | on a 0.39± acre tract located on the west side of Oak Hill Drive approximately 190 feet from its intersection with White Oak Drive | Zoned R-I; Tax Parcel 08102A000030 | Proposed Use: Residential addition | * Commission District 2 | Terri Hoffmann, applicant No GDOT coordination required
(C) 6111 Oak Hill Drive | Variance | 17.240.010 to reduce the left side yard setback | on a 0.39± acre tract located on the west side of Oak Hill Drive approximately 190 feet from its intersection with White Oak Drive | Zoned R-I; Tax Parcel 08102A000030 | Proposed Use: Detached carport | * Commission District 2 | Terri Hoffmann, applicant No GDOT coordination required
2. **3658 Thompson Bridge Road | Variance | 17.420. to vary the sign standards within GCOD | on a 4.33± acre tract located on the east side of Thompson Bridge Road approximately 650 feet from its intersection with**

Southers Road | Zoned PCD; Tax Parcel 10104 000004 | **Proposed Use: Wall sign** | * Commission District 2 | **Davis Sign & Awning c/o Matthew Benson, applicant** No GDOT coordination required

3. **1600 Athens Highway, Building C | Amend Conditions of Zoning** | on a 0.64± acre tract located on the south side of Athens Highway approximately 596 feet from its intersection with Athens Street | Zoned I-I (GCOD); Tax Parcel 15032 000050 | **Proposed Use: Automobile repair garage** | ** Commission District 3 | **Gerado Vargas, applicant** GDOT coordination required
4. **6147 Dahlonga Highway | Use Subject to County Commission Approval** | on a 19.34± acre tract located on the southwest side of Dahlonga Highway approximately 703 feet from its intersection with Kenimer Road | Zoned AR-IV; Tax Parcel 11003 000002A | **Proposed Use: Commercial kennel** | ** Commission District 3 | **Rachel Christensen Rich, applicant** No GDOT coordination required
5. **4137 Short Road | Use Subject to County Commission Approval** | on a 4.02± acre tract located on the south side of Short Road approximately 160 feet from its intersection with Sardis Road | Zoned R-I; Tax Parcel 10080 000010 | **Proposed Use: 2-lot subdivision** | ** Commission District 2 | **Connie Allen, applicant** No GDOT coordination required
6. **6000 Wellspring Trail | Amend Conditions of Zoning** | on a 20.29± acre tract located at the terminus of Wellspring Trail | Zoned POD; Tax Parcel 12046 000001 | **Proposed Use: Expansion of services** | ** Commission District 3 | **Seth Barnes, applicant** No GDOT coordination required
7. **5552 Bogus Road | Rezone** | from Planned Residential Development (PRD) & Agricultural Residential IV (AR-IV) to Planned Residential Development (PRD) | on a 13.81± acre tract located on the west side of Bogus Road approximately 420 feet from its intersection with Claude Peck Road | Zoned PRD & AR-IV; Tax Parcel 12051 000015 | **Proposed Use: 15-lot residential development** | ** Commission District 3 | **Seth Barnes, applicant** No GDOT coordination required
8. **7011 & 7051 Pony Lake Road | Amend Conditions of Zoning** | on a 101.74± acre tract located on the west side of Pony Lake Road approximately 498 feet from its intersection with Old Whelchel Road | Zoned PRD & AR-IV; Tax Parcels 11101 000003A & 000008 | **Proposed Use: Staff residence** | ** Commission District 3 | **Steve Roys, applicant** No GDOT coordination required
9. **7051 Pony Lake Road | Rezone** | from Agricultural Residential IV (AR-IV) to Planned Residential Development (PRD) | on a 1.74± acre tract located on the west side of Pony Lake Road at its intersection with Old Whelchel Road | Zoned AR-IV; Tax Parcel 11101 000008 | **Proposed Use: Staff residence** | ** Commission District 3 | **Steve Roys, applicant** No GDOT coordination required
10. **2002 Memorial Park Drive | Rezone** | from Residential (R-I) to Highway Business (H-B) on a 0.89± tract on the west side of Memorial Park Drive at its intersection with Browns Bridge Road | Zoned R-I; Tax Parcel 08014 005011 | **Proposed Use: Retail sales** | ** Commission District 4 | **Salomon Sancen, applicant**

*The Planning Commission's decision will be the final action taken unless appealed to the Board of Commissioners. To do so, file an application with the Planning Department within five working days of the Planning Commission's decision.

The Hall County Board of Commissioners will hear appeals at a public hearing **Thursday, November 14, 2024** at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

The Planning Commission's recommendation will be forwarded to the Board of Commissioners for final action at a public hearing on **Thursday, November 14, 2024. The Board will meet at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

Kaitlyn Elliott
Planning Commission Clerk
Hall County Community Development and Infrastructure
(770) 531-6810 www.hallcounty.org



Human trafficking impacts every corner of the globe, including our state and local communities. Georgia DOT is committed to end human trafficking in Georgia through education enabling its employees and the public to recognize the signs of human trafficking and how to react in order to help make a change. To learn more about the warning signs of human trafficking, visit <https://doas.ga.gov/human-resources-administration/human-trafficking-awareness/trafficking-in-georgia>. To report any suspicious activity, call the Georgia Human Trafficking Hotline at 866-363-4842. Let's band together to end human trafficking in Georgia.



Hall County Government
COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
PUBLIC WORKS AND UTILITIES

MEMORANDUM

To: Beth Garmon, Director of Planning and Zoning
From: Bill Nash, Director of Public Works and Utilities
Date: September 6, 2024
Subject: October 7, 2024 - Hall County Planning Commission Agenda

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

PUBLIC WORKS AND
UTILITIES DIRECTOR
Bill Nash, P.E.

Please be advised that our office has reviewed the Hall County Planning Commission agenda for the October 7, 2024 meeting. Upon review, we provide the following comments.

NEW BUSINESS

1. [\(A\) 6111 Oak Hill Drive | Variance | 17.240.010 to reduce the front yard setback along Oak Hill Road | on a 0.39± acre tract located on the west side of Oak Hill Drive approximately 190 feet from its intersection with White Oak Drive | Zoned R-I; Tax Parcel 08102A000030 | Proposed Use: Residential addition | * Commission District 2 | Terri Hoffmann, applicant](#)
[\(B\) 6111 Oak Hill Drive | Variance | 17.240.010 to reduce the left side yard setback | on a 0.39± acre tract located on the west side of Oak Hill Drive approximately 190 feet from its intersection with White Oak Drive | Zoned R-I; Tax Parcel 08102A000030 | Proposed Use: Residential addition | * Commission District 2 | Terri Hoffmann, applicant](#)

[\(C\) 6111 Oak Hill Drive | Variance | 17.240.010 to reduce the left side yard setback | on a 0.39± acre tract located on the west side of Oak Hill Drive approximately 190 feet from its intersection with White Oak Drive | Zoned R-I; Tax Parcel 08102A000030 | Proposed Use: Detached carport | * Commission District 2 | Terri Hoffmann, applicant](#)

- a. **Engineering:** Show FEMA and Hall County studied Flood plains that are present on site
- b. **Traffic:** No Comment
- c. **Utilities:** No Comment

2. [3658 Thompson Bridge Road | Variance | 17.420. to vary the sign standards within GCOD | on a 4.33± acre tract located on the east side of Thompson Bridge Road approximately 650 feet from its intersection with Southers Road | Zoned PCD; Tax Parcel 10104 000004 | Proposed Use: Wall sign | * Commission District 2 | Davis Sign & Awning c/o Matthew Benson, applicant](#)
 - a. **Engineering:** No Comment
 - b. **Traffic:** No comment
 - c. **Utilities:** No comment

3. [1600 Athens Highway, Building C | Amend Conditions of Zoning | on a 0.64± acre tract located on the south side of Athens Highway approximately 596 feet from its intersection with Athens Street | Zoned I-I \(GCOD\); Tax Parcel 15032 000050 | Proposed Use: Automobile repair garage | ** Commission District 3 | Gerado Vargas, applicant](#)
 - a. **Engineering:** This site may require a stormwater management report should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
 - b. **Traffic:** No comment
 - c. **Utilities:** No comment

4. [6147 Dahlonega Highway | Use Subject to County Commission Approval | on a 19.34± acre tract located on the southwest side of Dahlonega Highway approximately 703 feet from its intersection with Kenimer Road | Zoned AR-IV; Tax Parcel 11003 000002A | Proposed Use: Commercial kennel | ** Commission District 3 | Rachel Christensen Rich, applicant](#)
 - a. **Engineering:** This site may require a stormwater management report should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage. Show stream buffer and impervious setback from wrested vegetation not centerline of stream Show FEMA and Hall County studied Flood plains that are present on site.
 - b. **Traffic:** No comment
 - c. **Utilities:** No comment

5. [4137 Short Road | Use Subject to County Commission Approval | on a 4.02± acre tract located on the south side of Short Road approximately 160 feet from its intersection with Sardis Road | Zoned R-I; Tax Parcel 10080 000010 | Proposed Use: 2-lot subdivision | ** Commission District 2 | Connie Allen, applicant](#)
 - a. **Engineering:** If this subdivision is greater than 6 lots on an existing road, a stormwater management report prepared by a professional engineer will be required.
 - b. **Traffic:** No comment
 - c. **Utilities:** No comment

6. [6000 Wellspring Trail | Amend Conditions of Zoning | on a 20.29± acre tract located at the terminus of Wellspring Trail | Zoned POD: Tax Parcel 12046 000001 | Proposed Use: Expansion of services | ** Commission District 3 | Seth Barnes, applicant](#)

- a. **Engineering:** This site may require a stormwater management report should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage. Show stream buffer and impervious setback from wrested vegetation not centerline of stream Show FEMA and Hall County studied Flood plains that are present on site.
- b. **Traffic:** No comment
- c. **Utilities:** No comment

7. [5552 Bogus Road | Rezone | from Planned Residential Development \(PRD\) & Agricultural Residential IV \(AR-IV\) to Planned Residential Development \(PRD\) | on a 13.81± acre tract located on the west side of Bogus Road approximately 420 feet from its intersection with Claude Peck Road | Zoned PRD & AR-IV: Tax Parcel 12051 000015 | Proposed Use: 15-lot residential development | ** Commission District 3 | Seth Barnes, applicant](#)

- a. **Engineering:** This site may require a stormwater management report should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
Traffic: Access apron at Bogus Rd. must be paved to county standards regardless if gravel road is permitted.
If variances are not approved, the new roadway will need to meet Hall County Subdivision regulations.
Unclear, is new roadway proposed to be County maintained? If so, the County does not typically accept gravel roadways into maintenance.
- b. **Utilities:** No comment

8. [7011 & 7051 Pony Lake Road | Amend Conditions of Zoning | on a 101.74± acre tract located on the west side of Pony Lake Road approximately 498 feet from its intersection with Old Whelchel Road | Zoned PRD & AR-IV; Tax Parcels 11101 000003A & 000008 | Proposed Use: Staff residence | ** Commission District 3 | Steve Roys, applicant](#)

- a. **Engineering:** No comment
- b. **Traffic:** No comment
- c. **Utilities:** No comment

9. [7051 Pony Lake Road | Rezone | from Agricultural Residential IV \(AR-IV\) to Planned Residential Development \(PRD\) | on a 1.74± acre tract located on the west side of Pony Lake Road at its intersection with Old Whelchel Road | Zoned AR-IV; Tax Parcel 11101 000008 | Proposed Use: Staff residence | ** Commission District 3 | Steve Roys, applicant](#)

- a. **Engineering:** No comment

- b. **Traffic:** No comment
- c. **Utilities:** No comment

10. 2002 Memorial Park Drive | Rezone | from Residential (R-I) to Highway Business (H-B) on a 0.89± tract on the west side of Memorial Park Drive at its intersection with Browns Bridge Road | Zoned R-I: Tax Parcel 08014 005011 | Proposed Use: Retail sales | ** Commission District 4 | Salomon Sancen, applicant

- a. **Engineering:** This site may require a stormwater management report should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
- b. **Traffic:** Driveway would need to meet Hall County and GDOT requirements.
- c. **Utilities:** No comment

Kaitlyn Elliott (Planning)

From: John Hornick (Fire Services)
Sent: Friday, August 30, 2024 9:38 AM
To: Beth Garmon (CDI: Planning)
Cc: Katie L. Greenway (CDI: Planning); Kaitlyn Elliott (Planning)
Subject: Fire Comments

Follow Up Flag: Follow up
Flag Status: Flagged

Monday, October 7, 2024 Hall County Planning Commission Meeting.

[4137 Short Road | Use Subject to County Commission Approval |](#) on a 4.02± acre tract located on the south side of Short Road approximately 160 feet from its intersection with Sardis Road | Zoned R-l; Tax Parcel 10080 000010 | [Proposed Use: 2-lot subdivision | ** Commission District 2 | Connie Allen, applicant](#)

The Hall County Fire Marshal's Office has no comments as proposed.

Regards,

John Hornick, NPQ Fire Service Plans Examiner 1
Lieutenant, Hall County Fire Rescue
Hall County Government
Main: 770-531-6838 | Cell: 404-597-0083
Website: www.Hallcounty.org



ZONING NOTICE

AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO
THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: **CONNIE ALLEN**

REQUEST: **USE SUBJECT TO COUNTY COMMISSION APPROVAL
FOR A 2-Lot SUBDIVISION**

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION
Date: **OCT 07, 2024**

Time: **5:15 PM**

COUNTY COMMISSION
Date: **NOV 14, 2024**

Time: **6:00 PM**

HALL COUNTY GOVERNMENT CENTER, 209 BROWNS BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809

PUBLIC NOTICE REQUIREMENTS

Zoning regulations require that public notice must be given prior to all zoning hearings as follows:

1. The Planning Department shall publish a legal advertisement no less than fifteen (15) days and no more than forty-five (45) days prior to the public hearing.
2. The Planning Department shall send notification by letter of all other property owners within a 500-foot radius of the applicant's property is standard administrative policy of the Planning Department.
3. The applicant/property owner shall place the public notice sign in a conspicuous location on the property not less than fifteen (15) days and not more than forty-five (45) days prior to the public hearing.

The Planning Department shall post the legal advertisement and notify property owners within a 500ft radius to the subject property.

The applicant is required to post the public notice sign not less than fifteen (15) days and not more than forty-five (45) days prior to the public hearing. A photo of the sign placed at the location is required and must be sent to the Planning Department.

Multiple sign postings on a site may be required as determined by the Planning Department. The sign must be in a location where it is clearly visible from the roadway. The sign cannot be obstructed in any manner, placed too far from the road, or placed in such manner as would cause it to blend into the landscape.

Should you find the sign missing or vandalized in any manner, contact the Planning Department for a replacement sign. When the proceeding is complete and final Board action has occurred, the sign shall then be removed from the property by the applicant.

THE ZONING SIGN MUST BE POSTED NO EARLIER THAN AUGUST 27, 2024 AND NO LATER THAN SEPT 08, 2024.

THE ORIGINAL SIGNED AFFIDAVIT MUST BE AND RETURNED TO THE PLANNING DEPARTMENT NO LATER THAN SEPT 08, 2024 ALONG WITH A MINIMUM OF ONE PHOTO SHOWING THE SIGN POSTED AT THE SUBJECT PROPERTY.

Failure to comply will result in a delay of the application.

AFFIDAVIT

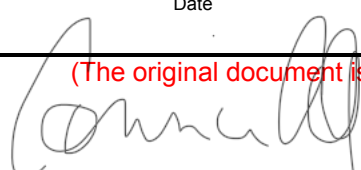
By my signature, I, Connie Allen, hereby acknowledge that I have
Please Print Name

read and understand the sign posting requirements. I further certify that the required

public notice sign was posted on 9/5/24 for Connie Allen.
Date (Name application filed as)

Signature _____

(The original document is required)





AGENDA ITEM

Planning & Zoning

REPORT TO: Work Session (11/12/24)

REPORT TO: Voting Meeting (11/14/24)

ITEM NO: 581/2024

SUBJECT: **6147 Dahlonega Highway | Use Subject to County Commission Approval** | on a 19.34± acre tract located on the southwest side of Dahlonega Highway approximately 703 feet from its intersection with Kenimer Road | Zoned AR-IV; Tax Parcel 11003 000002A | **Proposed Use: Commercial kennel** | Commission District 3 | **Rachel Christensen Rich, applicant**

Meetings:

Work Session Date: 11/12/24

Voting Meeting Date: 11/14/24

Executive Summary:

Presenter: BG

Recommendation:
Denial

Purpose of Request:
6147 Dahlonega Highway | Use Subject to County Commission Approval | on a 19.34± acre tract located on the southwest side of Dahlonega Highway approximately 703 feet from its intersection with Kenimer Road | Zoned AR-IV; Tax Parcel 11003 000002A | **Proposed Use: Commercial kennel** | Commission District 3 | **Rachel Christensen Rich, applicant**

History:

Facts and Issues:

Options:

Funding Requested \$ 0.00

Are funds within current budget? No

Source of Funds

Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.? No

Has it been reviewed by the County Attorney? Yes

Is there a deadline for this item?

Approvals:

Submit	Approve	Attorney	Administration
KE	BG	WLI	CR
Clerk			
JR			

Attachments:

Board Memo
Recommendation Report
Withdrawal Request
Application
Narrative
Plat
Site Plan
Maps
Site Photos
Deed
Legal Description
Well Permit
Septic Records
Environmental Health Comments
GDOT Comments
Public Works Comments
Fire Comments
Tax Assessors Comments
Public Comments
Notice Photos



Hall County Government

COMMUNITY DEVELOPMENT & INFRASTRUCTURE
PLANNING AND ZONING

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

PLANNING AND ZONING
DIRECTOR
Beth Garmon

To: Richard Higgins, Chairman
Kathy Cooper, District 1 Commissioner
Billy Powell, District 2 Commissioner
Gregg Poole, District 3 Commissioner
Jeff Stowe, District 4 Commissioner

From: Beth Garmon, Director of Planning & Zoning

Date: October 28, 2024

Subject: 6147 Dahlonega Highway | Use Subject to County Commission Approval | on a 19.34± acre tract | Proposed Use: Commercial kennel | Rachel Christensen Rich, applicant

The request before you is the request of Rachel Christensen Rich for a use subject to county commission approval for a commercial kennel. This item is located within Commission District 3.

At their October 7, 2024 meeting, the Hall County Planning Commission voted to recommend **denial, (5-0).**

Staff recommendation: **Approval**, as the proposed use meets the future land use designation of Rural Residential in the Hall County Comprehensive Plan

There were **eight (8) comments submitted** in advance of the Planning Commission meeting and **seven (7) people spoke during the public hearing.**

**HALL COUNTY PLANNING COMMISSION
RECOMMENDATION REPORT**

Applicant Rachel Christensen Rich

Request Use Subject to County Commission Approval |
17.120.040.N Commercial Kennel

Proposed Use Commercial Kennel

Size 19.34± acres

Zoning Agricultural Residential IV (AR-IV, 17.120)

Location **6147 Dahlonga Highway** | Tax Parcel 11003
000002A

Commission District Three

Planning Commission Date October 7, 2024

Staff Recommendation **Approval**, as the proposed use meets the future
land use designation of Rural Residential in the
Hall County Comprehensive Plan

Record Number.....HZCU24-0034

Planning Commission Recommendations.....**Denial**

VOTE: 5-0

Excerpts from the minutes of the October 7, 2024 meeting

Applicant’s Presentation:

Kristie Turner, Principal Planner, presented a summary of the request.

Rachel Christensen Rich, 6147 Dahlonga Highway, Clermont, presented the request. The applicant presented her amended narrative describing the additional operating conditions for the kennel. The applicant is requesting a conditional use subject to county commission approval for the establishment of a commercial kennel on a 19.34+ acre parcel zoned Agricultural Residential IV (AR-IV, 17.120). A commercial kennel is defined as any place in or at which more than four adult dogs (or cats) are kept for the purpose of sale, boarding, care, breeding or training and for which any fee is charged (17.20.620). The property is currently developed with a single-family residence constructed in 2000 (RES2000-00414) and a barn, constructed in 2000 (MIS2000-00266). Flood zone is shown to run along a stream that bisects the property from east to west.

Public Forum:

Michael West, 6119 Dahlonega Highway, Clermont, spoke in support. Mr. West stated that his property is adjacent to the applicant and he has been over to the property. Mr. West stated he has never had a complaint about the noise from dogs barking or dogs escaping. Mr. West personally spoke to the applicant about the growth of the business and does not believe the applicant wants to continue past what the application shows.

Virginia Martin, 5535 Elliott Crossing, Gainesville, spoke in support.

Douglas Aiken, 6230 Brady Road, Murrayville, spoke in opposition. Concerns raised were that dogs are not agricultural animal, decrease in property values, and the concern of a precedence being set by approval of a commercial kennel in this area.

Wes Robinson, 200 E.E. Butler Parkway, Gainesville, spoke in opposition. Mr. Robinson represents multiple property owners in the area and presented a petition of those in opposition. Concerns were the number of dogs, the commercial kennels distance to the property line, the practicality of enforcing noise ordinances, safety, and decreased property values.

Eddie Smith, 6161 Dahlonega Highway, Clermont, spoke in opposition. Concerns were decreased property values, the potential growth of the business and increased noise.

Martha Young, 5764 Dahlonega Highway, Clermont, spoke in opposition. Concerns were noise, safety, waste disposal, and property values.

Greg Sistrunk, 5936 Dahlonega Highway, Clermont, spoke in opposition. Concerns were the reduction of the setback and the ability to monitor and enforce the noise ordinance. He stated that a commercial use does not fit in the residential area.

Rebuttal

The applicant spoke about the amended narrative which states the 15 dogs will be limited to client dogs which are boarded and trained, only boarded, and personal rescues.

Planning Commission Comments:

Mr. Hunt asked about the business which started in Forsyth County and the applicant explained that they were unaware of the differences between Georgia and Ohio for the business permitting process. Mr. Hunt questioned if the applicant had a state license for the kennel and the applicant stated that they did not but they did have the dog training certification. Mr. Varner asked about the mention of goats in the application. The applicant explained that they do own goats which go into the outside kennel area to manage plant growth. Ms. Pilcher wanted clarification if all the applicant's clients were primarily dogs that have issues. The applicant stated that some clients she works with receive training for behavior modification such as obedience, anxiety, fear, and aggression. Mr. Hunt stated the applicant is not meeting the required setbacks with their request.

Motion: A motion to deny was made by Mr. Hunt and seconded by Ms. Pilcher. Vote: 5-0

Staff recommends DENIAL of the applicant's request. However, if the Planning Commissions chooses to approve this request, Staff recommends the following conditions:

1. The property shall be developed in accordance with the site plan dated August 16, 2024, and as described in the project narrative dated August 8, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
 2. 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 Official Code of Hall County.
 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. All conditions of zoning shall be made a part of any plats or construction plans created for the subdivision.
-

The following should be considered as exceptions to the Official Code of Hall County, and shall warrant further determination by the Board, should it choose to approve the submitted narrative and site plan:

17.240.060 Poultry houses, barns, commercial kennels, equestrian centers, composting operations, and structures for storage of organic waste or raising of exotic animals.

- No structure, including outside runs, for the keeping of dogs or cats shall be constructed closer than 200 feet to a property line.
 - The applicant proposes to locate the kennels in the home located approximately 107 feet from front property line.
 - The applicant proposes to locate the fenced "dog lot" area approximately 135 feet from front property line. **This does not meet the standard.**
-

Summary Analysis

The applicant is requesting a conditional use subject to county commission approval for the establishment of a commercial kennel on a 19.34± acre parcel zoned Agricultural Residential IV (AR-IV, 17.120). A commercial kennel is defined as any place in or at which more than four adult dogs (or cats) are kept for the purpose of sale, boarding, care, breeding or training and for which any fee is charged (17.20.620).

The property is currently developed with a single-family residence constructed in 2000 (RES2000-00414) and a barn, constructed in 2000 (MIS2000-00266). Flood zone is shown to run along a stream that bisects the property from east to west.

According to the applicant's narrative, they are requesting approval to establish a commercial kennel, by appointment, for overnight boarding and training services. The kennels will be located in the basement of the existing residence, which is approximately 107 feet from the front property line, and will accommodate up to 15 dogs. The narrative also describes designated outdoor areas for training and play, covering approximately 1.5 acres and located about 135 feet from the front property line, as shown on the site plan. Per section 17.240.060 of the Official Code of Hall County, no structure, including outdoor runs, for the keeping of dogs or cats, may be constructed closer than 200 feet to a property line. Both the outdoor play area and the indoor kennel space meet the required setbacks from all other neighboring property lines excluding the front property lines adjacent to Dahlonga Highway.

According to the site plan, 4 spots have been dedicated for parking on an existing gravel lot. The applicant is not proposing any lighting or signage at this time. Two existing wells provide water to the subject property and there is an existing on-site residential septic system.

Based on the future land-use plan, staff finds the requested zoning designation *is consistent* with the Hall County Comprehensive Plan. The Comprehensive Plan's future land use designation for the subject parcel is Rural Residential. The intent of this character area is to preserve the established residential/ rural character and create a transition between rural areas and development in residential areas.

Zoning Analysis

Per Planning Commission and Hall County Commission consideration and decision (17.380.060), the commission shall study the need and justification for the change based on a determination of the facts applicable to the particular case, and the following general lines of inquiry shall be considered, to wit:

1. Whether the zoning proposal will permit a use that is suitable in view of the use, development and zoning of adjacent and nearby property; **The conditional use is consistent with the use, development, and zoning of adjacent nearby property. The character of the surrounding area is rural, consisting of agricultural tracts and large lots with single-family residences.**
2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **The current request is for the approval of a conditional use for a commercial kennel. It does not appear that the commercial kennel will have a negative impact on nearby property beyond what is reasonably expected within the Agricultural Residential IV district as the encroachment of the proposed use into the required setbacks is adjacent to Dahlonga Highway and not surrounding neighboring properties.**
3. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned; **Yes, the property has reasonable economic use as currently zoned Agricultural Residential IV (AR-IV, 17.120).**
4. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, or utilities; **Staff does not**

anticipate an excessive or burdensome use of existing streets, utilities, or public services due to the commercial kennel.

5. Whether the zoning proposal is in conformity with the policy and intent of the future land use plan for the physical development of the area; **The proposed use of a commercial kennel is consistent with the Comprehensive Plan's future land use classification of Rural Residential. In this land use classification, development is envisioned to preserve the established rural character and create a transition between rural areas and development in residential areas.**
6. The extent to which property values are diminished by the existing zoning restrictions; **Absent a market study, staff is unable to determine whether property values are diminished by the existing zoning restrictions.**
7. The extent to which the destruction of the subject property's value under the existing zoning promotes the health, safety, morals or general welfare of the public; **Staff is unable to comment on the impact of property values without a full market analysis. Multiple factors impact property value including construction types, proposed uses, and maintenance. Often it is difficult to determine the effect of a development on adjacent properties until the development is completed.**
8. The relative gain to the public as compared to the hardship imposed upon the individual property owner; **Staff has not identified a hardship imposed on the property owner as the property is currently zoned.**
9. The length of time the property has been vacant as zoned considered in the context of land development in the area in the vicinity of the property; **The subject property (tax parcel 11003 000002A) is currently developed with a single-family residence and barn built in 2000.**
10. Whether there are other existing or changing conditions affecting the use or development of the property which give supporting grounds for either approval or disapproval of the zoning proposal; **Staff is not aware of any changing conditions affecting the use or development of the property.**
11. Whether the change would create an isolated district unrelated to the surrounding districts; **The current request is for a conditional use of a commercial kennel within the Agricultural Residential IV district (AR-IV) and will not create an isolated district.**
12. Whether the present zoning district boundaries are illogically drawn in relation to existing conditions in the area; **There is no evidence that the present zoning district boundaries are illogically drawn.**
13. Whether the change requested is out of scale with the needs of the county as a whole or the immediate neighborhood; **No, the request is not out of scale with the needs of the county as a whole.**
14. Whether it is impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned; **Commercial kennels are not permitted by right within any**

Hall County zoning district. Therefore, the establishment of a commercial kennel is subject to approval by the county commission.

15. Whether the need for rezoning could be handled instead by a variance request to the zoning board of adjustment; **The request could not be handled alternatively as a variance.**
16. Whether there would be an ecological or pollution impact resulting from major modifications to the land if the request is granted; **Any land disturbance activities on the property shall be required to go through the land development permitting process, and as a result are subject to local, state, and federal regulations. As a result, there are no anticipated ecological or pollution impacts resulting from any modification to the land if the request is granted.**
17. Whether there is reasonable evidence based upon existing and anticipated land use that would indicate a mistake was made in the original zoning of the property; **There is no indication that a mistake was made in the original zoning.**

17.380.050. - Submission requirements

- A. Any person or persons requesting a change in the official zoning map or use subject to approval of the county commission shall file an application with a plat or map of the property attached thereto, together with payment of such fees set forth in chapter 17.30 to cover administrative and advertising costs, in the planning department office. Such person or persons or their authorized agent shall appear in person at the public hearing held to consider the district change. **The proposal meets the requirement. The applicant has paid the appropriate fees and understands that someone must be present at both the Hall County Planning Commission meeting and the voting meeting of the Hall County Board of Commissioners.**
- B. All applications for a change of zoning classification or use subject to approval of the county commission shall include:
 1. A narrative statement identifying the existing and proposed use of the property and addressing each of the criteria set forth in section 17.380.060.C of this section [chapter]. **The proposal does provide a narrative outlining the intent of the request; however, the applicant has not prepared a response to each of the criteria listed in 17.380.060.C.**
 2. A site plan drawn to scale designating the area covered by the application and identifying existing and proposed buildings and uses, adjacent existing land uses, zoning on contiguous parcels, including those across an abutting public right-of-way, and any other significant site improvements proposed to accommodate the proposed use or buffer adjacent uses, etc., or a plat of the subject property where no specific land use is proposed. In cases where only a plat or map is provided and no land use is proposed, the planning commission and county commission shall evaluate the application based on the most intense possible land use permitted in the proposed district. **The proposal meets this requirement.**

- C. For any application for a slow rate land treatment system (see chapter 17.20), the following additional requirements apply. **This standard is not applicable to the applicant's request.**
- D. For any application proposing the development of 100 or more residential dwelling units, a traffic impact study shall be submitted prior to consideration of the application by the planning commission. At the applicant's expense, the traffic impact study shall be prepared by a professional engineer in accordance with requirements established by the Hall County Engineering Department. The engineering department shall review the traffic impact study and forward any comments to the Hall County Planning Commission. **This standard is not applicable to the applicant's request.**

Development Support and Constraints

Hall County Environmental Health

In an email dated September 5, 2024, Emily McGahee stated “Must meet all Environmental Health commercial septic system permitting requirements. Further determination will be made during the civil plan review process. A detailed business plan must be submitted to Hall County Environmental Health for review. Additional items, including, but not limited to: recorded plat, soil evaluation, and septic system installation/modification may be required after review of business plan.”

Hall County Fire Marshal

In an email dated August 30, 2024, John Hornick, NPQ Fire Service Plans Examiner 1, stated “The Hall County Fire Marshal’s Office has no comments as proposed.”

Hall County Public Works and Utilities

In a memorandum from Public Works and Utilities dated September 6, 2024, Bill Nash, Director of Public Works, stated the following:

Engineering:

This site may require a stormwater management report should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage. Show stream buffer and impervious setback from wrested vegetation not centerline of stream. Show FEMA and Hall County studied Flood plains that are present on site.

Traffic:

No comment.

Utilities:

No comment.

Georgia Department of Transportation

In an email dated September 3, 2024, Veronica Chavers, D1TO Civil Engineer 3, stated GDOT coordination is not required.

Hall County Tax Assessor

In an emailed dated August 30, 2024, Cher Melendez, Specialized Assessment Manager, stated “11003 000002A Rachel Christensen Rich the parcel is under Conservation since 2001 our office will reach out to her.”



CONDITIONAL USE APPLICATION

Applicant (Name & Mailing Address) Rachel Christensen (Rich) Property Owner (Name & Mailing Address) same
6147 Dahlonega Hwy
Clermont, GA 30527
 Phone 678-787-5628 Phone _____
 Email Address rachel.christensen90@gmail.com Email Address _____
 Proposed Use Small dog training kennel in basement

Contact Person (Name & Mailing Address) same Status of Applicant Requested Action
 Owner Permissive Use:
 Option to Purchase HCPC HCC
 Area Resident Fee: \$ _____
 Other Receipt #: _____
 Zoning: AR-1V Check #: _____
 Acreage 18.8 acres
 Tax Parcel Number _____
 Location Address 6147 Dahlonega Hwy, Clermont, GA 30527

I hereby certify that the above information and all attached information are true and correct.
 Sign Rachel Christensen Date: 7/31/24

Applicant must complete all information above. Failure to complete this section will result in the refusal of the application. The Planning Department has 15 days to review all applications and will set the dates for each application. If the application is found insufficient, an agenda date will not be set until the required information is submitted. Please note that the Planning Commission and County Commission dates are tentative.

Application Withdrawal: I hereby withdraw the application. 10/10/24
 Sign Rachel Christensen Date: ~~7/31/24~~

Staff Use Only
 Application Date: _____ Taken by: _____
 Tentative Planning Commission Date: _____ Tentative County Commission Date: _____
 County Commission District: _____

To whom it may concern:

I am formally withdrawing my Conditional Use Application because I have no desire to fight with my neighbors that have money and political influence.

I made concessions in my application for every valid concern brought forward by my neighbors, because my only goal was to keep my dream property and continue to do what I love. In the end, the denial from the Planning Commissioners was due to the distance from my house to the front property line on Highway 52 not meeting the 200 foot requirement for a kennel. This decision is inconsistent with their decisions concerning two out of the three kennels within 10 minutes of my property.

Bark Camp Farm and Holly's Bed & Biscuit Inn both have variances because their facilities are closer than 200 feet to a property line. These kennels are on small back roads and have 70 and 200 dog limits respectively. My request for a variance was for 15 dogs in my home on a state highway, which has a much lower impact to the community.

I do not have the money to hire a lawyer and fight this decision like my neighbors, so I wish to withdraw my application.

Respectfully,
Rachel Christensen

PLANNING AND DEVELOPMENT DEPARTMENT
 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504
 MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30503
 t: 770-531-6809 | f: 770-531-3902



CONDITIONAL USE APPLICATION

Applicant (Name & Mailing Address)

Property Owner (Name & Mailing Address)

Rachel Christensen (aka Rachel Rich
6147 Dahlongega Hwy
Clermont, Ga 30527
 Phone (678) 787-5628
 Email Address rachel.christensen90@gmail.com
 Proposed Use Small dog training kennel in basement of home.

Same

 Phone _____
 Email Address _____

Contact Person (Name & Mailing Address)

Status of Applicant

Requested Action

Same } Owner
 _____ }
 _____ }
 Phone _____ } Other
 Email Address _____ }
 Tax Parcel Number _____ }
 Location Address 6147 Dahlongega Hwy, Clermont GA 30527

Option to Purchase
 Area Resident

Permissive Use:
 HCPC HCC
 Fee: \$ _____
 Receipt #: _____
 Check #: _____

Zoning: AR-IV
 Acreage 19.34

I hereby certify that the above information and all attached information are true and correct.

Sign *Rachel Christensen* Date: 8/14/24

Applicant must complete all information above. Failure to complete this section will result in the refusal of the application. The Planning Department has 15 days to review all applications and will set the dates for each application. If the application is found insufficient, an agenda date will not be set until the required information is submitted. Please note that the Planning Commission and County Commission dates are tentative.

Application Withdrawal: I hereby **withdraw** the application.

Sign _____ Date: _____

Staff Use Only

Application Date: _____ Taken by: _____
 Tentative Planning Commission Date: _____ Tentative County Commission Date: _____
 County Commission District: _____

PLANNING AND DEVELOPMENT DEPARTMENT
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504
MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30503
t: 770-531-6809 | f: 770-531-3902



CAMPAIGN CONTRIBUTIONS DISCLOSURE FORM

This form must be completed by the applicant and property owner, or person representing the property owner, for all zoning actions.

OCGA § 36-67A-3[C] Disclosure of campaign contributions:

- (b) When any applicant for zoning action has made, within two years immediately preceding the filing of the applicant's application for the zoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:
 - (3) The name and official position of the local government official to whom the campaign contribution was made; and
 - (4) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.
- (b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the zoning action is first filed. (Code 1981, Section OCGA § 36-67A-3[C], enacted by GA L. 1986, page 1269, Section 1, GA L. 1991, page 1365, Section 1).

I hereby certify that I have read the above and that:

I have** I have not

within the two years immediately preceding this date, made any contribution(s) aggregating \$250.00 or more to any local government official involved in the review or consideration of this application.

****If you have made such contributions, you must provide the data required below within ten (10) days of filing this application.**

Name of Official(s): _____ Office: _____

Dollar Amount: _____ Date of Contribution: _____

Applicant's/Owner's Signature: Rachel Rich Date: 8/16/24

Applicant's/Owner's Name (Printed): Rachel Rich

Additions after Community Meeting 9/30/24

After speaking to neighbors and attending a community meeting on 9/30/24 I would like to add the following conditions to my application:

1. I propose the permit be tied to my name rather than the property, so that if I ever move another kennel cannot take my place.
2. I propose to amend my original narrative from "15 client dogs" to "15 client dogs (which includes Board & Trains, Boarders, and Rescue dogs)".
3. I propose to not allow pit bulls.

Additionally, I would like to offer that I am working towards building a fence around the entire perimeter of the property. The fence will be to create more pasture for my livestock, but will offer an extra layer of security for the potential of a dog escaping. This fence will be 4 board horse fence with 2"x4" wire along the remaining front of the property, and t-post with 2"x4" wire along the tree line. The current goal is to have this done in February.

Proposed In-Home Dog Training Kennel

6147 Dahlonega Hwy, Clermont, GA 30527

Updated 8/8/24

This proposal is for a small in-home Dog Training Kennel run from the basement of my home, located at the above address. The maximum number of client dogs would be 15, and any potential growth in the years to come will be resubmitted for approval. All dogs would be kenneled in the basement overnight and rotated into the backyard during the day for play time and training time. Hours of outdoor operation during the day would be 7am-9pm.

The parcel is 19.34 acres, but the play yard for the dogs would consist of the approximately 1.5 acres immediately behind the house. The closest neighbor is approximately 200 yards from the house.

To further limit the impact on neighbors, I would agree to a more stringent barking ordinance of 2 minutes incessant barking and 10 minutes of intermittent barking before a dog must be taken inside.

No lighting will be added and water source will be the two wells currently on the property.

Not currently requesting to add business sign.

Clients would come to the property by appointment only, which would be enforced by the gate currently across the driveway.

We operate under a policy of never having more than 6 dogs out per person supervising, with a maximum of 10 dogs out at a time. New dogs always keep a leash on in the yard initially until we determine they will not attempt to dig under or jump over the fence. Client dogs are never left unattended in the yard. All client dogs would either be in a training program, or previously trained by us.

We request an exception for the 200' buffer from the front property line because the house is roughly 125' and the existing fence is roughly 150' from the front. The front property line abuts state highway 52. We are not in a neighborhood setting.

BOUNDARY RETRACEMENT SURVEY PREPARED FOR
BETTY G. FLOYD ESTATE

AND
PAMELA F. SMITH AS EXECUTRIX
LOCATED IN
QUILLIANS G.M.D. # 434
LAND LOTS 3 & 4, 11th LAND DISTRICT
HALL COUNTY, GEORGIA
DATE: MAY 29, 2017 SCALE: 1" = 100'
JOB NO. 424-17 FB 20/48

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 12,061 FEET AND AN ANGULAR ERROR OF 0°00'06" PER ANGLE AND WAS ADJUSTED BY LEAST SQUARES.
THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 243,991 FEET.

THIS BLOCK RESERVED FOR THE CLERK OF SUPERIOR COURT

NUMBERED CALLS

COURSE	BEARING	DISTANCE
L-1	S 33°30'39"E	12.52'
L-2	S 34°27'41"E	46.73'
L-3	S 36°00'09"E	48.32'
L-4	S 38°58'28"E	35.60'
L-5	S 42°12'21"E	46.61'
L-6	S 47°03'59"E	48.98'
L-7	S 50°01'20"E	72.02'

N

N/F
JAMES B & MINGAH H. YOUNG
DB 6067, PG. 457
PS 429, PG. 81A
PARCEL 11004 000025



200-217

RECORDING PERMIT

BY *E. Carmon* 6/5/17
HALL COUNTY PLANNING COMMISSION

LEGEND:

- IPS - IRON P IN SET (1/2" CAPPED REBAR)
- IPF - IRON P IN FOUND
- N/F - NOW OR FORMERLY
- OTF - OPEN TOP PIPE
- L.L.L. - LAND LOT LINE
- L - LAND LOT
- R-W - RIGHT OF WAY
- EP - EDGE PAVEMENT
- C/L - CENTERLINE
- P/L - PROPERTY LINE
- PP - POWER POLE
- DB - DEED BOOK
- PB - PLAT BOOK
- PS - PLAT SLIDE

SURVEY REFERENCES:

- 1) EXECUTOR'S DEED - DEED BOOK 6728, PAGE 652, & DEED BOOK 3618, PAGE 142, HALL COUNTY, GEORGIA RECORDS.
- 2) SURVEY FOR GORDON HAYNES, BY H. G. JARRARD, GA. R.L.S. NO. 1162, DATED FEB. 1947.

SURVEYOR CERTIFICATION

AS REQUIRED BY SUBSECTION (D) OF O.C.G.A. SECTION 15-6-67, THIS PLAT HAS BEEN PREPARED BY A LAND SURVEYOR AND APPROVED BY ALL APPLICABLE LOCAL JURISDICTIONS FOR RECORDING AS EVIDENCED BY APPROVAL CERTIFICATES, SIGNATURES, STAMPS, OR STATEMENTS HEREON. SUCH APPROVALS OR AFFIRMATIONS SHOULD BE CONFIRMED WITH THE APPROPRIATE PARCEL. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLES PARCEL. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLES PARCEL. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLES PARCEL. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLES PARCEL.

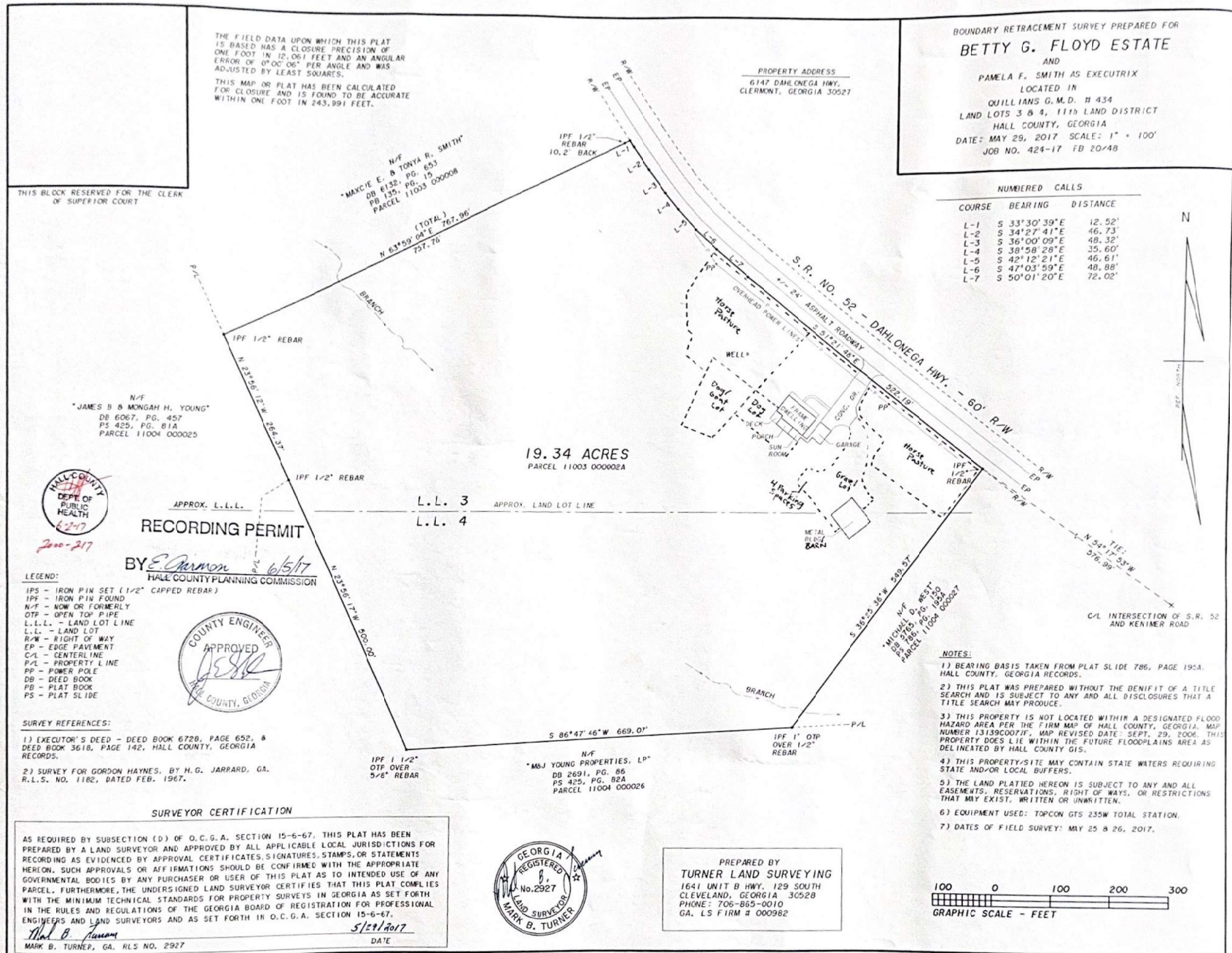
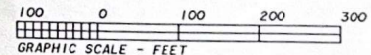
Mark B. Turner
MARK B. TURNER, GA. RLS NO. 2927

IPF 1 1/2" OTF OVER 5/8" REBAR

N/F
MSJ YOUNG PROPERTIES, LP
DB 2691, PG. 86
PS 429, PG. 82A
PARCEL 11004 000026



PREPARED BY
TURNER LAND SURVEYING
1641 UNIT B HWY. 129 SOUTH
CLEVELAND, GEORGIA 30528
PHONE: 706-865-0010
GA. LS FIRM # 000982



HEAD-120024

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 12,051 FEET AND AN ANGULAR ERROR OF 0°00'00" PER ANGLE AND WAS ADJUSTED BY LEAST SQUARES. THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 243,591 FEET.

BOUNDARY RETRACEMENT SURVEY PREPARED FOR

BETTY G. FLOYD ESTATE

AND

PAVELA F. SMITH AS EXECUTRIX

LOCATED IN

GULLLANS G.M.D. II 434

LAND LOTS 3 & 4, 11th LANG DISTRICT

HALL COUNTY, GEORGIA

DATE: MAY 29, 2017 SCALE: 1" = 100'

JCO NO. 424-17 FB 20-48

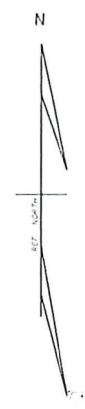
NUMBERED CALLS

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L-2	S 34°27'41"E	46.73'
L-3	S 36°00'09"E	40.32'
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L-5	S 42°12'11"E	46.61'
L-6	S 47°03'59"E	48.88'
L-7	S 50°01'20"E	72.02'

RECEIVED

AUG 16 2024

Planning & Zoning Department



THIS BLOCK RESERVED FOR THE CLERK OF SUPERIOR COURT

N/F
MUSIC E. & TONIA R. SMITH
DB 612, PG. 633
FB 155, 11003 000038
PARCEL

PROPERTY ADDRESS
6147 DAHLONEGA HWY,
CLERMONT, GEORGIA 30527

N/S
JAMES B & MARGIE H. YOUNG
DB 6027, PG. 457
PS 425, PG. 81A
PARCEL 11004 000025

19.34 ACRES
PARCEL 11003 000024



RECORDING PERMIT

BY *[Signature]* 6/5/17
HALL COUNTY PLANNING COMMISSION

LEGEND:

- IFS - IRON PIN SET (1/2" CAPPED REBAR)
- IFP - IRON PIN TISSOD
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- C/L - CENTERLINE
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SURVEY REFERENCES:

- EXECUTOR'S DEED - DEED BOOK 6728, PAGE 652, & DEED BOOK 3618, PAGE 142, HALL COUNTY, GEORGIA RECORDS.
- SURVEY FOR GODDIN HAINES, BY H. G. JARRARD, GA. R.L.S. NO. 1-82, DATED FEB. 1961.

SURVEYOR CERTIFICATION

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Mark B. Turner
MARK B. TURNER, GA. RLS NO. 2927

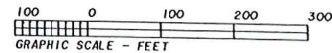
5/29/2017
DATE

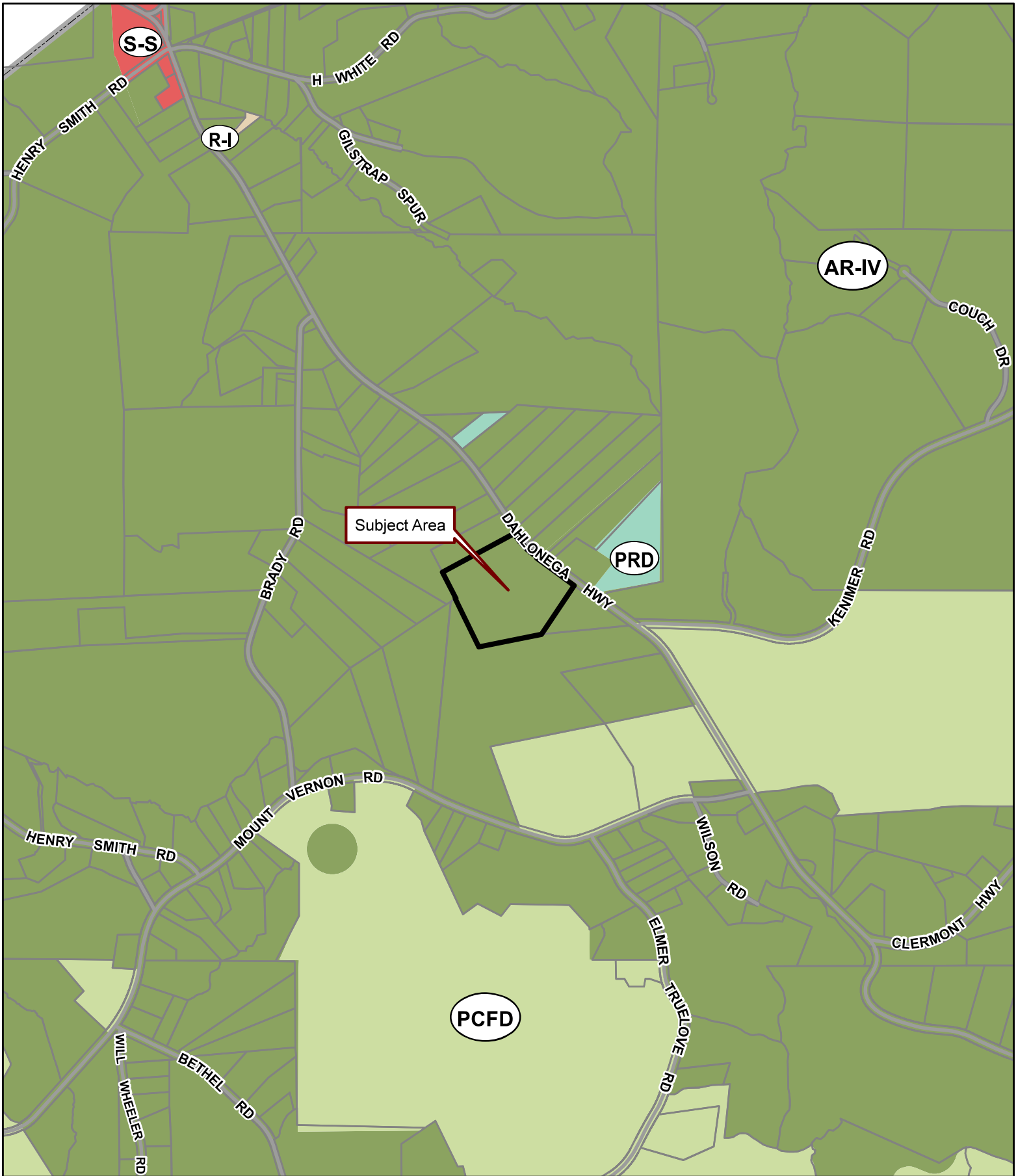


PREPARED BY
TURNER LAND SURVEYING
1641 UNIT B HWY. 129 SOUTH
CLEVELAND, GEORGIA 30528
PHONE: 706-865-0010
GA. LS FIRM # 000382

NOTES:

- BEARING BASIS TAKEN FROM PLAT SLIDE 786, PAGE 195A, HALL COUNTY, GEORGIA RECORDS.
- THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE SEARCH AND IS SUBJECT TO ANY AND ALL DISCLOSURES THAT A TITLE SEARCH MAY PRODUCE.
- THIS PROPERTY IS NOT LOCATED WITHIN A DESIGNATED FLOOD HAZARD AREA PER THE FIRM MAP OF HALL COUNTY, GEORGIA, MAP NUMBER 131390007E, MAP REVISED DATE: SEPT. 29, 2006. THIS PROPERTY DOES LIE WITHIN THE FUTURE FLOODPLAINS AREA AS DELINEATED BY HALL COUNTY GIS.
- THIS PROPERTY/SITE MAY CONTAIN STATE WATERS REQUIRING STATE AND/OR LOCAL BUFFERS.
- THE LAND PLATTED HEREON IS SUBJECT TO ANY AND ALL EASEMENTS, RESERVATIONS, RIGHT OF WAYS, OR RESTRICTIONS THAT MAY EXIST, WRITTEN OR UNWRITTEN.
- EQUIPMENT USED: TOPCON GIS 235W TOTAL STATION.
- DATES OF FIELD SURVEY: MAY 25 & 26, 2017.





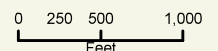
Applicant: RACHEL CHRISTENSEN (RICH)

Tax Parcel #: 11003 000002A

Location: 6147 DAHLONEGA HIGHWAY, CLERMONT, GA 30527

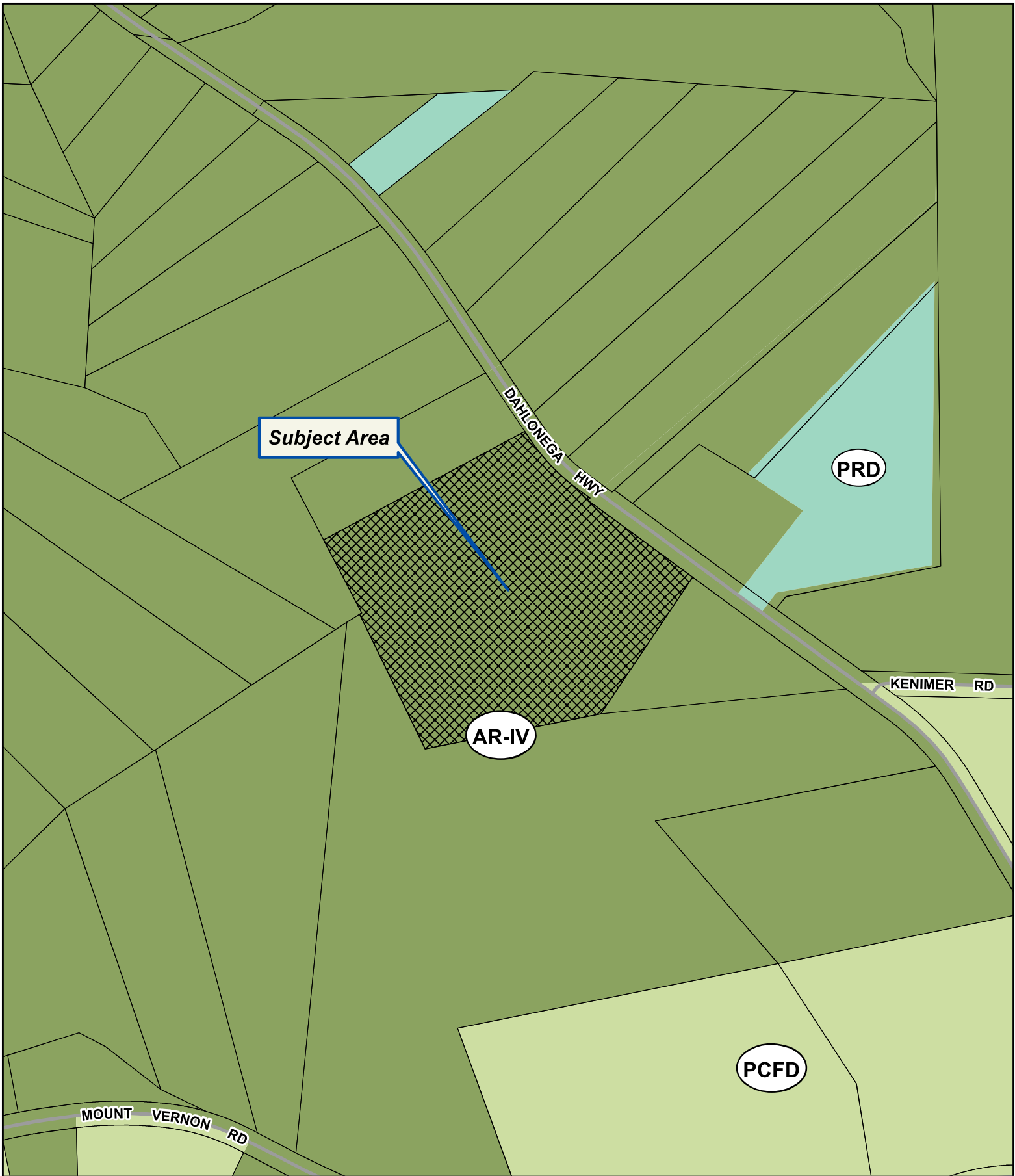
Commission District 3

PC Mtg. Date: 10/07/2024



- Zoning Boundary
- ▭ City Limits
- ▭ Subject Area
- ▭ Structure





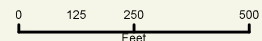
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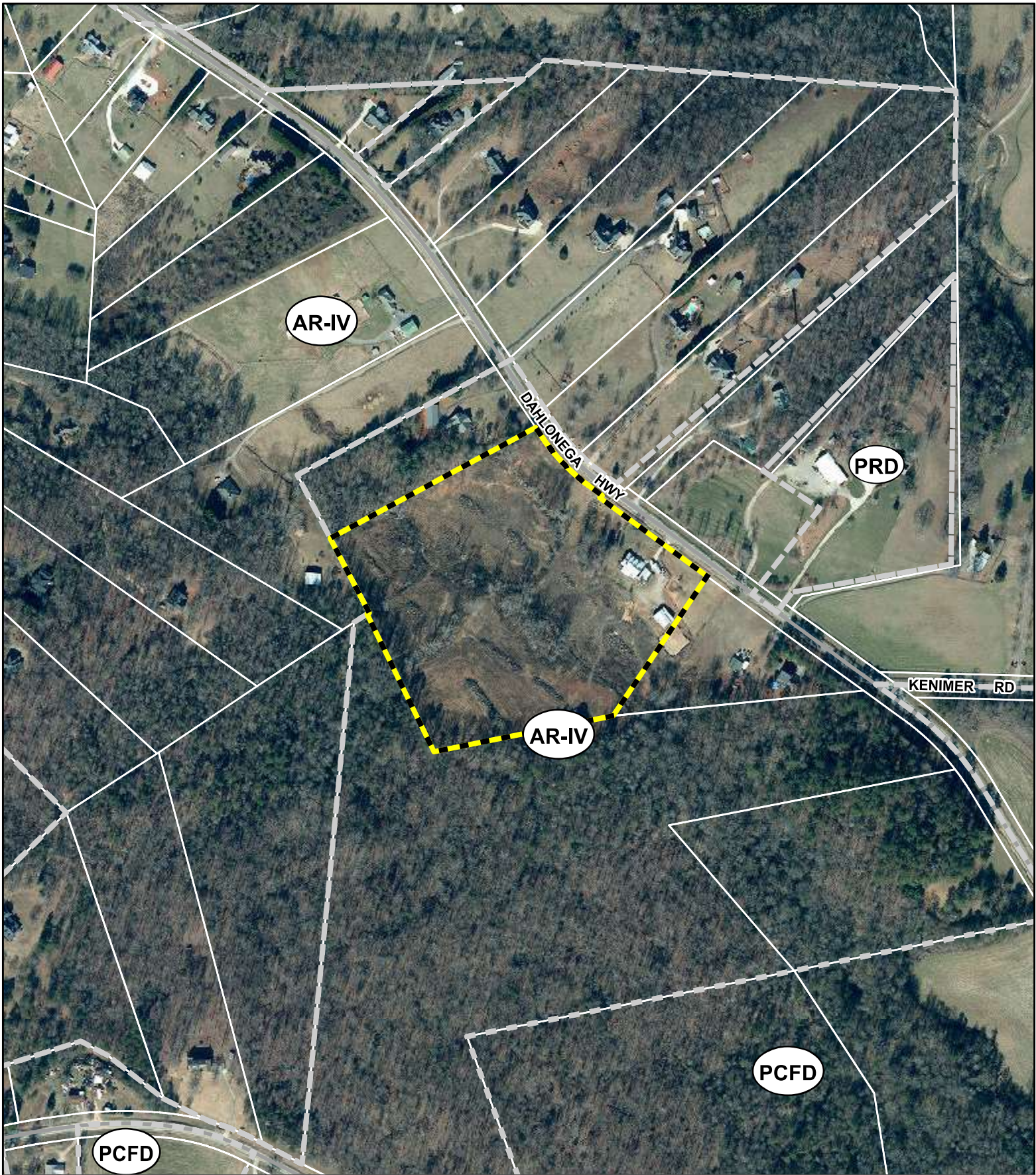
Commission District 3

PC Mtg. Date: 10/07/2024



- Zoning Boundary
- ▭ City Limits
- ▨ Subject Area
- ▭ Structure





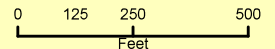
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


Tax Parcel #: 11003 000002A

Location: 6147 DAHLONEGA HIGHWAY, CLERMONT, GA 30527

Commission District 3

PC Mtg. Date: 10/07/2024



-  Zoning Boundary
-  City Limits
-  Subject Area



Primary dog lot.





Secondary dog lot. Also used for goats.



Indoor kennel room with example kennel set up. (Room is currently undergoing repairs from termite damage done during previous owners occupancy.)





Kennel sizes vary depending on size of dog.



Pictures of Kennel Set Up

View of home from gate.



View of gate.



Return to:
O'Kelley & Sorohan, Attorneys at Law, LLC
540 Lake Center Parkway, Suite 204
Cumming, GA 30040
File No.: 07-241820-GPT

eFiled and eRecorded
DATE: 10/05/2023
TIME: 10:58 AM
DEED BOOK: 9378
PAGE: 639 - 640
FILING FEES: \$25.00
TRANSFER TAX: \$825.00
PARTICIPANT ID: 8274269752
PARTICIPANT ID: 7067927936
PT61: 069-2023-006959
RECORDED BY: EAR
CLERK: Charles Baker, C.S.C
Hall County, GA

STATE OF GEORGIA
COUNTY OF FORSYTH

LIMITED WARRANTY DEED

THIS INDENTURE, made on **2nd day of October, 2023**, between

Joel Nathan Allen Pettitt and Stacie Dixon Pettitt

(hereinafter referred to as "Grantor") and

Rachel L. Rich and Brad Justin Rich, as joint tenants with rights of survivorship

(hereinafter referred to as "Grantee"), the words "Grantor" and "Grantee" to include the heirs, executors, legal representatives, successors and assigns of said parties where the context requires or permits; WITNESSETH:

THAT Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) AND OTHER GOOD AND VALUABLE CONSIDERATIONS, in hand paid, at and before the sealing and delivery of these presents, the receipt of which is hereby acknowledged by Grantor, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto Grantee,

See Exhibit A attached hereto and made a part hereof.

TOGETHER WITH all and singular the rights, members and appurtenances thereto (hereinafter collectively referred to as the "Premises"), the same being, belonging, or in anywise appertaining to the only proper use, benefit and behoof of Grantee.

Subject to all easements, rights of way, and restrictive covenants of record (hereinafter referred to as the "Exceptions").

TO HAVE AND TO HOLD the Premises, subject to the Exceptions, to the only proper use, benefit and behoof of Grantee, forever, in FEE SIMPLE, and Grantor will, subject to the Exceptions, warrant and forever defend the right and title to the Premises unto Grantee against the claims of all person claiming by, through or under Grantor, but not otherwise.

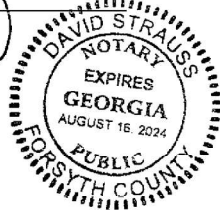
IN WITNESS WHEREOF, Grantor has executed this instrument under seal, as of the date first above written.

Signed, sealed and delivered
in the presence of:

Unofficial Witness

Notary Public

Commission expires:



Joel Nathan Allen Pettitt

Stacie Dixon Pettitt

EXHIBIT "A"

All that lot, tract or all that lot, tract or parcel of land situated, lying and being in Quillians District, Hall County, Georgia and lying on the southwest side of State Highway 52 and being about three miles northwest of the intersection of Highway 52 with Highway 129 and described as follows:

Beginning at an iron pin on property of the F. J. Haynes Estate, thence running South 84 degrees 17 minutes West 1465 feet to an iron pin; thence North 26 degrees 00 minutes West 995 feet to an iron pin; thence North 64 degrees 00 minutes East 736 feet to an iron pin, which iron pin is on the southwest side of State Highway 52 generally in a southeast direction 1645 feet to an iron pin corner. The property herein conveyed is shown by a plat made in February 1967 by H. G. Jarrard, Georgia Registered Land Surveyor Number 1182, which plat is entitled "Property of Gordon Haynes" and as shown by said plat the property conveyed is bounded on the South, West and Northwest by property owned by F. J. Haynes at the time of his death and this bounded on the northeast by State Highway 52.

Less and Except the following tract and parcel: All that tract or parcel of land lying and being in Land Lot 3 of the 11th Land District of Hall County, Georgia, containing 4.00 acres, more or less, as shown on a plat of survey made for Earl Dean Smith and Evelyn Sue Gilstrap by Henry Grady Jarrard, R.S., under date of February 8, 1989, a copy of said plat being of record in the office of the Clerk of Superior Court of Hall County, Georgia, in Plat Book 135, Page 15, to which said plat and the record thereof reference is hereby made for a more complete description.

Less and Except the following tract and parcel: All that tract or parcel of land lying and being in the Quillians GMD 434, Land Lot 4 of the 11th Land District of Hall County, Georgia, containing 4.0 acres, more or less, and being more particularly described according to that certain survey prepared for Michael Floyd by Henry Bailey, Georgia Registered Land Surveyor, dated May 2, 2000 and recorded in Hall County, Georgia plat records and according to said survey described as follows: Beginning at a rebar on the Southerly right-of-way of State Route 52, which rebar is located South 23 degrees 56 minutes 44 seconds East 65.48 feet from the intersection of the centerline of State Route 52 and Kenimer Road as extended; thence from said point of beginning South 86 degrees 48 minutes 34 seconds West 822.86 feet to a rebar; thence North 36 degrees 25 minutes 36 seconds East 549.77 feet to a rebar on the Southerly right of way of State Route 52; thence along said right of way South 51 degrees 18 minutes 29 seconds East 634.36 feet to the rebar and point of beginning.

FOR INFORMATIONAL PURPOSES ONLY:

Property Address: 6147 Dahlonega Highway, Clermont, GA 30527
Parcel ID: 11 00003 00 002A

EXHIBIT "A"

LEGAL DESCRIPTION

All that lot, tract or all that lot, tract or parcel of land situated, lying and being in Quillians District, Hall County, Georgia and lying on the southwest side of State Highway 52 and being about three miles northwest of the intersection of Highway 52 with Highway 129 and described as follows:

Beginning at an iron pin on property of the F. J. Haynes Estate, thence running South 84 degrees 17 minutes West 1465 feet to an iron pin; thence North 26 degrees 00 minutes West 995 feet to an iron pin; thence North 64 degrees 00 minutes East 736 feet to an iron pin, which iron pin is on the southwest side of State Highway 52 generally in a southeast direction 1645 feet to an iron pin corner. The property herein conveyed is shown by a plat made in February 1967 by H. G. Jarrard, Georgia Registered Land Surveyor Number 1182, which plat is entitled "Property of Gordon Haynes" and as shown by said plat the property conveyed is bounded on the South, West and Northwest by property owned by F. J. Haynes at the time of his death and this bounded on the northeast by State Highway 52.

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FOR INFORMATIONAL PURPOSES ONLY:

Property Address: 6147 Dahlongega Highway, Clermont, GA 30527
Parcel ID: 11 00003 00 002A


Hall County Health Department

Application and/or permit for water supply installation or repair

Permit No.: 069-9199 Date: 2-4-00

Address of property: 6147 Old Dahl Omega Hwy.
Clermont, GA 30527

Subdivision: _____ Lot #: _____

Owner: Aubrey Floyd Phone #: 

Address: _____

Contractor: _____

Address: _____

Directions: _____

Reason for well if public water is available: _____

Responsible for:	Owner	Contractor
Location	<u>X</u>	<u>X</u>
Construction	_____	<u>X</u>
Protection	<u>X</u>	_____
Chlorination	<u>X</u>	_____
Bacteria check	<u>X</u>	_____

Source of supply: Well: Drilled Bored Spring Other _____

Location:
Distance from septic tank 50' Drain field 100'
termite treated foundation 25' Other source of pollution _____

Water supply construction:
Diameter _____ inches Type casing _____

Protective covering:
Sanitary seal _____ Concrete cover _____ Other _____

Exterior space around casing:
Ordinary backfill _____ Puddled clay _____ Cement grout _____

Protective slab:
Width 2' X 2' Thickness 4" Bored well, curtain wall (footing) depth: 18 in X 6 in thick

Approved for construction:

Chad A. Harper
Health Department Representative

Contractor or Representative

HALL COUNTY BOARD OF HEALTH
P.O. BOX 1295, 430 PRIOR STREET GAINESVILLE, GA 30503
 APPLICATION FOR CONSTRUCTION PERMIT
 FOR ON-SITE SEWAGE MANAGEMENT SYSTEM

PS

C
L
H

Application Date: Feb 4, 2000
 Permit Number: S-069-2000-00217
 Property Address: 6147 OLD DAHLONEGA HIGHWAY
 CLERMONT, GA 30527
 Lot Number:
 Subdivision:

Builder/Company: ADAMS CONSTRUCTION
 Owner's Name: AUBREY & BETTY FLOYD
 Owner's Address: 4155 FRANK NEELY ROAD
 NORCROSS, GA 30092



329-00-10:00-Jones Grading

Facility Type: RESIDENCE	Water Supply: INDIVIDUAL	Plumbing Level: BASEMENT <i>Ground level</i>
Lot Size: 23.00	Garbage Disposal: No	Type System:
Bedrooms: 3	Grease Trap: Gals.	Field Layout: SERIAL DISTRIBUTIO
Percolation Rate: <u>28</u>	Water Table:	Soil Type:
Absorption Field Area:		
Linear Ft: <u>243</u>	Trench Width: <u>36</u> Inches	Septic Tanks: 1000 Gals.
Square Ft:	Trench Depth: <u>48" MAX</u> Inches	Dosing Tank: Gals.

Directions:
 129 N- LEFT 52- 3 MILES ON LEFT

Disclaimers:
 TRASH/BURIAL PITS MUST BE REPORTED TO THE HEALTH DEPARTMENT.
 ALL SURFACE AND/OR GROUND WATER MUST BE DIVERTED AROUND SEWAGE SYSTEM.
 THERE MUST BE SUFFICIENT SPACE ON THE PROPERTY TO INSTALL ORIGINAL AND BACKUP CONVENTIONAL ONSITE SEWAGE SYSTEM.
 THE ENVIRONMENTAL HEALTH DEPARTMENT WILL BE CHECKING FOR THE NUMBER OF BEDROOMS AND THE WIRING FOR GARBAGE DISPOSALS IN NEW HOMES.
 AS OF 2/20/2000 ANY PERSON/PERSON'S INSTALLING ON SITE SEWAGE MANAGEMENT SYSTEMS MUST BE CERTIFIED BY THE STATE OR AN APPROVAL FOR THE SYSTEM WILL NOT BE ISSUED.

Issuance of a construction permit for an on-site sewage management system and subsequent approval of same by representatives of the Georgia Department of Human Resources or County Board of Health shall not be construed as a guarantee that such systems will function satisfactorily for a given period of time, furthermore, said representatives do not by any action in effecting compliance with these rules, assume any liability for damages which are caused, or which may be caused, by the malfunction of such system.

I hereby apply for a construction permit to install an on-site sewage management system and agree that the system will be installed to conform to the requirements of the rules of the Georgia Department of Human Resources, Chapter 290-5-25. I have read and will comply with the additional requirements printed above. I understand that final inspection is required and will notify the County Health Department upon completion of construction and before applying final cover.

Amanda Zygis
 Signature(Owner or Applicant)

dat 2/22/00
 ONLY VALID FOR CONSTRUCTION IF SIGNED
 PROPOSED DRAWING IS ATTACHED

Must stay 100' from well.

~~*Will need engineer pump design.*~~

Sump Pump for Basement Plumbing

B

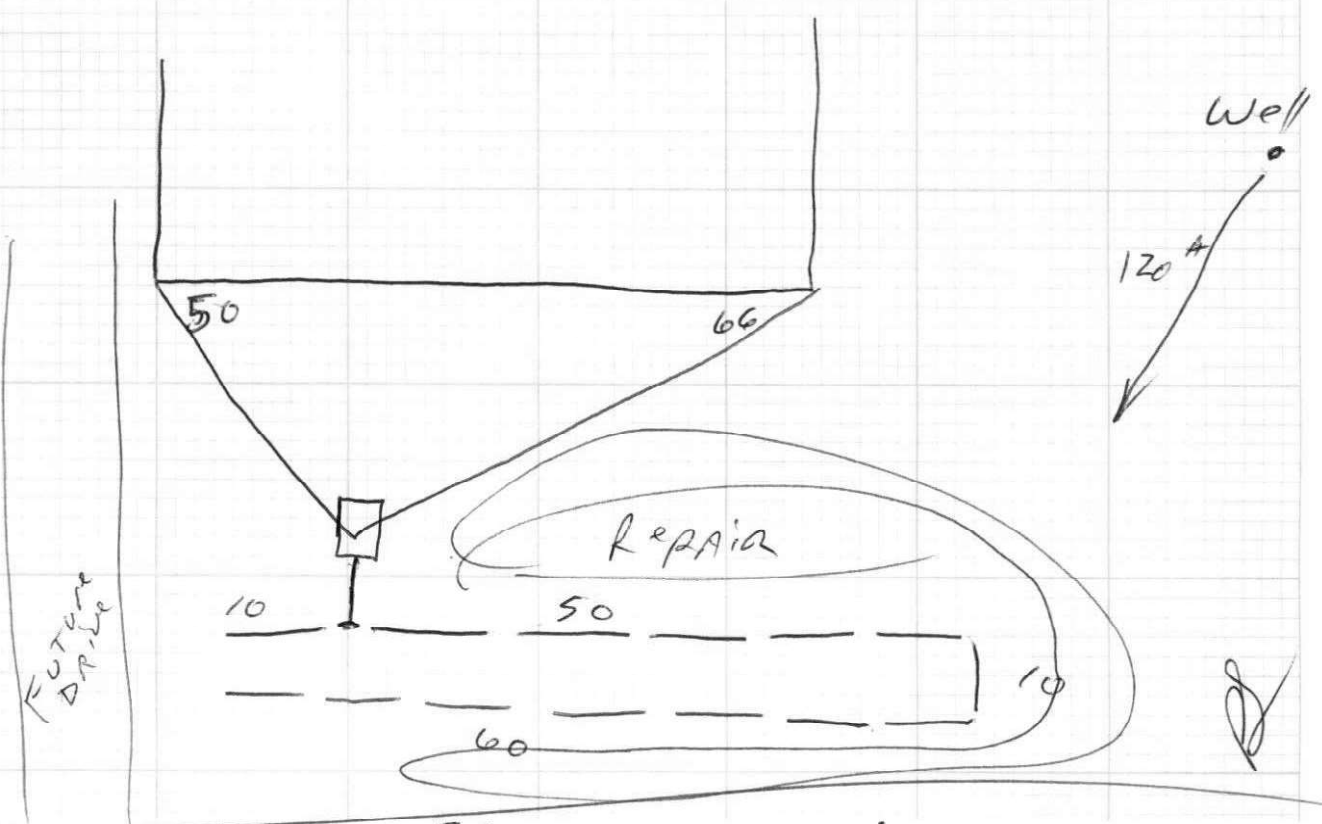
TL 3-29-00

BW 1000 compartmented
table filter

EZLAY 2003 vertical

130 ft TOTAL

Trench depth: 39" throughout



HALL COUNTY BOARD OF HEALTH
GAINESVILLE, GA 30503
APPLICATION FOR CONSTRUCTION PERMIT
FOR ON-SITE SEWAGE MANAGEMENT SYSTEM

Permit Number: **S-069-2000-00217**
 Property Address: **6147 OLD DAHLONEGA HIGHWAY**
CLERMONT, GA 30527
 Owner's Name: **AUBREY & BETTY FLOYD**

Builder/Company: **ADAMS CONSTRUCTION**

Facility Type: **RESIDENCE**

Septic Installer:

Lot Size: **23.00**

Lot Number:

Subdivision:

Water Supply: **INDIVIDUAL**

Latitude:

Longitude:

Plumbing Level: **BASEMENT**

Bedrooms: **3**

Type System:

Perc Rate:

Garbage Disposal: **No**

Field Layout: **SERIAL DISTRIBUTIO**

Grease Trap:

Gals.

Water Table:

Soil Type:

Linear Ft:

Square Ft:

Trench Width:

Trench Depth:

Septic Tanks:

Dosing Tanks:

Inches

Inches

1000 Gals.

Gals.

Directions:

129 N- LEFT 52- 3 MILES ON LEFT

P
R
O
P
O
S
E
D

Proposed Site Approved By

Date

2/22/00

F
I
N
A
L

Final Approval By
 Comments:

Date

3-29-00

Kaitlyn Elliott (Planning)

From: Emily McGahee (Environmental Health)
Sent: Thursday, September 5, 2024 4:55 PM
To: Kaitlyn Elliott (Planning); Beth Garmon (CDI: Planning); Katie L. Greenway (CDI: Planning)
Cc: Kelly Hairston (Environmental Health); Chad Harper (Environmental Health)
Subject: HCPC Tentative Agenda 10.7.2024

Follow Up Flag: Follow up
Flag Status: Completed

Please find Environmental Health comments below:

Items 1A,B,C, 6111 Oak Hill Drive, Hoffmann: All proposed structures must meet all residential permitting requirements and/or required setbacks to existing septic system. An existing system evaluation/site visit will be required for Environmental Health to process the building permit application.

Item 2, 3654 Thompson Bridge Road, Benson: No comment. Public sewer.

Item 3, 1600C Athens Hwy, Vargas: No floor drains or process wastewater to be discharged to the existing septic system. Domestic waste only.

Item 4, 6147 Dahlonega Hwy, Rich: Must meet all Environmental Health commercial septic system permitting requirements. Further determination will be made during the civil plan review process. A detailed business plan must be submitted to Hall County Environmental Health for review. Additional items, including, but not limited to: recorded plat, soil evaluation, and septic system installation/modification may be required after review of business plan.

Item 5, 4137 Short Rd, Allen: All proposed lots must meet Hall County Board of Health Lot Size Resolution requirements. This plat is currently under review by the Hall County Plat Review Team, which is waiting for revisions to be submitted for review under case number HPLT24-0090.

Item 6, 6000 Wellspring Trail, Barnes: Must meet all Environmental Health commercial septic system permitting requirements. Further determination will be made during the civil plan review process. A detailed business plan must be submitted to Hall County Environmental Health for review. Additional items, including, but not limited to: recorded plat, soil evaluation, and septic system installation/modification may be required after review of business plan. A Food Service permit/plan review may be required after review of business plan

Item 7, 5552 Bogus Road, Barnes: All proposed lots must meet Hall County Board of Health Lot Size Resolution requirements. Please note that Zoning approval does not imply approval from other county departments. Further determination will be made during the plat review process.

Item 8, 7011/7051 Pony Lake Road, Roys: Septic Permit OSC-9259 was issued on May 30, 2024 for the proposed structure.

Item 9, 7051 Pony Lake Road, Roys: Septic Permit OSC-9259 was issued on May 30, 2024 for the proposed structure.

Item 10, 2002 Memorial Park, Sancen: Must meet all Environmental Health commercial septic system permitting requirements. A detailed business plan must be submitted to Hall County Environmental Health for review. Additional items, including, but not limited to: recorded plat, soil evaluation, and septic system installation/modification may be required after review of business plan. An onsite sewage management system (and bathroom structure) will be required on the property if it is to be occupied for two hours or more.

Emily McGahee

Hall County Environmental Health
Hall County Government Center
2875 Browns Bridge Road
Mailing: PO Box 5901
Gainesville, GA 30504
(770) 531-3973 (phone)
emcgahee@hallcounty.org

<http://dph.georgia.gov/environmental-health> (State Website)

<http://www.phdistrict2.org/HallCounty.htm> (District Website)

<https://www.hallcounty.org/192/Environmental-Health> (County Website & Forms)

EMAIL Reader Advisory Notice: Email to and from a Georgia state agency is generally public record, except for content that is confidential under specific laws. Security by encryption is applied to all confidential information sent by email from the Georgia Department of Public Health (DPH). This message is only intended for specific recipient(s) and may contain privileged, private, or sensitive information. If you received this message in error, please delete it, and contact me.

Kaitlyn Elliott (Planning)

From: Chavers, Veronica E <VChavers@dot.ga.gov>
Sent: Tuesday, September 3, 2024 12:40 PM
To: Beth Garmon (CDI: Planning); Katie L. Greenway (CDI: Planning); Kaitlyn Elliott (Planning)
Subject: RE: Tentative Planning Agenda for October 7, 2024

Follow Up Flag: Follow up
Flag Status: Completed

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

See responses blow.

From: Kaitlyn Elliott (Planning) <kelliott@hallcounty.org>
Sent: Friday, August 30, 2024 8:59 AM
To: Beth Garmon (CDI: Planning) <bgarmon@hallcounty.org>; Bill Nash (CDI: Public Works) <bnash@hallcounty.org>; Bill Schmid <weschmid@rochester-assoc.com>; Brandi Smith (CDI: Business License) <bsmith@hallcounty.org>; Brent Holloway (Parks and Leisure) <bholloway@hallcounty.org>; Bryan Cash (Fire Services) <bcash@hallcounty.org>; Chad Harper (Environmental Health) <charper@hallcounty.org>; Cher Melendez (Tax Assessors) <cmelendez@hallcounty.org>; Chris Braswell (Planning) <cbraswell@hallcounty.org>; Christopher Armstrong (Fire Services) <carmstrong@hallcounty.org>; Daniel Costantini <dcostantini@gainesvillega.gov>; Emily McGahee (Environmental Health) <emcgahee@hallcounty.org>; Frank Miller (CDI: Engineering) <fmiller@hallcounty.org>; Dykes, Jason <jdykes@dot.ga.gov>; Jason Skarda (CDI: Engineering) <jskarda@hallcounty.org>; Jerry Smith (Fire Services) <jesmith@hallcounty.org>; John Hornick (Fire Services) <jhornick@hallcounty.org>; Peevy, Jonathan <jpeevy@dot.ga.gov>; Kaitlyn Elliott (Planning) <kelliott@hallcounty.org>; Karen Martinez (CDI: Public Works - Sewer) <kmartinez@hallcounty.org>; Katie L. Greenway (CDI: Planning) <klgreenway@hallcounty.org>; Kelly Hairston (Environmental Health) <khairston@hallcounty.org>; Kristie Turner (Planning) <kturner@hallcounty.org>; Matt Cox <matt.cox@hallco.org>; Michael Vieira (Fire Services) <mvieira@hallcounty.org>; Millie Perez (Community Development & Infrastructure) <mperez@hallcounty.org>; Nick Swafford <NSwafford@gainesvillega.gov>; Nicole Griffin (Tax Assessors) <nicole.griffin@hallcounty.org>; Niebauer, Parker J <PNiebauer@dot.ga.gov>; Pam Cravero <Pam.Cravero@hallco.org>; Randi Doveton (CDI: Planning) <rdoveton@hallcounty.org>; rich <rich@flowerybranchga.org>; Sarah Crowe (Administration) <scrowe@hallcounty.org>; Scott Puckett <spuckett@hallcounty.org>; Stephen Cain <troy.s.cain@usace.army.mil>; Steve Watson (Real Property) <rswatson@hallcounty.org>; Tammie Croy (CDI: Engineering) <tcroy@hallcounty.org>; Tracy Gilreath (Tax Assessors) <tgilreath@hallcounty.org>; Chavers, Veronica E <VChavers@dot.ga.gov>; Wanda Sutton (CDI: Engineering) <wsutton@hallcounty.org>; will schofield <will.schofield@hallco.org>
Subject: FW: Tentative Planning Agenda for October 7, 2024

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My apologies the links have been corrected below.

Kaitlyn Elliott
Planning Commission Clerk
Hall County Community Development and Infrastructure
(770) 531-6810 www.hallcounty.org



From: Kaitlyn Elliott (Planning)
Sent: Thursday, August 29, 2024 3:57 PM
Subject: Tentative Planning Agenda for October 7, 2024

Good afternoon –

Here is the Tentative Agenda and Maps for the **Monday, October 7, 2024** Hall County Planning Commission Meeting.

Please use the links to review the documents and respond with comments to Hall County Planning and Development. Failure to provide comments in a timely manner may result in the information not being included in the staff report.

When submitting comments, please include the name of the applicant along with the address of the property with the corresponding comment.

Comments are due by **Friday, September 6th**. Email comments to Beth (bgarmon@hallcounty.org), Katie (kgreenway@hallcounty.org) and Kaitlyn (kelliott@hallcounty.org).

Thank you!

CALL TO ORDER

AGENDA REVIEW

APPROVAL OF MINUTES – September 16, 2024

NEW BUSINESS

1. [\(A\) 6111 Oak Hill Drive | Variance | 17.240.010 to reduce the front yard setback along Oak Hill Road | on a 0.39± acre tract located on the west side of Oak Hill Drive approximately 190 feet from its intersection with White Oak Drive | Zoned R-I; Tax Parcel 08102A000030 | Proposed Use: Residential addition | * Commission District 2 | Terri Hoffmann, applicant No GDOT coordination required](#)
[\(B\) 6111 Oak Hill Drive | Variance | 17.240.010 to reduce the left side yard setback | on a 0.39± acre tract located on the west side of Oak Hill Drive approximately 190 feet from its intersection with White Oak Drive | Zoned R-I; Tax Parcel 08102A000030 | Proposed Use: Residential addition | * Commission District 2 | Terri Hoffmann, applicant No GDOT coordination required](#)
[\(C\) 6111 Oak Hill Drive | Variance | 17.240.010 to reduce the left side yard setback | on a 0.39± acre tract located on the west side of Oak Hill Drive approximately 190 feet from its intersection with White Oak Drive | Zoned R-I; Tax Parcel 08102A000030 | Proposed Use: Detached carport | * Commission District 2 | Terri Hoffmann, applicant No GDOT coordination required](#)
2. [3658 Thompson Bridge Road | Variance | 17.420. to vary the sign standards within GCOD | on a 4.33± acre tract located on the east side of Thompson Bridge Road approximately 650 feet from its intersection with](#)

Southers Road | Zoned PCD; Tax Parcel 10104 000004 | **Proposed Use: Wall sign** | * Commission District 2 | **Davis Sign & Awning c/o Matthew Benson, applicant** No GDOT coordination required

3. **1600 Athens Highway, Building C | Amend Conditions of Zoning** | on a 0.64± acre tract located on the south side of Athens Highway approximately 596 feet from its intersection with Athens Street | Zoned I-I (GCOD); Tax Parcel 15032 000050 | **Proposed Use: Automobile repair garage** | ** Commission District 3 | **Gerado Vargas, applicant** GDOT coordination required
4. **6147 Dahlonga Highway | Use Subject to County Commission Approval** | on a 19.34± acre tract located on the southwest side of Dahlonga Highway approximately 703 feet from its intersection with Kenimer Road | Zoned AR-IV; Tax Parcel 11003 000002A | **Proposed Use: Commercial kennel** | ** Commission District 3 | **Rachel Christensen Rich, applicant** No GDOT coordination required
5. **4137 Short Road | Use Subject to County Commission Approval** | on a 4.02± acre tract located on the south side of Short Road approximately 160 feet from its intersection with Sardis Road | Zoned R-I; Tax Parcel 10080 000010 | **Proposed Use: 2-lot subdivision** | ** Commission District 2 | **Connie Allen, applicant** No GDOT coordination required
6. **6000 Wellspring Trail | Amend Conditions of Zoning** | on a 20.29± acre tract located at the terminus of Wellspring Trail | Zoned POD; Tax Parcel 12046 000001 | **Proposed Use: Expansion of services** | ** Commission District 3 | **Seth Barnes, applicant** No GDOT coordination required
7. **5552 Bogus Road | Rezone** | from Planned Residential Development (PRD) & Agricultural Residential IV (AR-IV) to Planned Residential Development (PRD) | on a 13.81± acre tract located on the west side of Bogus Road approximately 420 feet from its intersection with Claude Peck Road | Zoned PRD & AR-IV; Tax Parcel 12051 000015 | **Proposed Use: 15-lot residential development** | ** Commission District 3 | **Seth Barnes, applicant** No GDOT coordination required
8. **7011 & 7051 Pony Lake Road | Amend Conditions of Zoning** | on a 101.74± acre tract located on the west side of Pony Lake Road approximately 498 feet from its intersection with Old Whelchel Road | Zoned PRD & AR-IV; Tax Parcels 11101 000003A & 000008 | **Proposed Use: Staff residence** | ** Commission District 3 | **Steve Roys, applicant** No GDOT coordination required
9. **7051 Pony Lake Road | Rezone** | from Agricultural Residential IV (AR-IV) to Planned Residential Development (PRD) | on a 1.74± acre tract located on the west side of Pony Lake Road at its intersection with Old Whelchel Road | Zoned AR-IV; Tax Parcel 11101 000008 | **Proposed Use: Staff residence** | ** Commission District 3 | **Steve Roys, applicant** No GDOT coordination required
10. **2002 Memorial Park Drive | Rezone** | from Residential (R-I) to Highway Business (H-B) on a 0.89± tract on the west side of Memorial Park Drive at its intersection with Browns Bridge Road | Zoned R-I; Tax Parcel 08014 005011 | **Proposed Use: Retail sales** | ** Commission District 4 | **Salomon Sancen, applicant**

*The Planning Commission's decision will be the final action taken unless appealed to the Board of Commissioners. To do so, file an application with the Planning Department within five working days of the Planning Commission's decision.

The Hall County Board of Commissioners will hear appeals at a public hearing **Thursday, November 14, 2024** at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

The Planning Commission's recommendation will be forwarded to the Board of Commissioners for final action at a public hearing on **Thursday, November 14, 2024. The Board will meet at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

Kaitlyn Elliott
Planning Commission Clerk
Hall County Community Development and Infrastructure
(770) 531-6810 www.hallcounty.org



Human trafficking impacts every corner of the globe, including our state and local communities. Georgia DOT is committed to end human trafficking in Georgia through education enabling its employees and the public to recognize the signs of human trafficking and how to react in order to help make a change. To learn more about the warning signs of human trafficking, visit <https://doas.ga.gov/human-resources-administration/human-trafficking-awareness/trafficking-in-georgia>. To report any suspicious activity, call the Georgia Human Trafficking Hotline at 866-363-4842. Let's band together to end human trafficking in Georgia.



Hall County Government
COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
PUBLIC WORKS AND UTILITIES

MEMORANDUM

To: Beth Garmon, Director of Planning and Zoning
From: Bill Nash, Director of Public Works and Utilities
Date: September 6, 2024
Subject: October 7, 2024 - Hall County Planning Commission Agenda

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

PUBLIC WORKS AND
UTILITIES DIRECTOR
Bill Nash, P.E.

Please be advised that our office has reviewed the Hall County Planning Commission agenda for the October 7, 2024 meeting. Upon review, we provide the following comments.

NEW BUSINESS

1. [\(A\) 6111 Oak Hill Drive | Variance | 17.240.010 to reduce the front yard setback along Oak Hill Road | on a 0.39± acre tract located on the west side of Oak Hill Drive approximately 190 feet from its intersection with White Oak Drive | Zoned R-I; Tax Parcel 08102A000030 | Proposed Use: Residential addition | * Commission District 2 | Terri Hoffmann, applicant](#)
[\(B\) 6111 Oak Hill Drive | Variance | 17.240.010 to reduce the left side yard setback | on a 0.39± acre tract located on the west side of Oak Hill Drive approximately 190 feet from its intersection with White Oak Drive | Zoned R-I; Tax Parcel 08102A000030 | Proposed Use: Residential addition | * Commission District 2 | Terri Hoffmann, applicant](#)

[\(C\) 6111 Oak Hill Drive | Variance | 17.240.010 to reduce the left side yard setback | on a 0.39± acre tract located on the west side of Oak Hill Drive approximately 190 feet from its intersection with White Oak Drive | Zoned R-I; Tax Parcel 08102A000030 | Proposed Use: Detached carport | * Commission District 2 | Terri Hoffmann, applicant](#)

- a. **Engineering:** Show FEMA and Hall County studied Flood plains that are present on site
- b. **Traffic:** No Comment
- c. **Utilities:** No Comment

2. [3658 Thompson Bridge Road | Variance | 17.420. to vary the sign standards within GCOD | on a 4.33± acre tract located on the east side of Thompson Bridge Road approximately 650 feet from its intersection with Southers Road | Zoned PCD; Tax Parcel 10104 000004 | Proposed Use: Wall sign | * Commission District 2 | Davis Sign & Awning c/o Matthew Benson, applicant](#)
 - a. **Engineering:** No Comment
 - b. **Traffic:** No comment
 - c. **Utilities:** No comment

3. [1600 Athens Highway, Building C | Amend Conditions of Zoning | on a 0.64± acre tract located on the south side of Athens Highway approximately 596 feet from its intersection with Athens Street | Zoned I-I \(GCOD\); Tax Parcel 15032 000050 | Proposed Use: Automobile repair garage | ** Commission District 3 | Gerado Vargas, applicant](#)
 - a. **Engineering:** This site may require a stormwater management report should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
 - b. **Traffic:** No comment
 - c. **Utilities:** No comment

4. [6147 Dahlonega Highway | Use Subject to County Commission Approval | on a 19.34± acre tract located on the southwest side of Dahlonega Highway approximately 703 feet from its intersection with Kenimer Road | Zoned AR-IV; Tax Parcel 11003 000002A | Proposed Use: Commercial kennel | ** Commission District 3 | Rachel Christensen Rich, applicant](#)
 - a. **Engineering:** This site may require a stormwater management report should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage. Show stream buffer and impervious setback from wrested vegetation not centerline of stream Show FEMA and Hall County studied Flood plains that are present on site.
 - b. **Traffic:** No comment
 - c. **Utilities:** No comment

5. [4137 Short Road | Use Subject to County Commission Approval | on a 4.02± acre tract located on the south side of Short Road approximately 160 feet from its intersection with Sardis Road | Zoned R-I; Tax Parcel 10080 000010 | Proposed Use: 2-lot subdivision | ** Commission District 2 | Connie Allen, applicant](#)
 - a. **Engineering:** If this subdivision is greater than 6 lots on an existing road, a stormwater management report prepared by a professional engineer will be required.
 - b. **Traffic:** No comment
 - c. **Utilities:** No comment

6. [6000 Wellspring Trail | Amend Conditions of Zoning | on a 20.29± acre tract located at the terminus of Wellspring Trail | Zoned POD: Tax Parcel 12046 000001 | Proposed Use: Expansion of services | ** Commission District 3 | Seth Barnes, applicant](#)

- a. **Engineering:** This site may require a stormwater management report should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage. Show stream buffer and impervious setback from wrested vegetation not centerline of stream Show FEMA and Hall County studied Flood plains that are present on site.
- b. **Traffic:** No comment
- c. **Utilities:** No comment

7. [5552 Bogus Road | Rezone | from Planned Residential Development \(PRD\) & Agricultural Residential IV \(AR-IV\) to Planned Residential Development \(PRD\) | on a 13.81± acre tract located on the west side of Bogus Road approximately 420 feet from its intersection with Claude Peck Road | Zoned PRD & AR-IV: Tax Parcel 12051 000015 | Proposed Use: 15-lot residential development | ** Commission District 3 | Seth Barnes, applicant](#)

- a. **Engineering:** This site may require a stormwater management report should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
Traffic: Access apron at Bogus Rd. must be paved to county standards regardless if gravel road is permitted.
If variances are not approved, the new roadway will need to meet Hall County Subdivision regulations.
Unclear, is new roadway proposed to be County maintained? If so, the County does not typically accept gravel roadways into maintenance.
- b. **Utilities:** No comment

8. [7011 & 7051 Pony Lake Road | Amend Conditions of Zoning | on a 101.74± acre tract located on the west side of Pony Lake Road approximately 498 feet from its intersection with Old Whelchel Road | Zoned PRD & AR-IV; Tax Parcels 11101 000003A & 000008 | Proposed Use: Staff residence | ** Commission District 3 | Steve Roys, applicant](#)

- a. **Engineering:** No comment
- b. **Traffic:** No comment
- c. **Utilities:** No comment

9. [7051 Pony Lake Road | Rezone | from Agricultural Residential IV \(AR-IV\) to Planned Residential Development \(PRD\) | on a 1.74± acre tract located on the west side of Pony Lake Road at its intersection with Old Whelchel Road | Zoned AR-IV; Tax Parcel 11101 000008 | Proposed Use: Staff residence | ** Commission District 3 | Steve Roys, applicant](#)

- a. **Engineering:** No comment

- b. **Traffic:** No comment
- c. **Utilities:** No comment

10. 2002 Memorial Park Drive | Rezone | from Residential (R-l) to Highway Business (H-B) on a 0.89± tract on the west side of Memorial Park Drive at its intersection with Browns Bridge Road | Zoned R-l: Tax Parcel 08014 005011 | Proposed Use: Retail sales | ** Commission District 4 | Salomon Sancen, applicant

- a. **Engineering:** This site may require a stormwater management report should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
- b. **Traffic:** Driveway would need to meet Hall County and GDOT requirements.
- c. **Utilities:** No comment

Kaitlyn Elliott (Planning)

From: John Hornick (Fire Services)
Sent: Friday, August 30, 2024 9:32 AM
To: Beth Garmon (CDI: Planning)
Cc: Katie L. Greenway (CDI: Planning); Kaitlyn Elliott (Planning)
Subject: Fire Comments

Follow Up Flag: Follow up
Flag Status: Completed

Monday, October 7, 2024 Hall County Planning Commission Meeting.

1. [6147 Dahlonega Highway | Use Subject to County Commission Approval | on a 19.34± acre tract located on the southwest side of Dahlonega Highway approximately 703 feet from its intersection with Kenimer Road | Zoned AR-IV; Tax Parcel 11003 000002A | Proposed Use: Commercial kennel | ** Commission District 3 | Rachel Christensen Rich, applicant](#)

The Hall County Fire Marshal's Office has no comments as proposed.

Regards,

John Hornick, NPQ Fire Service Plans Examiner 1
Lieutenant, Hall County Fire Rescue
Hall County Government
Main: 770-531-6838 | Cell: 404-597-0083
Website: www.Hallcounty.org



Kaitlyn Elliott (Planning)

From: Cher Melendez (Tax Assessors)
Sent: Friday, August 30, 2024 9:03 AM
To: Kaitlyn Elliott (Planning)
Subject: RE: Tentative Planning Agenda for October 7, 2024

Kaitlyn,

11003 000002A Rachel Christensen Rich the parcel is under Conservation since 2021 our office will reach out to her.

Blessings,

Cher Melendez

Specialized Assessment Manager
Hall County Tax Assessor Office
770.531.6752 T

cmelendez@hallcounty.org



From: Kaitlyn Elliott (Planning) <kelliott@hallcounty.org>

Sent: Friday, August 30, 2024 8:59 AM

To: Beth Garmon (CDI: Planning) <bgarmon@hallcounty.org>; Bill Nash (CDI: Public Works) <bnash@hallcounty.org>; Bill Schmid <weschmid@rochester-assoc.com>; Brandi Smith (CDI: Business License) <bsmith@hallcounty.org>; Brent Holloway (Parks and Leisure) <bholloway@hallcounty.org>; Bryan Cash (Fire Services) <bcash@hallcounty.org>; Chad Harper (Environmental Health) <charper@hallcounty.org>; Cher Melendez (Tax Assessors) <cmelendez@hallcounty.org>; Chris Braswell (Planning) <cbraswell@hallcounty.org>; Christopher Armstrong (Fire Services) <carmstrong@hallcounty.org>; Daniel Costantini <dcostantini@gainesvillega.gov>; Emily McGahee (Environmental Health) <emcgahee@hallcounty.org>; Frank Miller (CDI: Engineering) <fmiller@hallcounty.org>; jason dykes <jdykes@dot.ga.gov>; Jason Skarda (CDI: Engineering) <jskarda@hallcounty.org>; Jerry Smith (Fire Services) <jesmith@hallcounty.org>; John Hornick (Fire Services) <jhornick@hallcounty.org>; jpeevy <jpeevy@dot.ga.gov>; Kaitlyn Elliott (Planning) <kelliott@hallcounty.org>; Karen Martinez (CDI: Public Works - Sewer) <kmartinez@hallcounty.org>; Katie L. Greenway (CDI: Planning) <klgreenway@hallcounty.org>; Kelly Hairston (Environmental Health) <khairston@hallcounty.org>; Kristie Turner (Planning) <ktturner@hallcounty.org>; Matt Cox <matt.cox@hallco.org>; Michael Vieira (Fire Services) <mvieira@hallcounty.org>; Millie Perez (Community Development & Infrastructure) <mperez@hallcounty.org>; Nick Swafford <NSwafford@gainesvillega.gov>; Nicole Griffin (Tax Assessors) <nicole.griffin@hallcounty.org>; Niebaur Parker <PNiebauer@dot.ga.gov>; Pam Cravero <Pam.Cravero@hallco.org>; Randi Doveton (CDI: Planning) <rdoveton@hallcounty.org>; rich

<rich@flowerybranchga.org>; Sarah Crowe (Administration) <scrowe@hallcounty.org>; Scott Puckett (CDI: Engineering) <spuckett@hallcounty.org>; Stephen Cain <troy.s.cain@usace.army.mil>; Steve Watson (Real Property) <rswatson@hallcounty.org>; Tammie Croy (CDI: Engineering) <tcroy@hallcounty.org>; Tracy Gilreath (Tax Assessors) <tgilreath@hallcounty.org>; Veronica Chavers <VChavers@dot.ga.gov>; Wanda Sutton (CDI: Engineering) <wsutton@hallcounty.org>; will schofield <will.schofield@hallco.org>

Subject: FW: Tentative Planning Agenda for October 7, 2024

My apologies the links have been corrected below.

Kaitlyn Elliott
Planning Commission Clerk
Hall County Community Development and Infrastructure
(770) 531-6810 www.hallcounty.org



From: Kaitlyn Elliott (Planning)
Sent: Thursday, August 29, 2024 3:57 PM
Subject: Tentative Planning Agenda for October 7, 2024

Good afternoon –

Here is the Tentative Agenda and Maps for the **Monday, October 7, 2024** Hall County Planning Commission Meeting.

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When submitting comments, please include the name of the applicant along with the address of the property with the corresponding comment.

Comments are due by **Friday, September 6th**. Email comments to Beth (bgarmon@hallcounty.org), Katie (kgreenway@hallcounty.org) and Kaitlyn (kelliott@hallcounty.org).

Thank you!

CALL TO ORDER

AGENDA REVIEW

APPROVAL OF MINUTES – September 16, 2024

NEW BUSINESS

1. [\(A\) 6111 Oak Hill Drive | Variance | 17.240.010 to reduce the front yard setback along Oak Hill Road | on a 0.39± acre tract located on the west side of Oak Hill Drive approximately 190 feet from its intersection with](#)

White Oak Drive | Zoned R-I; Tax Parcel 08102A000030 | **Proposed Use: Residential addition** | * Commission District 2 | **Terri Hoffmann, applicant**

(B) 6111 Oak Hill Drive | Variance | 17.240.010 to reduce the left side yard setback | on a 0.39± acre tract located on the west side of Oak Hill Drive approximately 190 feet from its intersection with White Oak Drive | Zoned R-I; Tax Parcel 08102A000030 | **Proposed Use: Residential addition** | * Commission District 2 | **Terri Hoffmann, applicant**

(C) 6111 Oak Hill Drive | Variance | 17.240.010 to reduce the left side yard setback | on a 0.39± acre tract located on the west side of Oak Hill Drive approximately 190 feet from its intersection with White Oak Drive | Zoned R-I; Tax Parcel 08102A000030 | **Proposed Use: Detached carport** | * Commission District 2 | **Terri Hoffmann, applicant**

2. **3658 Thompson Bridge Road | Variance** | 17.420. to vary the sign standards within GCOD | on a 4.33± acre tract located on the east side of Thompson Bridge Road approximately 650 feet from its intersection with Southers Road | Zoned PCD; Tax Parcel 10104 000004 | **Proposed Use: Wall sign** | * Commission District 2 | **Davis Sign & Awning c/o Matthew Benson, applicant**
3. **1600 Athens Highway, Building C | Amend Conditions of Zoning** | on a 0.64± acre tract located on the south side of Athens Highway approximately 596 feet from its intersection with Athens Street | Zoned I-I (GCOD); Tax Parcel 15032 000050 | **Proposed Use: Automobile repair garage** | ** Commission District 3 | **Gerado Vargas, applicant**
4. **6147 Dahlonega Highway | Use Subject to County Commission Approval** | on a 19.34± acre tract located on the southwest side of Dahlonega Highway approximately 703 feet from its intersection with Kenimer Road | Zoned AR-IV; Tax Parcel 11003 000002A | **Proposed Use: Commercial kennel** | ** Commission District 3 | **Rachel Christensen Rich, applicant**
5. **4137 Short Road | Use Subject to County Commission Approval** | on a 4.02± acre tract located on the south side of Short Road approximately 160 feet from its intersection with Sardis Road | Zoned R-I; Tax Parcel 10080 000010 | **Proposed Use: 2-lot subdivision** | ** Commission District 2 | **Connie Allen, applicant**
6. **6000 Wellspring Trail | Amend Conditions of Zoning** | on a 20.29± acre tract located at the terminus of Wellspring Trail | Zoned POD; Tax Parcel 12046 000001 | **Proposed Use: Expansion of services** | ** Commission District 3 | **Seth Barnes, applicant**
7. **5552 Bogus Road | Rezone** | from Planned Residential Development (PRD) & Agricultural Residential IV (AR-IV) to Planned Residential Development (PRD) | on a 13.81± acre tract located on the west side of Bogus Road approximately 420 feet from its intersection with Claude Peck Road | Zoned PRD & AR-IV; Tax Parcel 12051 000015 | **Proposed Use: 15-lot residential development** | ** Commission District 3 | **Seth Barnes, applicant**
8. **7011 & 7051 Pony Lake Road | Amend Conditions of Zoning** | on a 101.74± acre tract located on the west side of Pony Lake Road approximately 498 feet from its intersection with Old Whelchel Road | Zoned PRD & AR-IV; Tax Parcels 11101 000003A & 000008 | **Proposed Use: Staff residence** | ** Commission District 3 | **Steve Roys, applicant**
9. **7051 Pony Lake Road | Rezone** | from Agricultural Residential IV (AR-IV) to Planned Residential Development (PRD) | on a 1.74± acre tract located on the west side of Pony Lake Road at its intersection with Old Whelchel Road | Zoned AR-IV; Tax Parcel 11101 000008 | **Proposed Use: Staff residence** | ** Commission District 3 | **Steve Roys, applicant**
10. **2002 Memorial Park Drive | Rezone** | from Residential (R-I) to Highway Business (H-B) on a 0.89± tract on the west side of Memorial Park Drive at its intersection with Browns Bridge Road | Zoned R-I; Tax Parcel 08014 005011 | **Proposed Use: Retail sales** | ** Commission District 4 | **Salomon Sancen, applicant**

*The Planning Commission's decision will be the final action taken unless appealed to the Board of Commissioners. To do so, file an application with the Planning Department within five working days of the Planning Commission's decision.

The Hall County Board of Commissioners will hear appeals at a public hearing **Thursday, November 14, 2024** at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

The Planning Commission's recommendation will be forwarded to the Board of Commissioners for final action at a public hearing on **Thursday, November 14, 2024. The Board will meet at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

Kaitlyn Elliott
Planning Commission Clerk
Hall County Community Development and Infrastructure
(770) 531-6810 www.hallcounty.org



Kaitlyn Elliott (Planning)

From: Beth Garmon (CDI: Planning)
Sent: Wednesday, September 25, 2024 12:08 PM
To: Kaitlyn Elliott (Planning)
Cc: Katie L. Greenway (CDI: Planning)
Subject: FW: Kennel proposal opposition for 6147 Dahlonega Hwy

Categories: Need To Do

Kaitlyn,

Please add this email to the file for 6147 Dahlonega Highway.

Thank you,
Beth

Beth Garmon

Director of Planning and Zoning
Hall County Community Development and Infrastructure
(office) 770-531-6809
(direct) 770-297-2626
bgarmon@hallcounty.org

All **ZONING, PLAT**, and **BUILDING PERMIT** submittals may be submitted online through [Accela](#). Plat inquiries may be submitted to plats@hallcounty.org. Zoning and general inquiries may be submitted to planning@hallcounty.org.



From: Tonya Smith <toneerr@yahoo.com>
Sent: Tuesday, September 24, 2024 6:58 PM
To: Beth Garmon (CDI: Planning) <bgarmon@hallcounty.org>; Stan Hunt <shunt@hallcounty.org>
Subject: Fwd: Kennel proposal opposition for 6147 Dahlonega Hwy

[You don't often get email from toneerr@yahoo.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

> Dear Sir and Madame,
>

> I just sent you a letter that I originally sent to Mr. Poole. I believe he is the commissioner for our area, but also thought you should be in the loop since you will be voting on this proposal.

>

> I wanted you to see that Mrs. Rich is asking for an exception for the 200 ft property line, as well as the commercial kennel. Please can you take that into consideration since her request doesn't meet the setbacks of a commercial operation.

>

> She also stated that she is not in a neighborhood type setting which is false. The properties beside her were originally Haynes Crossing with covenants. Attached you will see a copy of those and get an idea of what our area was originally intended to be. Each track has 4 plus acres and was considered a subdivision. That has not changed we are still a rural community with no commercial businesses.

>

> Thank you for your time and consideration,

> Tonya Smith

> 678-617-2972

any building or on any portion of a lot on the Property. Barns may be placed on the Property so long as the barns are used in a residential fashion and not for commercial or business purposes.

2. MOBILE HOMES. No lot owner shall allow a mobile home or modular home to be placed on the Property at any time and no mobile homes shall be permitted on the Property for any reason whatsoever.

3. NEW HOMES ONLY. All homes constructed on the Property by lot owners shall be new, site-built homes. No lot owner may move an existing home from other property to this Property.

4. MINIMUM SIZE. All of the new homes constructed and built on the Property shall, if consisting of one story, have a minimum size of 1,450.00 square feet of heated space, exclusive of garages, carports, porches, and basements. All two story homes shall have a minimum size of at least 1,000 square feet on the main floor and at least 1,000 square feet on the second floor.

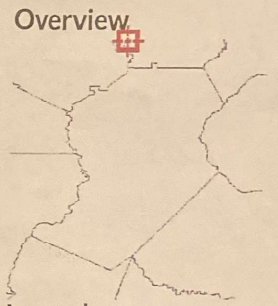
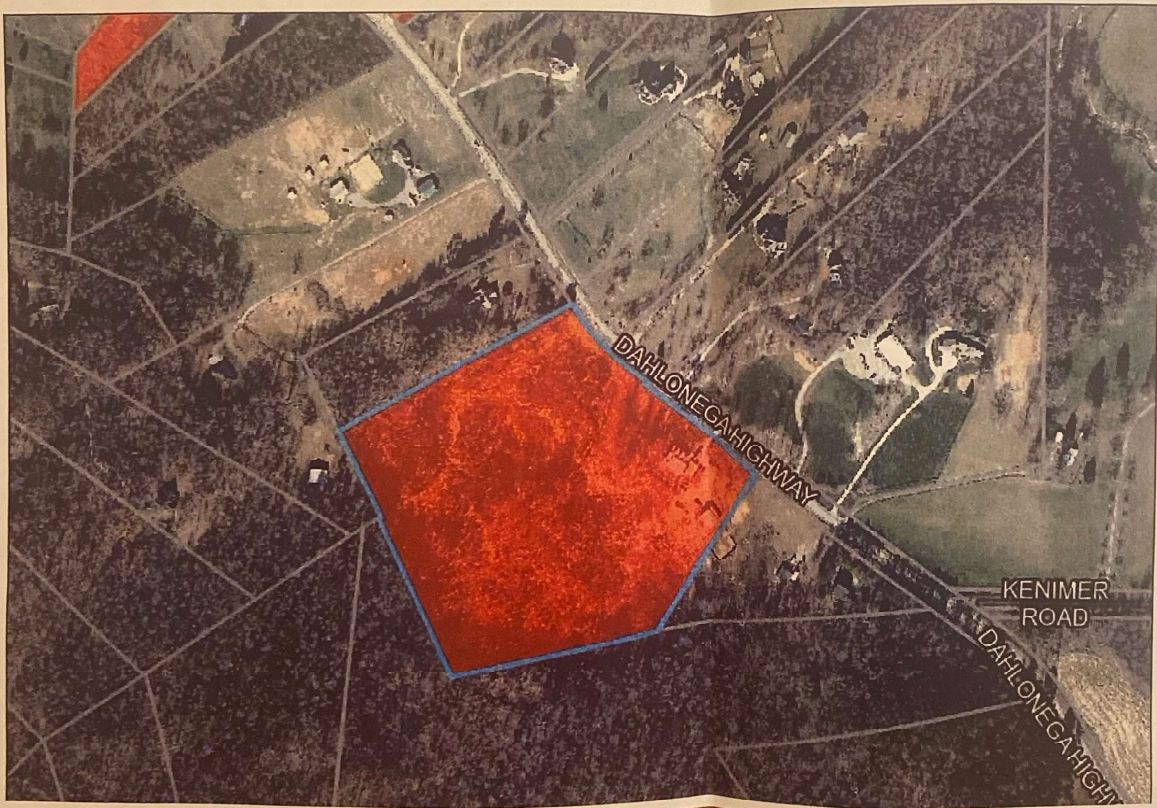
5. NO POULTRY HOUSES OF ANY KIND. There shall be no poultry houses or chicken houses whatsoever permitted or placed on the Property.

6. ENFORCEMENT. Enforcement of the covenants contained in this instrument shall be by proceedings at law or in equity by










Declarants (or any subsequent owners) of the Property.

protective covenants to apply to all of the Property and any future subdivided lots on said Property and to all persons owning the lots, or any of them, hereinafter. These protective covenants shall be binding on all persons claiming under and through Declarants until twenty (20) years from and after the date of this instrument, at which time the covenants will be automatically renewed unless all owners of the Property agree to terminate these protective covenants. Protective covenants shall be as follows:

1. LAND USE. All lots on the property shall be used only for single family residential purposes. No lot owner may engage in commercial activity on the Property and further shall not create a nuisance to the other landowners in the Property. No business, trade, professional or commercial activity shall be conducted in



Legend

-  Parcels
- Qualified Sales**
 -  2020
 -  2021
 -  2022
 -  2023
 -  2024
- Roads**
- Cities**
 -  BRASELTON
 -  BUFORD
 -  CLERMONT

Kaitlyn Elliott (Planning)

From: Beth Garmon (CDI: Planning)
Sent: Wednesday, September 25, 2024 12:07 PM
To: Kaitlyn Elliott (Planning)
Cc: Katie L. Greenway (CDI: Planning)
Subject: FW: Kennel opposition for 6147 Dahlonega Hwy Clermont

Kaitlyn,

Please add the email below to the file for 6147 Dahlonega Highway.

Thank you,
Beth

Beth Garmon

Director of Planning and Zoning
Hall County Community Development and Infrastructure
(office) 770-531-6809
(direct) 770-297-2626
bgarmon@hallcounty.org

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From: Tonya Smith <toneerr@yahoo.com>
Sent: Tuesday, September 24, 2024 6:57 PM
To: Beth Garmon (CDI: Planning) <bgarmon@hallcounty.org>
Subject: Fwd: Kennel opposition for 6147 Dahlonega Hwy Clermont

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CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

>
>
>>
>> Hi Mrs. Garmon

>

>> This email is in reference to a proposed kennel at 6147 Dahlonge Hwy in Clermont. I live at 6161 Dahlonge Hwy right next door. I've been here for 20 years.

>>

>> The home I lived in prior to this address had a neighbor that was a dog breeder. He lived 3 houses down, but the noise that came from his property was loud and continuous even though he didn't have that many dogs.

>>

>> Since we lived in such a rural area, you would hear things like deer, rabbits, other dogs, coyotes, owls, and so on. Those tiny noises would set those dogs off and you would be bombarded with the sound of high pitch barking and if one barked they all barked. This would happen while trying to enjoy a cup of coffee on the front porch or trying to get a full night's sleep.

>>

>> When we bought this land that we live on now, we loved it for the peace and quiet, and the tranquility. Neighbors on all sides have cattle, horses, and pets, which is what you expect in such a rural area. We love it! Most all of our neighbors have lived here for 10 to 40 years.

>>

>> The people that are wanting the commercial kennel have been here less than a year. Met the couple and they seemed very nice. The husband was an avid gun enthusiast which was fine. They would shoot at night, but not too late. It's there land so really that had nothing to do with us. I think people should be able to use their land the way they want unless it interferes with their neighbors quality of life.

>>

>> When we received the notification in the mail last week about the meeting and the application to open this kennel, we were all surprised because of their domestic situation and the husband moving out. Again none of our business.

Results

2 Results Found



Arrest

RACHEL RICH

Occurred 07/18/2024 13:30

AGGRAVATED ASSAULT - OTHER WEAPON

6147 DAHLONEGA HWY



Incident

Case # 2

Occurred

AGGRAVA
ASSAULT/

PARENTS

6100 BLK

>>

>>

>>

>> I'm sure this email may sound like I'm a busy body neighbor, but please know that is not the case. I've never been part of anything like this. I really hate it. And I have nothing against the Rich's. I've just experienced a smaller scale in the past and know how miserable it is to live close to a breeder. I'm praying that I will not be beside a commercial kennel.

>>

>> I'm not only worried about the noise I'm also a realtor and worried about land value. How many clients would want to buy a house that has consistent noise.

>>

>> Several of our neighbors have been doing research about kennels and the pros and cons to them. I've never been to a commission meeting, so not sure how it works. I think they may be submitting you some of that information or bringing their findings to the meeting on October 7th.

>>

>> In closing, I wanted you to know that this is not just my view, but this is the view of the neighbors around me.

>

>>

>> Thank you so Much

>> Tonya Smith

>> 678-617-2972

>>

>> Also I don't know what all is going on with The Rich's, I just know I came home from work one day and the yard was full of police officers and one of my neighbors sent me that picture. Their domestic situation is not part of the kennel and should not be a factor, I did however want to at least make you aware of it just in case they decided they were not going to keep the house in the future. Like I said when I met them they were nice. I hate they are going through a hard time.

>>

>>

>>

ZONING NOTICE

AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT:

RACHEL CHRISTENSEN RICH

REQUEST:

USE SUBJECT TO COUNTY COMMISSION APPROVAL

FOR A COMMERCIAL KENNEL

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION

Date: OCT 07, 2024

Time: 5:15 PM

COUNTY COMMISSION

Date: NOV 14, 2024

Time: 6:00 PM

HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809



ZONING NOTICE
This notice is posted on the property of the applicant for a zoning change. The applicant is requesting a change from the current zoning to a different zoning. The applicant is requesting a change from the current zoning to a different zoning. The applicant is requesting a change from the current zoning to a different zoning.



PUBLIC NOTICE REQUIREMENTS

Zoning regulations require that public notice must be given prior to all zoning hearings as follows:

1. The Planning Department shall publish a legal advertisement no less than fifteen (15) days and no more than forty-five (45) days prior to the public hearing.
2. The Planning Department shall send notification by letter of all other property owners within a 500-foot radius of the applicant's property is standard administrative policy of the Planning Department.
3. The applicant/property owner shall place the public notice sign in a conspicuous location on the property not less than fifteen (15) days and not more than forty-five (45) days prior to the public hearing.

The Planning Department shall post the legal advertisement and notify property owners within a 500ft radius to the subject property.

The applicant is required to post the public notice sign not less than fifteen (15) days and not more than forty-five (45) days prior to the public hearing. A photo of the sign placed at the location is required and must be sent to the Planning Department.

Multiple sign postings on a site may be required as determined by the Planning Department. The sign must be in a location where it is clearly visible from the roadway. The sign cannot be obstructed in any manner, placed too far from the road, or placed in such manner as would cause it to blend into the landscape.

Should you find the sign missing or vandalized in any manner, contact the Planning Department for a replacement sign. When the proceeding is complete and final Board action has occurred, the sign shall then be removed from the property by the applicant.

THE ZONING SIGN MUST BE POSTED NO EARLIER THAN AUGUST 27, 2024 AND NO LATER THAN SEPT 08, 2024.

THE ORIGINAL SIGNED AFFIDAVIT MUST BE AND RETURNED TO THE PLANNING DEPARTMENT NO LATER THAN SEPT 08, 2024 ALONG WITH A MINIMUM OF ONE PHOTO SHOWING THE SIGN POSTED AT THE SUBJECT PROPERTY.

Failure to comply will result in a delay of the application.

AFFIDAVIT

By my signature, I, Rachel Christensen, hereby acknowledge that I have

Please Print Name

read and understand the sign posting requirements. I further certify that the required

public notice sign was posted on September 6, 2024 for Dahlonega Hwy.

Date

(Name application filed as)

Signature 

(The original document is required)



AGENDA ITEM

Planning & Zoning

REPORT TO: **Work Session (11/12/24)**

REPORT TO: **Voting Meeting (11/14/24)**

ITEM NO: 580/2024

SUBJECT: **1600 Athens Highway, Building C | Amend Conditions of Zoning |** on a 0.64± acre tract located on the south side of Athens Highway approximately 596 feet from its intersection with Athens Street | Zoned I-I (GCOD); Tax Parcel 15032 000050 | **Proposed Use: Automobile repair garage |** Commission District 3 | **Gerado Vargas, applicant**

Meetings:

Work Session Date: 11/12/24

Voting Meeting Date: 11/14/24

Executive Summary:

Presenter: BG

Recommendation:

Approval, with conditions:

1. The property shall be developed in accordance with the updated site plan dated September 10, 2024, and as described in the updated project narrative dated September 10, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. The previously approved conditions dated March 9, 2023, as amended, shall apply:
 - a. The standards of the Gateway Corridors Overlay District (GCOD, 17.420) shall apply except as noted:
 - i. No upgrades to the existing building shall be required.
 - ii. Signage on the existing façade is allowed as long as the new signage does not exceed the square footage of the existing sign.
 - iii. An opaque fence shall be required to parallel US-129 which needs to be completed.
 - iv. No storage of materials shall be allowed outside of the fenced area.
 - v. Gravel storage and parking is allowed for the area to the rear of the existing building.
 - b. The development shall follow all Hall County Development Review processes and stormwater requirements.
 - c. If the existing driveway is modified, a permit may be required by GDOT.
 - d. The following uses are not allowed: drive-in theaters, hotels, motels, tourist courts, junk yards, service stations, family day care home, group day care home, adult establishments, astrologers, clairvoyants, fortune tellers, and related occupations to this list of occupations.
3. The new 1,800 square foot building shall be allowed to match the existing building in materials, color, and type of construction. Standing seam roof panels shall be allowed. Architectural plans shall be submitted for review and are subject to the approval of the Director of Planning and Zoning.
4. All automotive repair of vehicles shall be conducted within the buildings. No outside storage of any equipment or materials other than those vehicles awaiting repair is allowed. Additionally, no storage of vehicles, boats, or recreational vehicles shall be allowed in the rear of the property.
5. No more than seven (7) inoperable vehicles awaiting repair shall be stored onsite and said vehicles shall be stored at the rear of the property in the designated parking spaces as shown on the site plan. Vehicles awaiting repair shall be stored no longer than thirty (30) days.
6. Landscaping shall be added at the northeast corner of the property, as well as in front of the existing building as depicted on the site plan and is subject to approval by the Director of Planning and Zoning.
7. Opaque screening shall be added to the existing vinyl-coated fence where it parallels Athens Highway as well as the driveway on the east side of the property.
8. Internal illumination shall be permitted for the proposed monument sign and wall sign. Sign plans shall be submitted for review and are subject to the approval of the Director of Planning and Zoning.
9. 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 Official Code of Hall County, as well as any other agencies or reviewing departments, including, but not limited to Environmental Health, Fire Marshal, and Hall County Engineering.
10. All conditions of zoning shall be made a part of any plats or construction plans created for the subdivision.

Purpose of Request:

1600 Athens Highway, Building C | Amend Conditions of Zoning
 | on a 0.64± acre tract located on the south side of Athens Highway
 approximately 596 feet from its intersection with Athens Street |
 Zoned I-I (GCOD); Tax Parcel 15032 000050 | **Proposed Use:**
Automobile repair garage | Commission District 3 | **Gerado**
Vargas, applicant

History:

Facts and Issues:

Options:

Funding Requested

\$ 0.00

Are funds within current budget?

No

Source of Funds

Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?

No

Has it been reviewed by the County Attorney?

Yes

Is there a deadline for this item?

Approvals:

Submit	Approve	Attorney	Administration
--------	---------	----------	----------------

Submit	Approve	Attorney	Administration
KE	BG	WLI	CR
Clerk			
JR			

Attachments:

- Board Memo
- Recommendation Report
- Application
- Narrative
- Site Plans
- Plat
- Maps
- Elevations
- Deed
- Legal Description
- Fire Comments
- Environmental Health Comments
- GDOT Comments
- Public Works Comments
- Notice Sign Photos



Hall County Government

COMMUNITY DEVELOPMENT & INFRASTRUCTURE
PLANNING AND ZONING

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

PLANNING AND ZONING
DIRECTOR
Beth Garmon

To: Richard Higgins, Chairman
Kathy Cooper, District 1 Commissioner
Billy Powell, District 2 Commissioner
Gregg Poole, District 3 Commissioner
Jeff Stowe, District 4 Commissioner

From: Beth Garmon, Director of Planning & Zoning

Date: October 28, 2024

Subject: 1600 Athens Highway, Building C | Amend Conditions of Zoning | on a 0.64± acre tract | Proposed Use: Automobile repair garage | Gerado Vargas, applicant

The request before you is the request of Gerado Vargas to amend conditions of zoning to allow an automobile repair garage. This item is located within Commission District 3.

At their October 7, 2024 meeting, the Hall County Planning Commission voted to recommend **approval, with ten (10) conditions (5-0)**.

Staff recommendation: **Approval, with conditions**, as the proposed use is consistent with the Comprehensive Plan and adjacent land use.

There were **no comments submitted** in advance of the Planning Commission meeting and **no one spoke in during the public hearing**.

Planning Commission Conditions:

1. The property shall be developed in accordance with the updated site plan dated September 10, 2024, and as described in the updated project narrative dated September 10, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. The previously approved conditions dated March 9, 2023, as amended, shall apply:
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 - i. No upgrades to the existing building shall be required.

- ii. Signage on the existing façade is allowed as long as the new signage does not exceed the square footage of the existing sign.
 - iii. An opaque fence shall be required to parallel US-129 which needs to be completed.
 - iv. No storage of materials shall be allowed outside of the fenced area.
 - v. Gravel storage and parking is allowed for the area to the rear of the existing building.
 - b. The development shall follow all Hall County Development Review processes and stormwater requirements.
 - c. If the existing driveway is modified, a permit may be required by GDOT.
 - d. The following uses are not allowed: drive-in theaters, hotels, motels, tourist courts, junk yards, service stations, family day care home, group day care home, adult establishments, astrologers, clairvoyants, fortune tellers, and related occupations to this list of occupations.
3. The new 1,800 square foot building shall be allowed to match the existing building in materials, color, and type of construction. Standing seam roof panels shall be allowed. Architectural plans shall be submitted for review and are subject to the approval of the Director of Planning and Zoning.
4. All automotive repair of vehicles shall be conducted within the buildings. No outside storage of any equipment or materials other than those vehicles awaiting repair is allowed. Additionally, no storage of vehicles, boats, or recreational vehicles shall be allowed in the rear of the property.
5. No more than seven (7) inoperable vehicles awaiting repair shall be stored onsite and said vehicles shall be stored at the rear of the property in the designated parking spaces as shown on the site plan. Vehicles awaiting repair shall be stored no longer than thirty (30) days.
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10. All conditions of zoning shall be made a part of any plats or construction plans created for the subdivision.

**HALL COUNTY PLANNING COMMISSION
RECOMMENDATION REPORT**

Applicant Gerardo Vargas

Request Conditional Use

Proposed Use Automobile Repair Garage

Size 0.64± acres

Zoning Light Industrial (I-I, 17.160)

Location **1600 Athens Highway, Building C** | Tax Parcel
15032 000050

Commission District Three

Planning Commission Date October 7, 2024

Staff Recommendation **Approval, with conditions**, as the proposed use
is consistent with the Comprehensive Plan and
adjacent land use.

Record Number.....HZCU24-0037

Planning Commission Recommends.....**Approval, with conditions**

Vote: 5-0

Planning Commission Conditions:

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- 5. No more than seven (7) inoperable vehicles awaiting repair shall be stored onsite and said vehicles shall be stored at the rear of the property in the designated parking spaces as shown on the site plan. Vehicles awaiting repair shall be stored no longer than thirty (30) days.
- 6. Landscaping shall be added at the northeast corner of the property, as well as in front of the existing building as depicted on the site plan and is subject to approval of the Director of Planning and Zoning.
- 7. Opaque screening shall be added to the existing vinyl-coated fence where it parallels Athens Highway as well as the driveway on the east side of the property.
- 8. Internal illumination shall be permitted for the proposed monument sign and wall sign. Sign plans shall be submitted for review and are subject to the approval of the Director of Planning and Zoning.
- 9. 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 Official Code of Hall County, as well as any other agencies or reviewing departments, including, but not limited to Environmental Health, Fire Marshal, and Hall County Engineering.
- 10. All conditions of zoning shall be made a part of any plats or construction plans created for the subdivision.

Excerpts from the minutes of the October 7, 2024 meeting

Applicant's Presentation:

Kristie Turner, Principal Planner, presented a summary of the request.

Gerado Vargas, 5016 Arthur Avenue, Oakwood, presented the application. The applicant is requesting to amend zoning conditions on a 0.64± acre tract, currently zoned Light Industrial (I-I, 17.160) and within the Gateway Corridors Overlay District (GCOD, 17.420), to allow for the re-establishment of an automobile repair garage.

Public Forum:

There were no comments in support or opposition.

Planning Commission Comments:

Mr. Hunt brought attention to the fact that the condition from the March 9, 2023 meeting for an opaque fence has not been met. Mr. Hunt stated that will still need to be done. Mr. Hunt wanted further clarification on the separation of the cabinetry business from the auto repair and if they would enter from the same door. The applicant explained that there are two roll up doors with one on the side of the business and one at the rear.

Motion: A motion to approve with conditions was made by Mr. Hunt and seconded by Mr. Varner.

Vote: 5-0

Conditions:

1. The property shall be developed in accordance with the updated site plan dated September 10, 2024, and as described in the updated project narrative dated September 10, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. The previously approved conditions dated March 9, 2023, as amended, shall apply:
 - a. The standards of the Gateway Corridors Overlay District (GCOD, 17.420) shall apply except as noted:
 - i. No upgrades to the existing building shall be required.
 - ii. Signage on the existing façade is allowed as long as the new signage does not exceed the square footage of the existing sign.
 - iii. An opaque fence shall be required to parallel US-129 which needs to be completed.
 - iv. No storage of materials shall be allowed outside of the fenced area.
 - v. Gravel storage and parking is allowed for the area to the rear of the existing building.
 - b. The development shall follow all Hall County Development Review processes and stormwater requirements.

- c. If the existing driveway is modified, a permit may be required by GDOT.
 - d. The following uses are not allowed: drive-in theaters, hotels, motels, tourist courts, junk yards, service stations, family day care home, group day care home, adult establishments, astrologers, clairvoyants, fortune tellers, and related occupations to this list of occupations.
3. The new 1,800 square foot building shall be allowed to match the existing building in materials, color, and type of construction. Standing seam roof panels shall be allowed. Architectural plans shall be submitted for review and are subject to the approval of the Director of Planning and Zoning.
4. All automotive repair of vehicles shall be conducted within the buildings. No outside storage of any equipment or materials other than those vehicles awaiting repair is allowed. Additionally, no storage of vehicles, boats, or recreational vehicles shall be allowed in the rear of the property.
5. No more than seven (7) inoperable vehicles awaiting repair shall be stored onsite and said vehicles shall be stored at the rear of the property in the designated parking spaces as shown on the site plan. Vehicles awaiting repair shall be stored no longer than thirty (30) days.
6. Landscaping shall be added at the northeast corner of the property, as well as in front of the existing building as depicted on the site plan and is subject to approval by the Director of Planning and Zoning.
7. Opaque screening shall be added to the existing vinyl-coated fence where it parallels Athens Highway as well as the driveway on the east side of the property.
8. Internal illumination shall be permitted for the proposed monument sign and wall sign. Sign plans shall be submitted for review and are subject to the approval of the Director of Planning and Zoning.
9. 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 Official Code of Hall County, as well as any other agencies or reviewing departments, including, but not limited to Environmental Health, Fire Marshal, and Hall County Engineering.
10. All conditions of zoning shall be made a part of any plats or construction plans created for the subdivision.

Staff recommends APPROVAL of the applicant's request with the following conditions:

1. The property shall be developed in accordance with the site plan dated September 10, 2024, and as described in the updated project narrative dated September 10, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. The previously approved conditions dated March 9, 2023, as amended, shall apply:

- a. The standards of the Gateway Corridors Overlay District (GCOD, 17.420) shall apply except as noted:
 - i. No upgrades to the existing building shall be required.
 - ii. Signage on the existing façade is allowed as long as the new signage does not exceed the square footage of the existing sign.
 - iii. An opaque fence shall be required to parallel US-129.
 - iv. No storage of materials shall be allowed outside of the fenced area.
 - v. Gravel storage and parking is allowed for the area to the rear of the existing building.
 - b. The development shall follow all Hall County Development Review processes and stormwater requirements.
 - c. If the existing driveway is modified, a permit may be required by GDOT.
 - d. The following uses are not allowed: drive-in theaters, hotels, motels, tourist courts, junk yards, service stations, family day care home, group day care home, adult establishments, astrologers, clairvoyants, fortune tellers, and related occupations to this list of occupations.
3. The new 1,800 square foot building shall be allowed to match the existing building in materials, color, and type of construction. Standing seam roof panels shall be allowed.
 4. All automotive repair of vehicles shall be conducted within the buildings. No outside storage of any equipment or materials is allowed. Additionally, no storage of vehicles, boats, or recreational vehicles shall be allowed in the rear portion of the property.
 5. No more than seven (7) inoperable vehicles awaiting repair shall be stored onsite and vehicles shall be stored in designated (striped) parking spaces. Vehicles awaiting repair shall not be stored for longer than thirty (30) days.
 6. Landscaping shall be added at the northeast corner of the property, as well as in front of the existing building as depicted on the site plan and is subject to approval by the Director of Planning and Zoning.
 7. Opaque screening shall be added to the existing vinyl-coated fence where it parallels Athens Highway as well as the driveway on the east side of the property.
 8. Internal illumination shall be permitted for the proposed monument sign and wall sign. Sign plans shall be submitted for review and are subject to the approval of the Director of Planning and Zoning.
 9. 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 Official Code of Hall County, as well as any other agencies or reviewing departments, including, but not limited to Environmental Health, Fire Marshal, and Hall County Engineering.
 10. All conditions of zoning shall be made a part of any plats or construction plans created for the subdivision.

The following should be considered as exceptions to the Official Code of Hall County, and shall warrant further determination by the Board, should it choose to approve the submitted narrative and site plan:

17.420.050.F.4 - Sign illumination.

- Internally illuminated signs, automatic changeable copy signs, and externally mounted neon signs are prohibited
 - The applicant proposes an internally lit monument sign and wall signage (no neon); however, no renderings have been provided.

Summary Analysis

The applicant is requesting to amend zoning conditions on a 0.64± acre tract, currently zoned Light Industrial (I-I, 17.160) and within the Gateway Corridors Overlay District (GCOD, 17.420), to allow for the re-establishment of an automobile repair garage.

The subject property was approved for a conditional use by the Hall County Board of Commissioners on January 27, 2021, to allow the establishment of an auto repair business in the Highway Business (H-B, 17.150) and Gateway Corridors Overlay District (GCOD, 17.420), subject to the following five conditions (ZON2020-10006):

1. All maintenance of vehicles and storage of equipment shall be indoors.
2. All customer and employee parking shall be clearly marked with striping or parking bumpers.
3. No changes or alterations in the existing landscape strip shall be made to ensure continued compliance with the standards of the GCOD.
4. The approval shall only apply to this applicant.
5. No vehicles, boats, or RV storage allowed in the rear portion of the property.

On March 9, 2023, the subject property was approved for rezoning from Highway Business (H-B, 17.150) to Light Industrial (I-I, 17.160) with a conditional use for countertop manufacturing to include outdoor storage subject to the following four conditions (HZON23-0016 & HZCU23-0009):

1. The standards of the Gateway Corridors Overlay District (GCOD, 17.420) shall apply except as noted:
 - a. No upgrades to the existing building shall be required.
 - b. Signage on the existing façade is allowed as long as the new signage does not exceed the square footage of the existing sign.
 - c. An opaque fence shall be required to parallel US-129.
 - d. The new 816 sq. ft. building shall be allowed to match the existing building in materials. Color, and type of construction. Standing seam roof panels shall be allowed.
 - e. No storage of material shall be allowed outside of the fenced area.
 - f. Gravel storage and parking is allowed for the area in the rear of the existing building.
2. The development shall follow all Hall County Development Review processes and stormwater requirements.
3. If the existing driveway is modified, a permit may be required by GDOT.

4. The following uses are not allowed: automobile repair garage, drive-in theaters, hotels, motels, tourist courts, junk yards, planned-unit developments on a minimum of ten acres, service stations, family day care home, group day care home, adult establishments, astrologers, clairvoyants, fortune tellers, and related occupations to this list of occupations.

The property is currently developed with a 5,500 square foot metal building which was constructed in 1983, with a paved parking lot in the front, gravel drive along the west side of the building, and a gravel parking area in the rear. The approved countertop business operates out of a portion of the building.

Per the submitted narrative dated September 10, 2024, the applicant is requesting to amend the previously approved conditions to re-establish the use of an automobile repair garage. Approximately 1,000 square feet of the building is currently used for the existing countertop business. Another 1,100 square feet would be dedicated for the automotive repair business office and customer waiting area with the remaining 3,400 square feet utilized for automobile repair activities. The applicant proposes to construct an approximate 1,800 square foot metal building at the rear of the property to accommodate a paint booth and provide an additional area for automobile repair.

Per the narrative and site plan, the applicant is proposing to add some landscaping where possible on the northeast corner around the monument sign and along the northwest corner of the existing building. Six customer parking spaces are provided in the front parking lot with eleven parking spaces in the back portion of the property for employee and vehicles awaiting repair. Most vehicles being serviced will be kept within the buildings. The existing fencing is black vinyl-coated chain link, and privacy screening will be added to the gate facing Athens Highway and to the fence along the east property line bordering the driveway. Hours of operation are proposed to be Monday-Friday from 8am-7pm and Saturday from 8am-2pm.

Based on the future land use plan, staff finds the conditional use request *is consistent* with the Comprehensive Plan's future land use classification of a mixed-use corridor. Mixed-use corridors are anticipated to include retail activities, office-based employment, and civic uses. Low-impact industrial or higher-density residential only should exist where the same is found on adjacent properties. The adjacent properties to the west, south and east consist of light industrial uses including a truck yard and large automobile storage lot for online auto sales.

Zoning Analysis

Per Planning Commission and Hall County Commission consideration and decision (17.380.060), the commission shall study the need and justification for the change based on a determination of the facts applicable to the particular case, and the following general lines of inquiry shall be considered, to wit:

1. Whether the zoning proposal will permit a use that is suitable in view of the use, development and zoning of adjacent and nearby property; **The requested use is consistent with the previous approval allowing automobile repair (ZON2020-100006) and with the current zoning of the property and neighboring commercial/industrial businesses.**
2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **No, it is not anticipated that the proposal will adversely affect adjacent properties.**

3. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned; **The property has reasonable economic use as currently zoned Light Industrial (I-I, 17.160).**
4. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, or utilities; **It is not anticipated that the proposed zoning use will result in an excessive or burdensome use of existing infrastructure.**
5. Whether the zoning proposal is in conformity with the policy and intent of the future land use plan for the physical development of the area; **The zoning designation has been established by previous Board action. The requested modification does not impact the designated future land use of the area.**
6. The extent to which property values are diminished by the existing zoning restrictions; **Staff is unable to determine the extent to which property values are diminished by the existing zoning restrictions.**
7. The extent to which the destruction of the subject property's value under the existing zoning promotes the health, safety, morals or general welfare of the public; **Staff is unable to comment on the impact of property values without a full market analysis. Multiple factors impact property value including construction types, proposed uses, and maintenance. Often it is difficult to determine the effect of a development on adjacent properties until the development is completed.**
8. The relative gain to the public as compared to the hardship imposed upon the individual property owner; **Staff has not identified a hardship imposed on the property owner as the property is currently zoned.**
9. The length of time the property has been vacant as zoned considered in the context of land development in the area in the vicinity of the property; **The existing building was constructed in 1983 and a series of businesses have operated from the site including fabrication, embroidery, used car sales, auto repair and the existing countertop business.**
10. Whether there are other existing or changing conditions affecting the use or development of the property which give supporting grounds for either approval or disapproval of the zoning proposal; **Staff is not aware of any changing conditions affecting the use or development of the property.**
11. Whether the change would create an isolated district unrelated to the surrounding districts; **The current request to amend conditions within the existing Light Industrial (I-I, 17.160) zoning district will not create an isolated district.**
12. Whether the present zoning district boundaries are illogically drawn in relation to existing conditions in the area; **There is no evidence that the present zoning district boundaries are illogically drawn.**
13. Whether the change requested is out of scale with the needs of the county as a whole or the immediate neighborhood; **The request is not out of scale with the needs of the immediate neighborhood or the county as a whole.**
14. Whether it is impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned; **The existing zoning of the subject site supports the proposed use,**

however, being within the Gateway Corridors Overlay District requires the amendment of the existing zoning conditions.

15. Whether the need for rezoning could be handled instead by a variance request to the zoning board of adjustment; **The request could not be handled alternatively as a variance.**
16. Whether there would be an ecological or pollution impact resulting from major modifications to the land if the request is granted; **Any land disturbance activities on the property shall be required to go through the land development permitting process, and as a result are subject to local, state, and federal regulations. As a result, there are no anticipated ecological or pollution impacts resulting from any modification to the land if the request is granted.**
17. Whether there is reasonable evidence based upon existing and anticipated land use that would indicate a mistake was made in the original zoning of the property; **There is no indication that a mistake was made in the original zoning.**

17.380.050. - Submission requirements

- A. Any person or persons requesting a change in the official zoning map or use subject to approval of the county commission shall file an application with a plat or map of the property attached thereto, together with payment of such fees set forth in chapter 17.30 to cover administrative and advertising costs, in the planning department office. Such person or persons or their authorized agent shall appear in person at the public hearing held to consider the district change. **The proposal meets the requirement. The applicant has paid the appropriate fees and understands that someone must be present at both the Hall County Planning Commission meeting and the voting meeting of the Hall County Board of Commissioners.**
- B. All applications for a change of zoning classification or use subject to approval of the county commission shall include:
 1. A narrative statement identifying the existing and proposed use of the property and addressing each of the criteria set forth in section 17.380.060.C of this section [chapter]. **Proposal does provide a narrative outlining amendment of conditions requested; however, the applicant has not prepared a response to each of the criteria listed in 17.380.060.C.**
 2. A site plan drawn to scale designating the area covered by the application and identifying existing and proposed buildings and uses, adjacent existing land uses, zoning on contiguous parcels, including those across an abutting public right-of-way, and any other significant site improvements proposed to accommodate the proposed use or buffer adjacent uses, etc., or a plat of the subject property where no specific land use is proposed. In cases where only a plat or map is provided and no land use is proposed, the planning commission and county commission shall evaluate the application based on the most intense possible land use permitted in the proposed district. **The proposal does meet the requirement. The applicant has provided a site plan and included much of the necessary information to properly assess the development. However, information about adjacent parcels is limited.**

- C. For any application for a slow rate land treatment system (see chapter 17.20), the following additional requirements apply. **This standard is not applicable to the applicant's request.**
- D. For any application proposing the development of 100 or more residential dwelling units, a traffic impact study shall be submitted prior to consideration of the application by the planning commission. At the applicant's expense, the traffic impact study shall be prepared by a professional engineer in accordance with requirements established by the Hall County Engineering Department. The engineering department shall review the traffic impact study and forward any comments to the Hall County Planning Commission. **This standard is not applicable to the applicant's request.**

Development Support and Constraints

Hall County Environmental Health

In an email dated September 18, 2024, Emily McGahee stated the following: "No floor drains or process wastewater to be discharged to the existing septic system. Domestic waste only. Must meet all Environmental Health commercial septic system permitting requirements. Further determination will be made during the civil plan review process. A detailed business plan must be submitted to Hall County Environmental Health for review. Additional items, including, but not limited to: recorded plat, soil evaluation, and septic system installation/modification may be required after review of business plan. Please note that Zoning approval does not imply approval from other county departments."

Hall County Fire Marshal

In an email dated August 30, 2024, John Hornick, NPQ Fire Service Plans Examiner 1, stated the following: "The project narrative states that a paint booth will be installed inside the building. In order for the paint booth to be approved for installation mechanical drawings will have to be submitted to the Hall County Building Department to be reviewed for approval and permitting by both the Hall County Building and Fire Department, the same requirements will also apply to an outside paint booth. The occupancy will be required to pass a life safety inspection by the Hall County Fire Marshal's Office prior to issuance of a business license."

Hall County Public Works and Utilities

In a memorandum from Public Works and Utilities dated September 6, 2024, Bill Nash, Director of Public Works, stated the following:

Engineering:

This site may require a stormwater management report should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.

Traffic:

No comment.

Utilities:

No comment.

Georgia Department of Transportation

In an email dated September 3, 2024, Veronica Chavers, D1TO Civil Engineer 3, stated GDOT coordination is required.

PLANNING AND DEVELOPMENT DEPARTMENT
 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA. 30504
 MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30503
 t: 770-531-6809 | f: 770-531-3902



CONDITIONAL USE APPLICATION

Applicant (Name & Mailing Address)	Property Owner (Name & Mailing Address)
<u>Gerado Vargas</u>	<u>Gerado Vargas</u>
<u>5016 Arthur Avenue</u>	<u>5016 Arthur Avenue</u>
<u>Oakwood, GA 30566</u>	<u>Oakwood, GA 30566</u>
Phone <u>678-989-7468</u>	Phone <u>678-989-7468</u>
Email Address <u>Vargasautobodyrepaircenter@gmail.com</u>	Email Address _____
Proposed Use <u>Autobody Repair</u>	_____

Contact Person (Name & Mailing Address)	Status of Applicant	Requested Action
<u>Gerado (Gerry) Vargas</u>	<input checked="" type="checkbox"/> Owner	Permissive Use:
<u>5016 Arthur Avenue</u>	<input type="checkbox"/> Option to Purchase	<input type="checkbox"/> HCPC <input type="checkbox"/> HCC
<u>Oakwood, GA 30566</u>	<input type="checkbox"/> Area Resident	Fee: \$ _____
Phone <u>678-989-7468</u>	<input type="checkbox"/> Other	Receipt #: _____
Email Address <u>Vargasautobodyrepaircenter@gmail.com</u>	Zoning: _____	Check #: _____
Tax Parcel Number _____	Acreage _____	
Location Address <u>1600C Athens Hwy Suite 200 Gainesville, GA 30507</u>		

I hereby certify that the above information and all attached information are true and correct.

Sign Gerardo Vargas Date: 8-9-24

Applicant must complete all information above. Failure to complete this section will result in the refusal of the application. The Planning Department has 15 days to review all applications and will set the dates for each application. If the application is found insufficient, an agenda date will not be set until the required information is submitted. Please note that the Planning Commission and County Commission dates are tentative.

Application Withdrawal: I hereby withdraw the application.

Sign _____ Date: _____

Staff Use Only

Application Date: _____ Taken by: _____
 Tentative Planning Commission Date: _____ Tentative County Commission Date: _____
 County Commission District: _____

PLANNING AND DEVELOPMENT DEPARTMENT
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t: 770-531-6809 | f: 770-531-3902



CAMPAIGN CONTRIBUTIONS DISCLOSURE FORM

This form must be completed by the applicant and property owner, or person representing the property owner, for all zoning actions.

OCGA § 36-67A-3[C] Disclosure of campaign contributions:

(b) When any applicant for zoning action has made, within two years immediately preceding the filing of the applicant's application for the zoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:

- (3) The name and official position of the local government official to whom the campaign contribution was made; and
- (4) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.

(b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the zoning action is first filed. (Code 1981, Section OCGA § 36-67A-3[C], enacted by GA L. 1986, page 1269, Section 1, GA L. 1991, page 1365, Section 1).

I hereby certify that I have read the above and that:

I have** I have not

within the two years immediately preceding this date, made any contribution(s) aggregating \$250.00 or more to any local government official involved in the review or consideration of this application.

****If you have made such contributions, you must provide the data required below within ten (10) days of filing this application.**

Name of Official(s): _____ Office: _____

Dollar Amount: _____ Date of Contribution: _____

Applicant's/Owner's Signature: Gerardo Vasquez Date: 8-9-24

Applicant's/Owner's Name (Printed): Gerardo Vasquez

NARRATIVE

1600-C Athens Highway

AutoBody Business

Updated September 10, 2024

This request is to re-establish an auto and autobody repair shop on this property. A Use Permit was granted in January 2021 to allow this same auto business. In March 2023, the County approved a change from autobody repair to a countertop manufacturing business with outdoor storage at this location. The countertop business remains and now we are seeking to re-establish the auto and autobody repair business. A Land Development Permit was obtained in July 2023 for stormwater management.

The auto body repair will generally operate Monday-Friday from 8am-7pm and Saturday from 8am-2pm. Customers will drop vehicles in the front and cars being worked on will be parked in the rear of the property, primarily within the existing and proposed buildings. The front parking area is paved with asphalt and the property is surfaced with gravel in the back. We are asking for a variance from the Gateway Corridors Overlay District requirement to allow for gravel surface from the gate to the rear of the property.

The existing building is approximately 5,500 square feet with approximately 1,000 square feet for the countertop business, 1,100 square feet for the auto-repair business office and customer area, and the remaining 3,400 square feet for autobody repair. We propose to construct a 30'x60' building behind the existing building which would include the paint booth. There are 6 parking spaces in the front for customers and 11 parking spaces in the rear. Most cars being worked on will be kept inside the buildings. The parking area at the rear of the property is fenced with black vinyl-coated chain link. Privacy screening will be added to the fencing and gate facing Athens Highway and to the fence along the east property line bordering the driveway to Copart.

The front of the property is asphalt up to the landscape strip along the highway frontage. The landscape strip is within the road right-of-way. We are requesting a variance from the additional 10 feet of landscaping required by GCOD standards. Additional decorative landscaping will be added along the front of the building as well as the northeast corner of the property with a monument sign that will comply with the height and size requirements of GCOD standards. We are also requesting that the monument sign be allowed to be internally illuminated as well as any wall signage.

Name HALL CO. PLANNING DEPT. Date

Name HALL CO. ENGINEERING Date

Name HALL COUNTY Date
ENVIRONMENTAL HEALTH

"ANY STREAM OR STATE WATER LOCATED ON THIS PROPERTY MAY BE SUBJECT TO A 50 FEET UNDISTURBED NATURAL VEGETATIVE BUFFER AND A 75 FEET IMPERVIOUS SURFACE SETBACK. (HALL COUNTY CODE # 8.170.070)"

"IF PROPERTY IS LOCATED IN THE NORTH OCONEE WATERSHED DISTRICT, THEN ADDITIONAL STREAM BUFFERS AND IMPERVIOUS SETBACKS MAY BE REQUIRED FOR COMPLIANCE. (HALL COUNTY CODE # 17.225.040)"

"THIS PROPERTY IS/NOT LOCATED IN A FLOOD HAZARD AREA AS SHOWN ON FLOOD INSURANCE RATE MAP # 13139C0195F, HALL COUNTY GEORGIA, DATED 9/29/06."

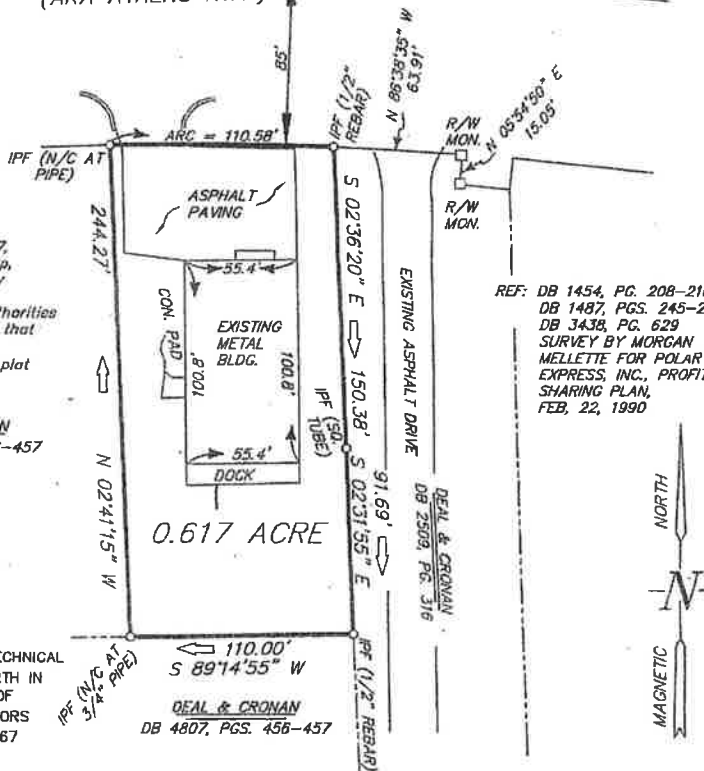
"THIS PROPERTY IS/NOT LOCATED IN THE HALL COUNTY FUTURE ZONE PER HALL COUNTY GIS."

PROPERTY ADDRESS:
1600 C, ATHENS HWY.,
GAINESVILLE, GA.
30507

U.S. HWY. 129
CURVE DATA

DELTA 0322'51"
RADIUS 1873.95'
ARC 110.58'
CHORD 110.56'
CHORD BEARING S 89°37'05" E

(4 LANE HWY.)
C/L U.S. HWY. 129 R/W VARIES
(AKA ATHENS HWY.)



REF: DB 1454, PG. 208-210
DB 1487, PGS. 245-246
DB 3438, PG. 629
SURVEY BY MORGAN
MELLETT FOR POLAR
EXPRESS, INC., PROFIT
SHARING PLAN,
FEB. 22, 1990

SURVEYORS CERTIFICATION

As required by subsection (c) of O.C.G.A. Section 15-6-67, the Registered Land Surveyor hereby certifies that this map, plat, or plan has been approved for filing in writing by any and all applicable municipal, county or municipal-county planning commissions or municipal or county governing authorities or that such governmental bodies have affirmed in writing that approval is not required. The following governmental bodies have approve this map, plat or plan for filing.

DEAL & CRONAN
DB 4807, PGS. 456-457

EQPT. USED: 01 SEC. NIKON DTM 520 TOTAL STATION
FIELD SURVEY ERROR OF CLOSURE 1' / 81,750'
PLAT ERROR OF CLOSURE = 1' / 235,467'
ANGLE ERROR: 02" PER STATION
ADJUSTMENT: ANGLE
FIELD SURVEY COMPLETED 10-24-2017

THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND SURVEYORS AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67

I HEREBY CERTIFY THAT THIS PLAT IS A TRUE AND CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF LAW.

C/T = CRIMPTOP
● = TRAVERSE POINT
POB = POINT OF BEGINNING
N/C = NAIL IN CAP
R/W = RIGHT OF WAY
C/L = CENTERLINE
R.R. SPIKE = RAILROAD SPIKE SET

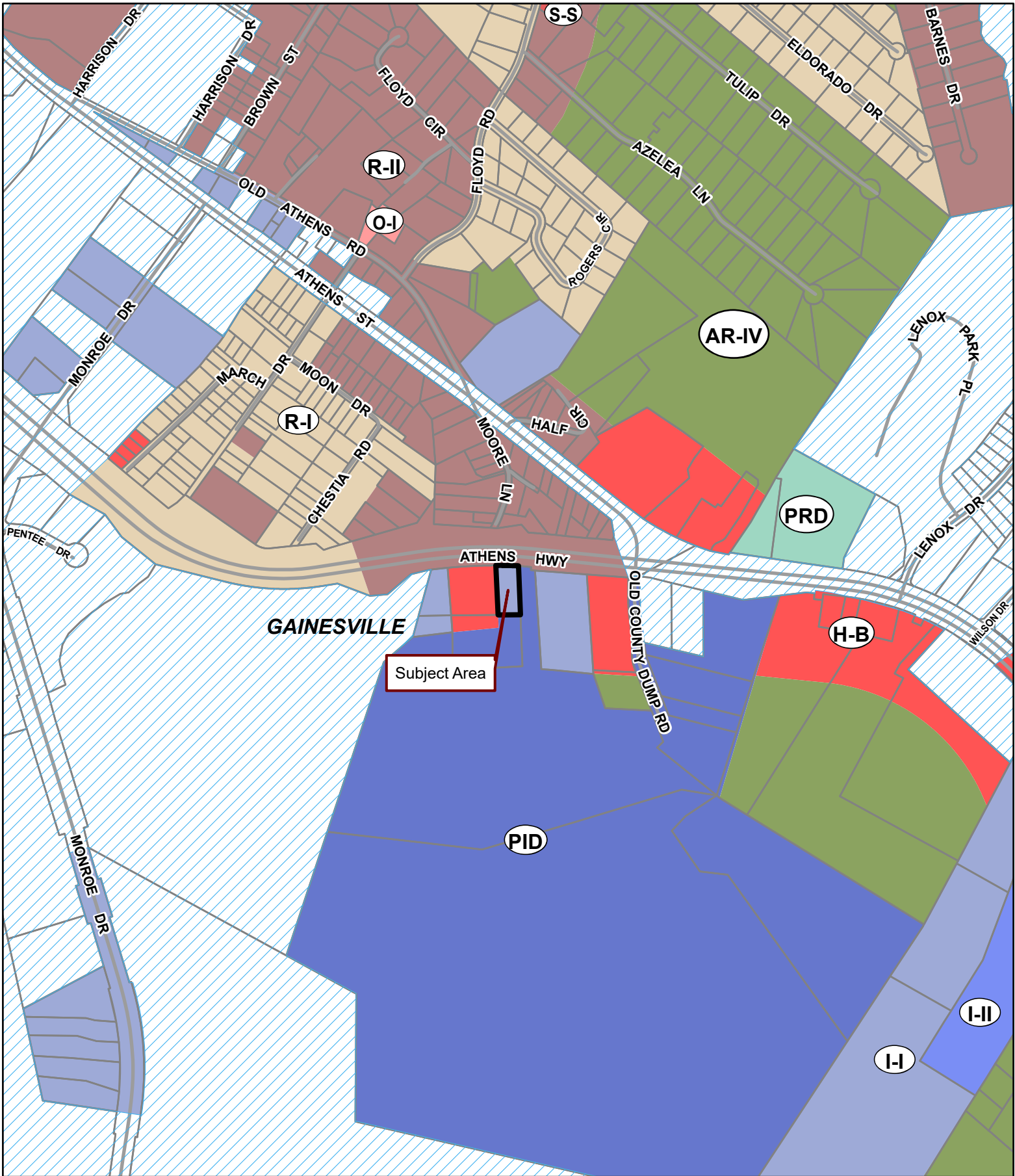
SCALE: 1" = 60'



SURVEY FOR: LEE DODGEN & LADONNA DODGEN		
COUNTY: HALL	GMD: 411	STATE: GEORGIA
DATE: OCTOBER 30, 2017	SCALE: 1" = 60'	DR. BY: TL
SURVEY BY: JAMES M. PAUL REGISTERED LAND SURVEYOR CRAWFORD, GEORGIA (PHONE) 706-783-5125, OR 706-743-5125		
FIELD BOOK: TDS		
Disk: 120 (GAIN-OR) DODGEN-LEE-HALL DODGEN-LEE-HALL-ESMT		

IPS=IRON PIN SET
IPF=IRON PIN FOUND
O/S=OFFSET

LOCATION MAP:
US 985
ATHENS ST.
U.S. HWY. 129
SITE



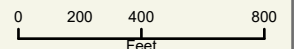
Applicant: GERADO VARGAS

Tax Parcel #: 15032 000050

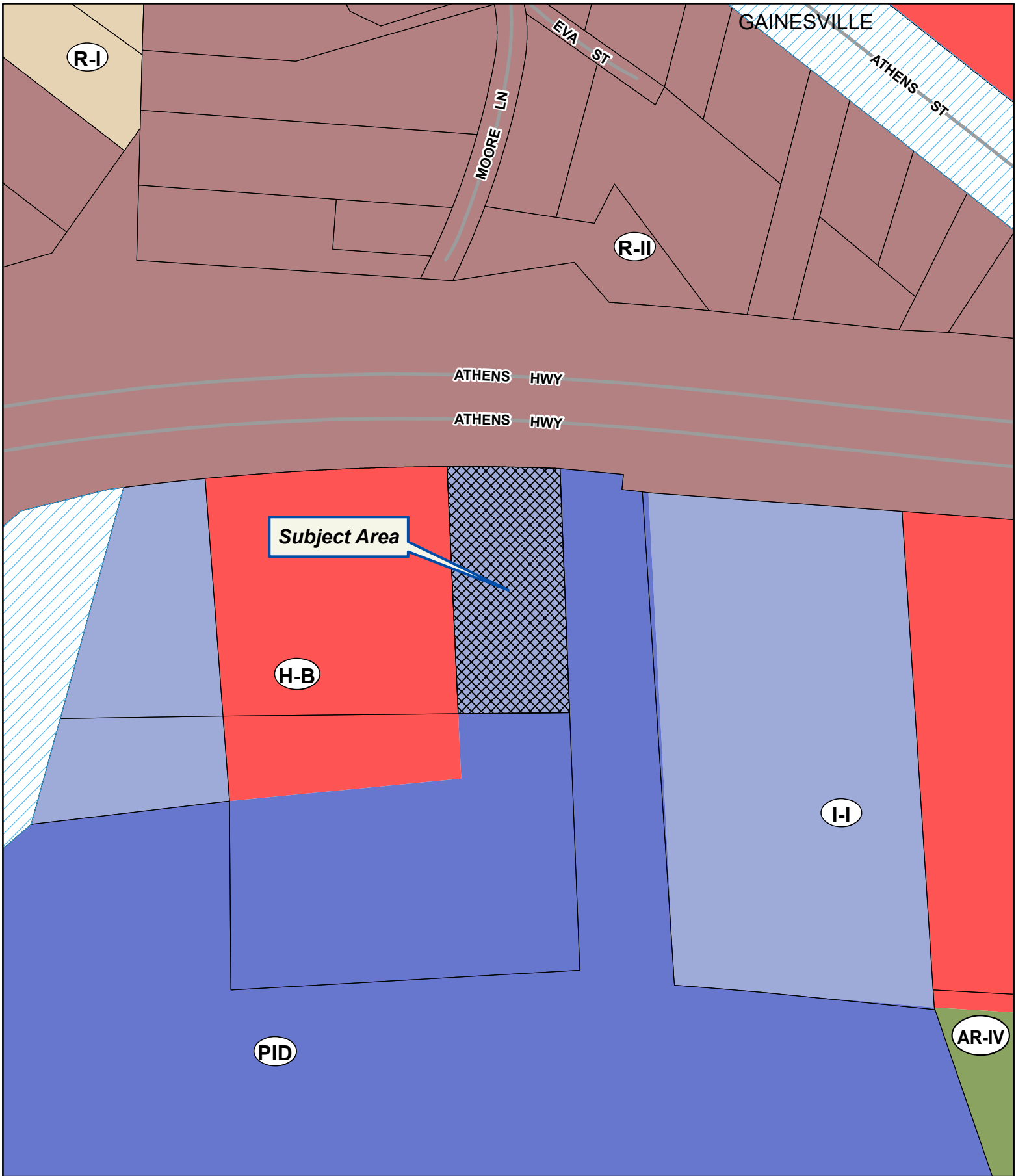
Location: 1600 C ATHENS HIGHWAY, GAINESVILLE, GA 30507

Commission District 3

PC Mtg. Date: 10/07/2024



- Zoning Boundary
 - ▨ City Limits
 - Subject Area
 - Structure
- N



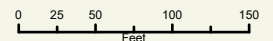
Applicant: GERADO VARGAS

Tax Parcel #: 15032 000050

Location: 1600 C ATHENS HIGHWAY, GAINESVILLE, GA 30507

Commission District 3

PC Mtg. Date: 10/07/2024



- Zoning Boundary
- ▨ City Limits
- ▩ Subject Area
- ▨ Structure





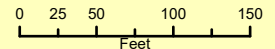
Applicant: GERADO VARGAS




Tax Parcel #: 15032 000050

Location: 1600 C ATHENS HIGHWAY, GAINESVILLE, GA 30507

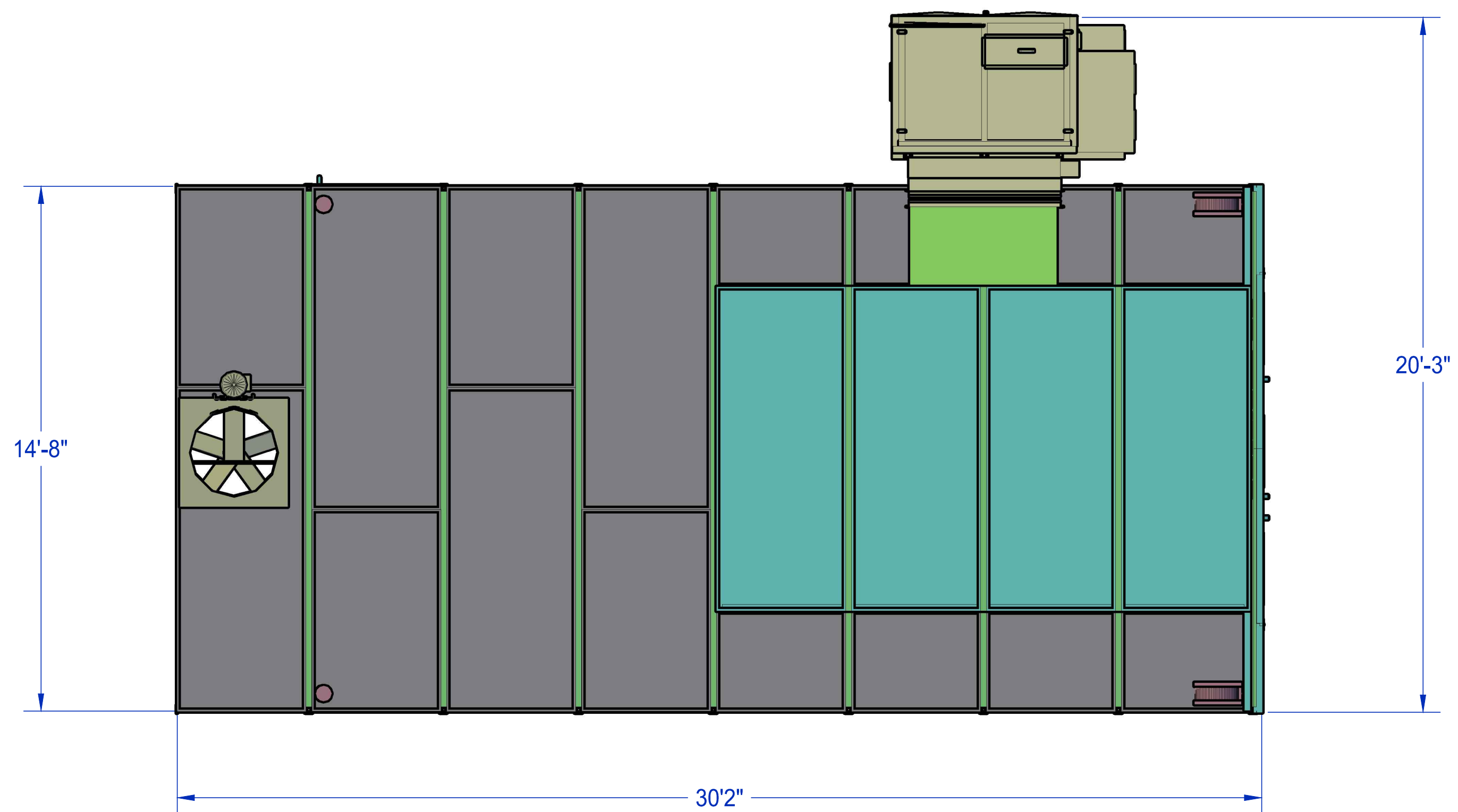
Commission District 3

PC Mtg. Date: 10/07/2024

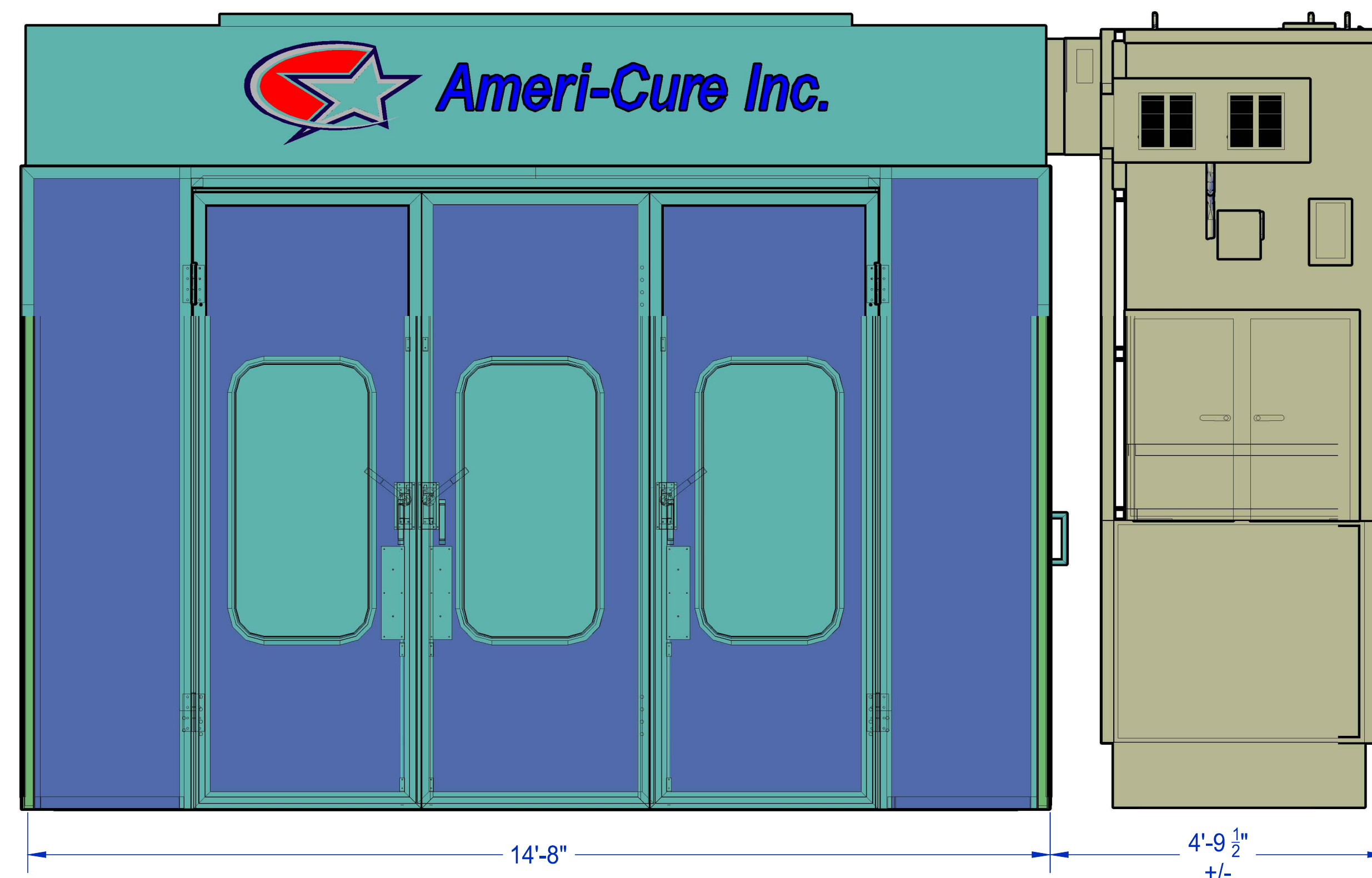


-  Zoning Boundary
-  City Limits
-  Subject Area

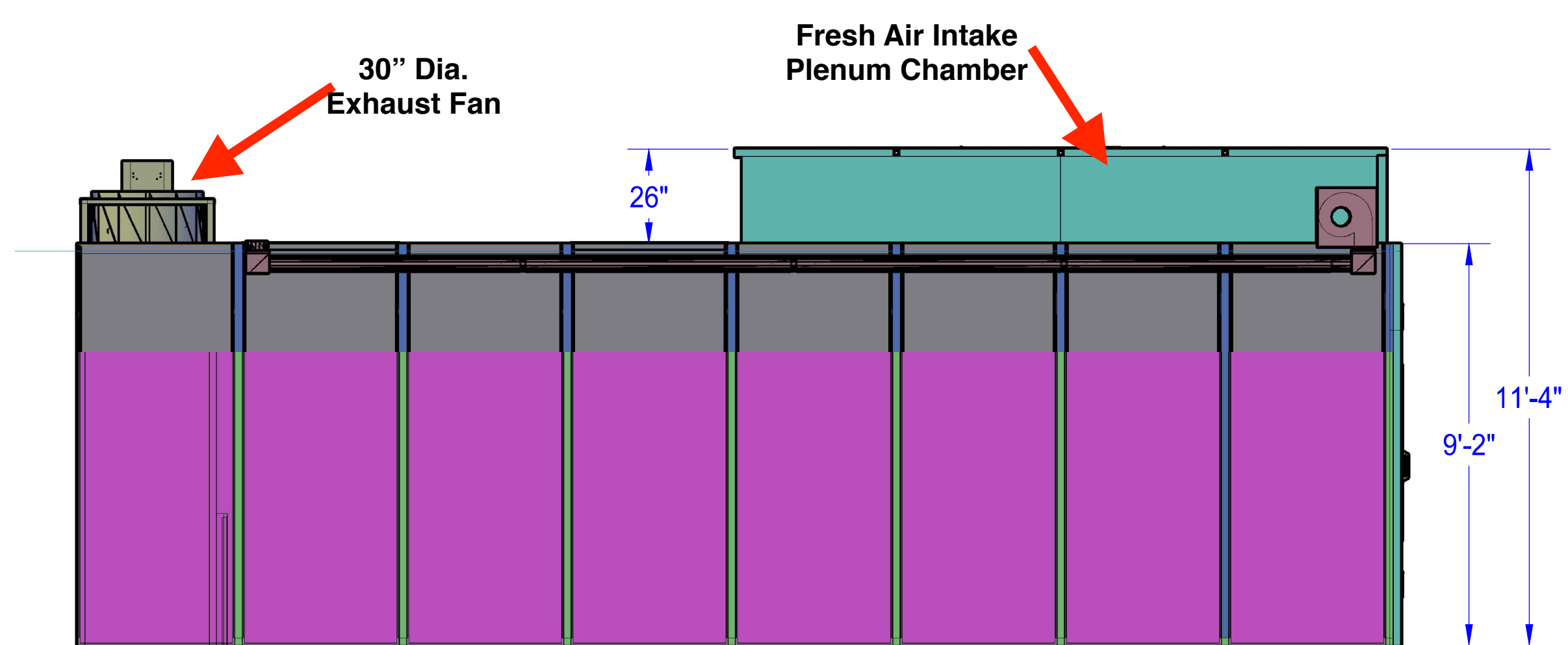




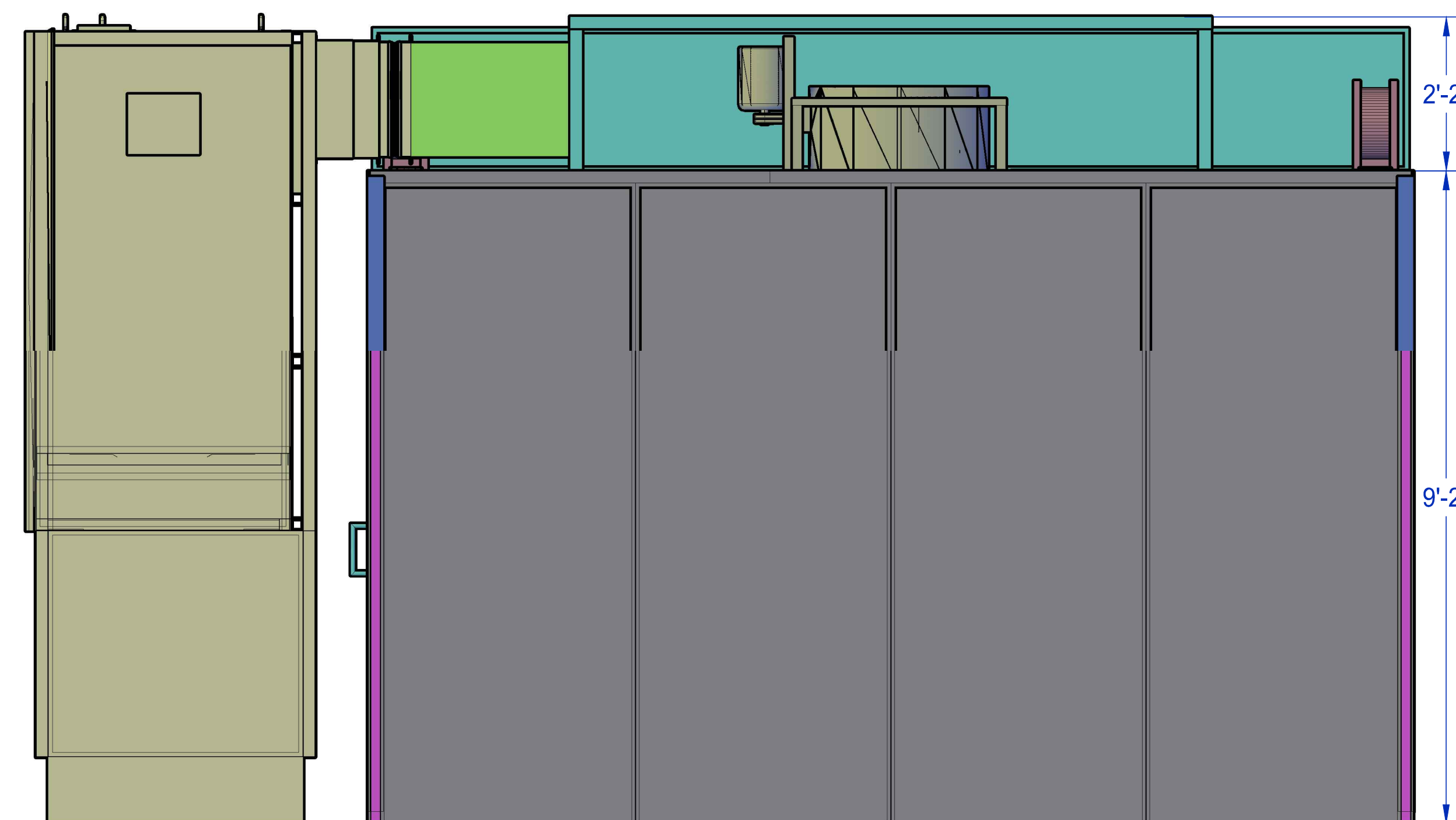
1 PLAN VIEW
NO SCALE



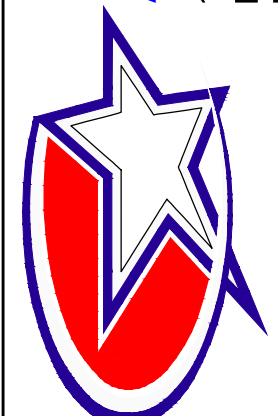
2 FRONT ELEVATION
NO SCALE



3 SIDE ELEVATION
NO SCALE



4 BACK ELEVATION
NO SCALE

DRAWING NAME: ELEVATIONS		DRAWING # 2	
CUSTOMER FOR ASSEMBLY		PRODUCT	
DATE: 05/08/2020	SCALE: NTS	ATTENTION: DO NOT USE ENGINEERING DRAWINGS FOR INSTALLATION MUST USE INSTALLATION MANUAL ONLY!	
 Ameri-Cure Inc. 150 NORTH PASADENA STREET GILBERT, ARIZONA 85233 Phone: 1-800-572-2873 Website: http://www.ameri-cure.com LOCAL (480) 753-3687 FAX (480) 763-6889 Automotive & Industrial Spray Booths Since 1975			

File Name: C:\CAD FILES\BOOTHSDOUBLE_WALL\1000H_2020\1000H_2020_ASSEMBLY_DRAWINGS.rvt

FILED & RECORDED 09/23/2020 12:47 PM
DEED BOOK 8597 PAGES 716 - 720
FILING FEES: \$25.00
PT61: 069-2020-007203 TRANSFER TAX: \$440.00
RECORDED BY: MT
CLERK: Charles Baker, C.S.C Hall County, GA

AFTER RECORDING, RETURN TO:

Matt S. Smith, Esq.
ANDERSEN, TATE & CARR, P.C.
One Sugarloaf Centre, Suite 4000
1960 Satellite Boulevard
Duluth, GA 30097
File #9550.70695 MT

Parcel ID No: 15032 000050

LIMITED WARRANTY DEED

STATE OF GEORGIA

COUNTY OF GWINNETT

THIS INDENTURE, made the 21st day of September, 2020, between

T. LEE DODGEN and LADONNA H. DODGEN

as party or parties of the first part, hereinafter called Grantor, and

VARGAS AUTO REPAIR CENTER, LLC, a Georgia limited liability company

as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATIONS (\$10.00) in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee,

All that tract or parcel of land lying and being in the Gainesville Militia District, GMD 411, Hall County, Georgia, as more particularly described in Exhibit "A" attached hereto and by reference made a part hereof.

Said property is conveyed subject to the permitted title exceptions as described on Exhibit "B" attached hereto and by reference made a part hereof.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of Grantor and all others claiming by, through or under Grantor.

[SIGNATURES ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and year above written.

GRANTOR:

Signed, sealed and delivered in the presence of:

Marci Thomas
Unofficial Witness

TLD (SEAL)
T. Lee Dodgen

Sydney Rebecca Wilson
Notary Public

[NOTARY SEAL]
REBECCA WILSON
NOTARY
EXPIRES
GEORGIA
DEC. 25, 2023
PUBLIC
FULTON COUNTY

Linarc Thomas
Unofficial Witness

LaDonna H. Dodgen (SEAL)
LaDonna H. Dodgen

Sydney Rebecca Wilson
Notary Public

[NOTARY SEAL]
REBECCA WILSON
NOTARY
EXPIRES
GEORGIA
DEC. 25, 2023
PUBLIC
FULTON COUNTY

[SIGNATURE PAGE TO LIMITED WARRANTY DEED]

EXHIBIT "A"

LEGAL DESCRIPTION

All that lot, tract, or parcel of land, together with improvements thereon, lying and being in the Gainesville Militia District, GMD 411, of Hall County, Georgia and designated as Parcel B and Parcel C, as shown on a survey prepared by Morgan R. Mellette, Georgia Registered Land Surveyor, dated February 22, 1990, entitled "Survey for Polar Express, Inc. Profit Sharing Plan", and being more particularly described according to said survey as follows:

BEGINNING at an iron pin corner on the southerly right-of-way of U. S. Highway 129, said iron pin being located at a distance of 630.5 feet west of the intersection of the southerly right-of-way of U.S. Highway 129 and the centerline of Old U.S. Highway 129; thence South 02°34'40" East a distance of 241.98 feet to an iron pin set; thence South 89°30'23" West a distance of 110.06 feet to an iron pin set; thence North 02°34'40" West a distance of 244.29 feet to an iron pin set; thence along a curve to the right having a radius of 1,873.95 feet and an arc length of 110.19 feet; being subtended by a chord of South 89°17'50" East, a distance of 110.16 feet to the point of beginning.

The above-described property is expressly subject to a perpetual non-exclusive easement in favor of Interstate Transport, Inc., for the purpose of ingress and egress to adjacent properties owned by Interstate Transport, Inc., as appurtenant thereto, over and across a 30 foot strip of land located adjacent to the western border of the above-described tract on the eastern side, as more particularly described in the reservation of said easement as set forth in the Warranty Deed from Interstate Transport, Inc., to Polar Express, Inc., Profit Sharing Plan as recorded in Deed Book 1454, Pages 208-210 of the Hall County, Georgia, Deed Records, said description being specifically incorporated herein by reference.

EXHIBIT "B"

PERMITTED EXCEPTIONS

1. All taxes for the year 2021 and subsequent years, not yet due and payable.
2. Ingress and Egress Easement as shown in that certain Warranty Deed recorded in Deed Book 1454, Page 208, and re-recorded in Deed Book 1487, Page 245, Hall County, Georgia records.
3. Easement Agreement between Interstate Transport, Inc. and A.L. Welding Products, Inc filed May 6, 1980, in Deed Book 714, Page 532, aforesaid records.
4. Easement from Interstate Transport, Inc. to City of Gainesville for water meter device, filed January 31, 1978, in Deed Book 650, Page 380, aforesaid records.
5. Easement to Georgia Power Company recorded in Deed Book 1164, Page 318, aforesaid records.
6. Easement to Georgia Power Company recorded in Deed Book 256, Page 285, aforesaid records.
7. Easement to Georgia Power Company recorded in Deed Book 256, Page 286, aforesaid records.
8. All matters which affect subject property as shown on that certain survey for Lee Dodgen and LaDonna Dodgen prepared by James M. Paul (GRLS No. 3088), dated October 30, 2017.

Kaitlyn Elliott (Planning)

From: John Hornick (Fire Services)
Sent: Tuesday, September 17, 2024 2:45 PM
To: Lynn Taylor (Planning)
Subject: RE: Review Request for Project Update for Tentative Planning Agenda for October 7, 2024

Follow Up Flag: Follow up
Flag Status: Flagged

Good Afternoon,

The Hall County Fire Marshal's Office comments remain unchanged.

Regards,

John Hornick, NPQ Fire Service Plans Examiner 1
Lieutenant, Hall County Fire Rescue
Hall County Government
Main: 770-531-6838 | Cell: 404-597-0083
Website: www.Hallcounty.org



From: Lynn Taylor (Planning) <ltaylor@hallcounty.org>
Sent: Tuesday, September 17, 2024 1:58 PM
To: Emily McGahee (Environmental Health) <emcgahee@hallcounty.org>; Bill Nash (CDI: Public Works) <bnash@hallcounty.org>; John Hornick (Fire Services) <jhornick@hallcounty.org>
Cc: Kelly Hairston (Environmental Health) <khairston@hallcounty.org>; Beth Garmon (CDI: Planning) <bgarmon@hallcounty.org>; Katie L. Greenway (CDI: Planning) <klgreenway@hallcounty.org>; Kristie Turner (Planning) <kturner@hallcounty.org>
Subject: Review Request for Project Update for Tentative Planning Agenda for October 7, 2024

Good afternoon,

Item #3 (1600-C Athens Highway) tentatively scheduled for the Planning Commission Meeting on October 7, 2024, has had an update. Would you please review the change and provide any feedback if different from your original comments?

Attached is the updated site plan and narrative. The applicant is proposing to add an 1800sf metal building behind the existing metal building for the auto repair business. The paint booth would be located within that new building.

Thank you in advance for your review!

Sincerely,

Lynn Taylor
Senior Planner
Hall County Community Development and Infrastructure
2875 Browns Bridge Road, Gainesville, GA 30503
Office Direct: (770) 297-4541
Email: ltaylor@hallcounty.org

All **PLAT** and **BUILDING PERMIT** submittals may be submitted online through [Accela](#). Plat inquiries may be submitted to plats@hallcounty.org. Zoning inquiries may be submitted to planning@hallcounty.org.



From: Kaitlyn Elliott (Planning)
Sent: Thursday, August 29, 2024 3:57 PM
Subject: Tentative Planning Agenda for October 7, 2024

Good afternoon –

Here is the Tentative Agenda and Maps for the **Monday, October 7, 2024** Hall County Planning Commission Meeting.

Please use the links to review the documents and respond with comments to Hall County Planning and Development. Failure to provide comments in a timely manner may result in the information not being included in the staff report.

When submitting comments, please include the name of the applicant along with the address of the property with the corresponding comment.

Comments are due by **Friday, September 6th**. Email comments to Beth (bgarmon@hallcounty.org), Katie (kgreenway@hallcounty.org) and Kaitlyn (kelliott@hallcounty.org).

Thank you!

CALL TO ORDER

Kaitlyn Elliott (Planning)

From: John Hornick (Fire Services)
Sent: Friday, August 30, 2024 11:23 AM
To: Beth Garmon (CDI: Planning)
Cc: Katie L. Greenway (CDI: Planning); Kaitlyn Elliott (Planning)
Subject: Fire Comments

Follow Up Flag: Follow up
Flag Status: Flagged

Monday, October 7, 2024 Hall County Planning Commission Meeting.

1. [1600 Athens Highway, Building C | Amend Conditions of Zoning](#) | on a 0.64± acre tract located on the south side of Athens Highway approximately 596 feet from its intersection with Athens Street | Zoned I-I (GCOD); Tax Parcel 15032 000050 | **Proposed Use: Automobile repair garage** | ** Commission District 3 | **Gerado Vargas, applicant**

Hall County Fire Marshal's Comments:

The project narrative states that a paint booth will be installed inside the building. In order for the paint booth to be approved for installation mechanical drawings will have to be submitted to the Hall County Building Department to be reviewed for approval and permitting by both the Hall County

Building and Fire Department, the same requirements will also apply to an outside paint booth. The occupancy will be required to pass a life safety inspection by the Hall County Fire Marshal's Office prior to issuance of a business license.

Regards,

John Hornick, NPQ Fire Service Plans Examiner 1
Lieutenant, Hall County Fire Rescue
Hall County Government
Main: 770-531-6838 | Cell: 404-597-0083
Website: www.Hallcounty.org



Kaitlyn Elliott (Planning)

From: Emily McGahee (Environmental Health)
Sent: Wednesday, September 18, 2024 10:08 AM
To: Lynn Taylor (Planning); Chad Harper (Environmental Health)
Cc: Kelly Hairston (Environmental Health); Beth Garmon (CDI: Planning); Katie L. Greenway (CDI: Planning); Kristie Turner (Planning)
Subject: RE: Review Request for Project Update for Tentative Planning Agenda for October 7, 2024

Follow Up Flag: Follow up
Flag Status: Flagged

Please find below Environmental comments concerning revised submittal for 1600C Athens Hwy:

Item 3, 1600C Athens Highway, Vargas: No floor drains or process wastewater to be discharged to the existing septic system. Domestic waste only. Must meet all Environmental Health commercial septic system permitting requirements. Further determination will be made during the civil plan review process. A detailed business plan must be submitted to Hall County Environmental Health for review. Additional items, including, but not limited to: recorded plat, soil evaluation, and septic system installation/modification may be required after review of business plan. Please note that Zoning approval does not imply approval from other county departments.

Emily

Emily McGahee
Hall County Environmental Health
Hall County Government Center
2875 Browns Bridge Road
Mailing: PO Box 5901
Gainesville, GA 30504
(770) 531-3973 (phone)
emcgahee@hallcounty.org

<http://dph.georgia.gov/environmental-health> (State Website)
<http://www.phdistrict2.org/HallCounty.htm> (District Website)
<https://www.hallcounty.org/192/Environmental-Health> (County Website & Forms)

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From: Lynn Taylor (Planning) <ltaylor@hallcounty.org>
Sent: Tuesday, September 17, 2024 1:58 PM
To: Emily McGahee (Environmental Health) <emcgahee@hallcounty.org>; Bill Nash (CDI: Public Works) <bnash@hallcounty.org>; John Hornick (Fire Services) <jhornick@hallcounty.org>

Cc: Kelly Hairston (Environmental Health) <khairston@hallcounty.org>; Beth Garmon (CDI: Planning) <bgarmon@hallcounty.org>; Katie L. Greenway (CDI: Planning) <klgreenway@hallcounty.org>; Kristie Turner (Planning) <ktturner@hallcounty.org>

Subject: Review Request for Project Update for Tentative Planning Agenda for October 7, 2024

Good afternoon,

Item #3 (1600-C Athens Highway) tentatively scheduled for the Planning Commission Meeting on October 7, 2024, has had an update. Would you please review the change and provide any feedback if different from your original comments?

Attached is the updated site plan and narrative. The applicant is proposing to add an 1800sf metal building behind the existing metal building for the auto repair business. The paint booth would be located within that new building.

Thank you in advance for your review!

Sincerely,

Lynn Taylor
Senior Planner
Hall County Community Development and Infrastructure
2875 Browns Bridge Road, Gainesville, GA 30503
Office Direct: (770) 297-4541
Email: ltaylor@hallcounty.org

All **PLAT** and **BUILDING PERMIT** submittals may be submitted online through [Accela](#). Plat inquiries may be submitted to plats@hallcounty.org. Zoning inquiries may be submitted to planning@hallcounty.org.



From: Kaitlyn Elliott (Planning)
Sent: Thursday, August 29, 2024 3:57 PM
Subject: Tentative Planning Agenda for October 7, 2024

Good afternoon –

Here is the Tentative Agenda and Maps for the **Monday, October 7, 2024** Hall County Planning Commission Meeting.

Please use the links to review the documents and respond with comments to Hall County Planning and Development. Failure to provide comments in a timely manner may result in the information not being included in the staff report.

Kaitlyn Elliott (Planning)

From: Emily McGahee (Environmental Health)
Sent: Thursday, September 5, 2024 4:55 PM
To: Kaitlyn Elliott (Planning); Beth Garmon (CDI: Planning); Katie L. Greenway (CDI: Planning)
Cc: Kelly Hairston (Environmental Health); Chad Harper (Environmental Health)
Subject: HCPC Tentative Agenda 10.7.2024

Follow Up Flag: Follow up
Flag Status: Completed

Please find Environmental Health comments below:

Items 1A,B,C, 6111 Oak Hill Drive, Hoffmann: All proposed structures must meet all residential permitting requirements and/or required setbacks to existing septic system. An existing system evaluation/site visit will be required for Environmental Health to process the building permit application.

Item 2, 3654 Thompson Bridge Road, Benson: No comment. Public sewer.

Item 3, 1600C Athens Hwy, Vargas: No floor drains or process wastewater to be discharged to the existing septic system. Domestic waste only.

Item 4, 6147 Dahlonega Hwy, Rich: Must meet all Environmental Health commercial septic system permitting requirements. Further determination will be made during the civil plan review process. A detailed business plan must be submitted to Hall County Environmental Health for review. Additional items, including, but not limited to: recorded plat, soil evaluation, and septic system installation/modification may be required after review of business plan.

Item 5, 4137 Short Rd, Allen: All proposed lots must meet Hall County Board of Health Lot Size Resolution requirements. This plat is currently under review by the Hall County Plat Review Team, which is waiting for revisions to be submitted for review under case number HPLT24-0090.

Item 6, 6000 Wellspring Trail, Barnes: Must meet all Environmental Health commercial septic system permitting requirements. Further determination will be made during the civil plan review process. A detailed business plan must be submitted to Hall County Environmental Health for review. Additional items, including, but not limited to: recorded plat, soil evaluation, and septic system installation/modification may be required after review of business plan. A Food Service permit/plan review may be required after review of business plan

Item 7, 5552 Bogus Road, Barnes: All proposed lots must meet Hall County Board of Health Lot Size Resolution requirements. Please note that Zoning approval does not imply approval from other county departments. Further determination will be made during the plat review process.

Item 8, 7011/7051 Pony Lake Road, Roys: Septic Permit OSC-9259 was issued on May 30, 2024 for the proposed structure.

Item 9, 7051 Pony Lake Road, Roys: Septic Permit OSC-9259 was issued on May 30, 2024 for the proposed structure.

Item 10, 2002 Memorial Park, Sancen: Must meet all Environmental Health commercial septic system permitting requirements. A detailed business plan must be submitted to Hall County Environmental Health for review. Additional items, including, but not limited to: recorded plat, soil evaluation, and septic system installation/modification may be required after review of business plan. An onsite sewage management system (and bathroom structure) will be required on the property if it is to be occupied for two hours or more.

Emily McGahee

Hall County Environmental Health

Hall County Government Center

2875 Browns Bridge Road

Mailing: PO Box 5901

Gainesville, GA 30504

(770) 531-3973 (phone)

emcgahee@hallcounty.org

<http://dph.georgia.gov/environmental-health> (State Website)

<http://www.phdistrict2.org/HallCounty.htm> (District Website)

<https://www.hallcounty.org/192/Environmental-Health> (County Website & Forms)

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Kaitlyn Elliott (Planning)

From: Chavers, Veronica E <VChavers@dot.ga.gov>
Sent: Tuesday, September 3, 2024 12:40 PM
To: Beth Garmon (CDI: Planning); Katie L. Greenway (CDI: Planning); Kaitlyn Elliott (Planning)
Subject: RE: Tentative Planning Agenda for October 7, 2024

Follow Up Flag: Follow up
Flag Status: Completed

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See responses blow.

From: Kaitlyn Elliott (Planning) <kelliott@hallcounty.org>
Sent: Friday, August 30, 2024 8:59 AM
To: Beth Garmon (CDI: Planning) <bgarmon@hallcounty.org>; Bill Nash (CDI: Public Works) <bnash@hallcounty.org>; Bill Schmid <weschmid@rochester-assoc.com>; Brandi Smith (CDI: Business License) <bsmith@hallcounty.org>; Brent Holloway (Parks and Leisure) <bholloway@hallcounty.org>; Bryan Cash (Fire Services) <bcash@hallcounty.org>; Chad Harper (Environmental Health) <charper@hallcounty.org>; Cher Melendez (Tax Assessors) <cmelendez@hallcounty.org>; Chris Braswell (Planning) <cbraswell@hallcounty.org>; Christopher Armstrong (Fire Services) <carmstrong@hallcounty.org>; Daniel Costantini <dcostantini@gainesvillega.gov>; Emily McGahee (Environmental Health) <emcgahee@hallcounty.org>; Frank Miller (CDI: Engineering) <fmiller@hallcounty.org>; Dykes, Jason <jdykes@dot.ga.gov>; Jason Skarda (CDI: Engineering) <jskarda@hallcounty.org>; Jerry Smith (Fire Services) <jesmith@hallcounty.org>; John Hornick (Fire Services) <jhornick@hallcounty.org>; Peevy, Jonathan <jpeevy@dot.ga.gov>; Kaitlyn Elliott (Planning) <kelliott@hallcounty.org>; Karen Martinez (CDI: Public Works - Sewer) <kmartinez@hallcounty.org>; Katie L. Greenway (CDI: Planning) <klgreenway@hallcounty.org>; Kelly Hairston (Environmental Health) <khairston@hallcounty.org>; Kristie Turner (Planning) <kturner@hallcounty.org>; Matt Cox <matt.cox@hallco.org>; Michael Vieira (Fire Services) <mvieira@hallcounty.org>; Millie Perez (Community Development & Infrastructure) <mperez@hallcounty.org>; Nick Swafford <NSwafford@gainesvillega.gov>; Nicole Griffin (Tax Assessors) <nicole.griffin@hallcounty.org>; Niebauer, Parker J <PNiebauer@dot.ga.gov>; Pam Cravero <Pam.Cravero@hallco.org>; Randi Doveton (CDI: Planning) <rdoveton@hallcounty.org>; rich <rich@flowerybranchga.org>; Sarah Crowe (Administration) <scrowe@hallcounty.org>; Scott Puckett <spuckett@hallcounty.org>; Stephen Cain <troy.s.cain@usace.army.mil>; Steve Watson (Real Property) <rswatson@hallcounty.org>; Tammie Croy (CDI: Engineering) <tcroy@hallcounty.org>; Tracy Gilreath (Tax Assessors) <tgilreath@hallcounty.org>; Chavers, Veronica E <VChavers@dot.ga.gov>; Wanda Sutton (CDI: Engineering) <wsutton@hallcounty.org>; will schofield <will.schofield@hallco.org>
Subject: FW: Tentative Planning Agenda for October 7, 2024

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My apologies the links have been corrected below.

Kaitlyn Elliott
Planning Commission Clerk
Hall County Community Development and Infrastructure
(770) 531-6810 www.hallcounty.org



From: Kaitlyn Elliott (Planning)
Sent: Thursday, August 29, 2024 3:57 PM
Subject: Tentative Planning Agenda for October 7, 2024

Good afternoon –

Here is the Tentative Agenda and Maps for the **Monday, October 7, 2024** Hall County Planning Commission Meeting.

Please use the links to review the documents and respond with comments to Hall County Planning and Development. Failure to provide comments in a timely manner may result in the information not being included in the staff report.

When submitting comments, please include the name of the applicant along with the address of the property with the corresponding comment.

Comments are due by **Friday, September 6th**. Email comments to Beth (bgarmon@hallcounty.org), Katie (kgreenway@hallcounty.org) and Kaitlyn (kelliott@hallcounty.org).

Thank you!

CALL TO ORDER

AGENDA REVIEW

APPROVAL OF MINUTES – September 16, 2024

NEW BUSINESS

1. **(A) 6111 Oak Hill Drive | Variance | 17.240.010 to reduce the front yard setback along Oak Hill Road | on a 0.39± acre tract located on the west side of Oak Hill Drive approximately 190 feet from its intersection with White Oak Drive | Zoned R-I; Tax Parcel 08102A000030 | Proposed Use: Residential addition | * Commission District 2 | Terri Hoffmann, applicant No GDOT coordination required**
(B) 6111 Oak Hill Drive | Variance | 17.240.010 to reduce the left side yard setback | on a 0.39± acre tract located on the west side of Oak Hill Drive approximately 190 feet from its intersection with White Oak Drive | Zoned R-I; Tax Parcel 08102A000030 | Proposed Use: Residential addition | * Commission District 2 | Terri Hoffmann, applicant No GDOT coordination required
(C) 6111 Oak Hill Drive | Variance | 17.240.010 to reduce the left side yard setback | on a 0.39± acre tract located on the west side of Oak Hill Drive approximately 190 feet from its intersection with White Oak Drive | Zoned R-I; Tax Parcel 08102A000030 | Proposed Use: Detached carport | * Commission District 2 | Terri Hoffmann, applicant No GDOT coordination required
2. **3658 Thompson Bridge Road | Variance | 17.420. to vary the sign standards within GCOD | on a 4.33± acre tract located on the east side of Thompson Bridge Road approximately 650 feet from its intersection with**

Southers Road | Zoned PCD; Tax Parcel 10104 000004 | **Proposed Use: Wall sign** | * Commission District 2 | **Davis Sign & Awning c/o Matthew Benson, applicant** No GDOT coordination required

3. **1600 Athens Highway, Building C | Amend Conditions of Zoning** | on a 0.64± acre tract located on the south side of Athens Highway approximately 596 feet from its intersection with Athens Street | Zoned I-I (GCOD); Tax Parcel 15032 000050 | **Proposed Use: Automobile repair garage** | ** Commission District 3 | **Gerado Vargas, applicant** GDOT coordination required
4. **6147 Dahlonga Highway | Use Subject to County Commission Approval** | on a 19.34± acre tract located on the southwest side of Dahlonga Highway approximately 703 feet from its intersection with Kenimer Road | Zoned AR-IV; Tax Parcel 11003 000002A | **Proposed Use: Commercial kennel** | ** Commission District 3 | **Rachel Christensen Rich, applicant** No GDOT coordination required
5. **4137 Short Road | Use Subject to County Commission Approval** | on a 4.02± acre tract located on the south side of Short Road approximately 160 feet from its intersection with Sardis Road | Zoned R-I; Tax Parcel 10080 000010 | **Proposed Use: 2-lot subdivision** | ** Commission District 2 | **Connie Allen, applicant** No GDOT coordination required
6. **6000 Wellspring Trail | Amend Conditions of Zoning** | on a 20.29± acre tract located at the terminus of Wellspring Trail | Zoned POD; Tax Parcel 12046 000001 | **Proposed Use: Expansion of services** | ** Commission District 3 | **Seth Barnes, applicant** No GDOT coordination required
7. **5552 Bogus Road | Rezone** | from Planned Residential Development (PRD) & Agricultural Residential IV (AR-IV) to Planned Residential Development (PRD) | on a 13.81± acre tract located on the west side of Bogus Road approximately 420 feet from its intersection with Claude Peck Road | Zoned PRD & AR-IV; Tax Parcel 12051 000015 | **Proposed Use: 15-lot residential development** | ** Commission District 3 | **Seth Barnes, applicant** No GDOT coordination required
8. **7011 & 7051 Pony Lake Road | Amend Conditions of Zoning** | on a 101.74± acre tract located on the west side of Pony Lake Road approximately 498 feet from its intersection with Old Whelchel Road | Zoned PRD & AR-IV; Tax Parcels 11101 000003A & 000008 | **Proposed Use: Staff residence** | ** Commission District 3 | **Steve Roys, applicant** No GDOT coordination required
9. **7051 Pony Lake Road | Rezone** | from Agricultural Residential IV (AR-IV) to Planned Residential Development (PRD) | on a 1.74± acre tract located on the west side of Pony Lake Road at its intersection with Old Whelchel Road | Zoned AR-IV; Tax Parcel 11101 000008 | **Proposed Use: Staff residence** | ** Commission District 3 | **Steve Roys, applicant** No GDOT coordination required
10. **2002 Memorial Park Drive | Rezone** | from Residential (R-I) to Highway Business (H-B) on a 0.89± tract on the west side of Memorial Park Drive at its intersection with Browns Bridge Road | Zoned R-I; Tax Parcel 08014 005011 | **Proposed Use: Retail sales** | ** Commission District 4 | **Salomon Sancen, applicant**

*The Planning Commission's decision will be the final action taken unless appealed to the Board of Commissioners. To do so, file an application with the Planning Department within five working days of the Planning Commission's decision.

The Hall County Board of Commissioners will hear appeals at a public hearing **Thursday, November 14, 2024** at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

The Planning Commission's recommendation will be forwarded to the Board of Commissioners for final action at a public hearing on **Thursday, November 14, 2024. The Board will meet at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

Kaitlyn Elliott
Planning Commission Clerk
Hall County Community Development and Infrastructure
(770) 531-6810 www.hallcounty.org



Human trafficking impacts every corner of the globe, including our state and local communities. Georgia DOT is committed to end human trafficking in Georgia through education enabling its employees and the public to recognize the signs of human trafficking and how to react in order to help make a change. To learn more about the warning signs of human trafficking, visit <https://doas.ga.gov/human-resources-administration/human-trafficking-awareness/trafficking-in-georgia>. To report any suspicious activity, call the Georgia Human Trafficking Hotline at 866-363-4842. Let's band together to end human trafficking in Georgia.



Hall County Government
COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
PUBLIC WORKS AND UTILITIES

MEMORANDUM

To: Beth Garmon, Director of Planning and Zoning
From: Bill Nash, Director of Public Works and Utilities
Date: September 6, 2024
Subject: October 7, 2024 - Hall County Planning Commission Agenda

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

PUBLIC WORKS AND
UTILITIES DIRECTOR
Bill Nash, P.E.

Please be advised that our office has reviewed the Hall County Planning Commission agenda for the October 7, 2024 meeting. Upon review, we provide the following comments.

NEW BUSINESS

1. **(A) 6111 Oak Hill Drive | Variance | 17.240.010 to reduce the front yard setback along Oak Hill Road | on a 0.39± acre tract located on the west side of Oak Hill Drive approximately 190 feet from its intersection with White Oak Drive | Zoned R-I; Tax Parcel 08102A000030 | Proposed Use: Residential addition | * Commission District 2 | Terri Hoffmann, applicant**
(B) 6111 Oak Hill Drive | Variance | 17.240.010 to reduce the left side yard setback | on a 0.39± acre tract located on the west side of Oak Hill Drive approximately 190 feet from its intersection with White Oak Drive | Zoned R-I; Tax Parcel 08102A000030 | Proposed Use: Residential addition | * Commission District 2 | Terri Hoffmann, applicant

(C) 6111 Oak Hill Drive | Variance | 17.240.010 to reduce the left side yard setback | on a 0.39± acre tract located on the west side of Oak Hill Drive approximately 190 feet from its intersection with White Oak Drive | Zoned R-I; Tax Parcel 08102A000030 | Proposed Use: Detached carport | * Commission District 2 | Terri Hoffmann, applicant

- a. **Engineering:** Show FEMA and Hall County studied Flood plains that are present on site
- b. **Traffic:** No Comment
- c. **Utilities:** No Comment

2. [3658 Thompson Bridge Road | Variance | 17.420. to vary the sign standards within GCOD | on a 4.33± acre tract located on the east side of Thompson Bridge Road approximately 650 feet from its intersection with Southers Road | Zoned PCD; Tax Parcel 10104 000004 | Proposed Use: Wall sign | * Commission District 2 | Davis Sign & Awning c/o Matthew Benson, applicant](#)
 - a. **Engineering:** No Comment
 - b. **Traffic:** No comment
 - c. **Utilities:** No comment

3. [1600 Athens Highway, Building C | Amend Conditions of Zoning | on a 0.64± acre tract located on the south side of Athens Highway approximately 596 feet from its intersection with Athens Street | Zoned I-I \(GCOD\); Tax Parcel 15032 000050 | Proposed Use: Automobile repair garage | ** Commission District 3 | Gerado Vargas, applicant](#)
 - a. **Engineering:** This site may require a stormwater management report should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
 - b. **Traffic:** No comment
 - c. **Utilities:** No comment

4. [6147 Dahlonega Highway | Use Subject to County Commission Approval | on a 19.34± acre tract located on the southwest side of Dahlonega Highway approximately 703 feet from its intersection with Kenimer Road | Zoned AR-IV; Tax Parcel 11003 000002A | Proposed Use: Commercial kennel | ** Commission District 3 | Rachel Christensen Rich, applicant](#)
 - a. **Engineering:** This site may require a stormwater management report should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage. Show stream buffer and impervious setback from wrested vegetation not centerline of stream Show FEMA and Hall County studied Flood plains that are present on site.
 - b. **Traffic:** No comment
 - c. **Utilities:** No comment

5. [4137 Short Road | Use Subject to County Commission Approval | on a 4.02± acre tract located on the south side of Short Road approximately 160 feet from its intersection with Sardis Road | Zoned R-I; Tax Parcel 10080 000010 | Proposed Use: 2-lot subdivision | ** Commission District 2 | Connie Allen, applicant](#)
 - a. **Engineering:** If this subdivision is greater than 6 lots on an existing road, a stormwater management report prepared by a professional engineer will be required.
 - b. **Traffic:** No comment
 - c. **Utilities:** No comment

6. [6000 Wellspring Trail | Amend Conditions of Zoning | on a 20.29± acre tract located at the terminus of Wellspring Trail | Zoned POD: Tax Parcel 12046 000001 | Proposed Use: Expansion of services | ** Commission District 3 | Seth Barnes, applicant](#)

- a. **Engineering:** This site may require a stormwater management report should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage. Show stream buffer and impervious setback from wrested vegetation not centerline of stream Show FEMA and Hall County studied Flood plains that are present on site.
- b. **Traffic:** No comment
- c. **Utilities:** No comment

7. [5552 Bogus Road | Rezone | from Planned Residential Development \(PRD\) & Agricultural Residential IV \(AR-IV\) to Planned Residential Development \(PRD\) | on a 13.81± acre tract located on the west side of Bogus Road approximately 420 feet from its intersection with Claude Peck Road | Zoned PRD & AR-IV: Tax Parcel 12051 000015 | Proposed Use: 15-lot residential development | ** Commission District 3 | Seth Barnes, applicant](#)

- a. **Engineering:** This site may require a stormwater management report should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
Traffic: Access apron at Bogus Rd. must be paved to county standards regardless if gravel road is permitted.
If variances are not approved, the new roadway will need to meet Hall County Subdivision regulations.
Unclear, is new roadway proposed to be County maintained? If so, the County does not typically accept gravel roadways into maintenance.
- b. **Utilities:** No comment

8. [7011 & 7051 Pony Lake Road | Amend Conditions of Zoning | on a 101.74± acre tract located on the west side of Pony Lake Road approximately 498 feet from its intersection with Old Whelchel Road | Zoned PRD & AR-IV; Tax Parcels 11101 000003A & 000008 | Proposed Use: Staff residence | ** Commission District 3 | Steve Roys, applicant](#)

- a. **Engineering:** No comment
- b. **Traffic:** No comment
- c. **Utilities:** No comment

9. [7051 Pony Lake Road | Rezone | from Agricultural Residential IV \(AR-IV\) to Planned Residential Development \(PRD\) | on a 1.74± acre tract located on the west side of Pony Lake Road at its intersection with Old Whelchel Road | Zoned AR-IV; Tax Parcel 11101 000008 | Proposed Use: Staff residence | ** Commission District 3 | Steve Roys, applicant](#)

- a. **Engineering:** No comment
- b. **Traffic:** No comment
- c. **Utilities:** No comment

10. 2002 Memorial Park Drive | Rezone | from Residential (R-I) to Highway Business (H-B) on a 0.89± tract on the west side of Memorial Park Drive at its intersection with Browns Bridge Road | Zoned R-I: Tax Parcel 08014 005011 | Proposed Use: Retail sales | ** Commission District 4 | Salomon Sancen, applicant

- a. **Engineering:** This site may require a stormwater management report should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
- b. **Traffic:** Driveway would need to meet Hall County and GDOT requirements.
- c. **Utilities:** No comment



LC
LEGACY COUNTERTOPS

ZONING NOTICE
AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY.
APPLICANT: GERARDO VARGAS
REQUEST: AMEND CONDITIONS OF ZONING FOR AN AUTOMOBILE REPAIR GARAGE
PLANNING COMMISSION PUBLIC HEARINGS WILL BE HELD ON: COUNTY COMMISSION
Date: OCT 09, 2024 Date: NOV 14, 2024
Time: 5:15 PM Time: 6:00 PM
HALL COUNTY GOVERNMENT CENTER, 407 NORTH BRIDGE STREET, GAINESVILLE, FL, USA
FOR MORE INFORMATION CALL: (770) 531-4889



ZONING NOTICE

AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: GERADO VARGAS

REQUEST: AMEND CONDITIONS OF ZONING FOR AN AUTOMOBILE REPAIR GARAGE

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION
Date: OCT 07, 2024

COUNTY COMMISSION
Date: NOV 14, 2024

Time: 5:15 PM

Time: 6:00 PM

HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809



ZONING NOTICE

AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: GERADO VARGAS

REQUEST: AMEND CONDITIONS OF ZONING FOR AN AUTOMOBILE REPAIR GARAGE

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION
Date: Oct 07, 2024

COUNTY COMMISSION
Date: Nov 14, 2024

&

Time: 5:15 PM

Time: 6:00 PM

HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809



ZONING NOTICE
APPLICABLE ZONING DISTRICT: S-1 (SINGLE-FAMILY RESIDENTIAL)
PROPOSED USE: COMMERCIAL - SERVICE CENTER
APPLICABLE ZONING DISTRICT: S-1 (SINGLE-FAMILY RESIDENTIAL)
AUTOMOBILE RETAIL SALES
DATE: 08/21/2023
TIME: 8:55 AM
DATE: 08/21/2023
TIME: 8:55 AM
FOR MORE INFORMATION, CONTACT: [phone number]

LC
LEGACY COUNTERTOPS



PLANNING AND DEVELOPMENT DEPARTMENT
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504
MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30503
t: 770-531-6809 | f: 770-531-3902



PUBLIC NOTICE REQUIREMENTS

Zoning regulations require that public notice must be given prior to all zoning hearings as follows:

1. The Planning Department shall publish a legal advertisement no less than fifteen (15) days and no more than forty-five (45) days prior to the public hearing.
2. The Planning Department shall send notification by letter of all other property owners within a 500-foot radius of the applicant's property is standard administrative policy of the Planning Department.
3. The applicant/property owner shall place the public notice sign in a conspicuous location on the property not less than fifteen (15) days and not more than forty-five (45) days prior to the public hearing.

The Planning Department shall post the legal advertisement and notify property owners within a 500ft radius to the subject property.

The applicant is required to post the public notice sign not less than fifteen (15) days and not more than forty-five (45) days prior to the public hearing. **A photo of the sign placed at the location is required and must be sent to the Planning Department.**

Multiple sign postings on a site may be required as determined by the Planning Department. The sign must be in a location where it is clearly visible from the roadway. The sign cannot be obstructed in any manner, placed too far from the road, or placed in such manner as would cause it to blend into the landscape.

Should you find the sign missing or vandalized in any manner, contact the Planning Department for a replacement sign. When the proceeding is complete and final Board action has occurred, the sign shall then be removed from the property by the applicant.

THE ZONING SIGN MUST BE POSTED NO EARLIER THAN AUGUST 27, 2024 AND NO LATER THAN SEPT 08, 2024.

THE ORIGINAL SIGNED AFFIDAVIT MUST BE AND RETURNED TO THE PLANNING DEPARTMENT NO LATER THAN SEPT 08, 2024 ALONG WITH A MINIMUM OF ONE PHOTO SHOWING THE SIGN POSTED AT THE SUBJECT PROPERTY.

Failure to comply will result in a delay of the application.

AFFIDAVIT

By my signature, I, Renardo Vargas, hereby acknowledge that I have
Please Print Name
read and understand the sign posting requirements. I further certify that the required
public notice sign was posted on 8-28-24 for Vargas Legacy Enterprises
Date (Name application filed as)
Signature Renardo Vargas
(The original document is required)



AGENDA ITEM

Planning & Zoning

REPORT TO: Work Session (11/12/24)

REPORT TO: Voting Meeting (11/14/24)

ITEM NO: 583/2024

SUBJECT: **7051 Pony Lake Road | Rezone** | from Agricultural Residential IV (AR-IV) to Planned Residential Development (PRD) | on a 1.74± acre tract located on the west side of Pony Lake Road at its intersection with Old Whelchel Road | Zoned AR-IV; Tax Parcel 11101 000008 | **Proposed Use: Staff residence** | Commission District 3 | **Steve Roys, applicant**

Meetings:

Work Session Date: 11/12/24

Voting Meeting Date: 11/14/24

Executive Summary:

Presenter: BG

Recommendation:

Approval, with conditions:

1. The property shall be developed in accordance with the site plan dated August 2, 2024, and as described in the project narrative dated August 6, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. Any further development shall require an as-built survey of the entire property to be reviewed and approved through Hall County Plat Review.
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 Official 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.
4. 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."
5. All conditions of zoning shall be made a part of any plats or construction plans created for the property.
6. Tax Parcel 11101 000008 (7051 Pony Lake Road) and Tax Parcel 11101 000003A (7011 Pony Lake Road) shall be combined by plat.

Purpose of Request:

History:

7051 Pony Lake Road | Rezone | from Agricultural Residential IV (AR-IV) to Planned Residential Development (PRD) | on a 1.74± acre tract located on the west side of Pony Lake Road at its intersection with Old Wheelchel Road | Zoned AR-IV; Tax Parcel 11101 000008 | **Proposed Use: Staff residence** | Commission District 3 | **Steve Roys, applicant**

Facts and Issues:

Options:

Funding Requested \$ 0.00
Are funds within current budget? No
Source of Funds
Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.? No
Has it been reviewed by the County Attorney? Yes
Is there a deadline for this item?

Approvals:

Submit	Approve	Attorney	Administration
KE	BG	WLI	CR
Clerk			
JR			

Attachments:

- Board Memo
- Recommendation Report
- Application
- Narrative
- Site Plan
- Plat
- Maps
- Septic Plans
- Environmental Health Comments
- GDOT Comments
- Public Works Comments
- Fire Comments
- Notice Sign Photos



Hall County Government

COMMUNITY DEVELOPMENT & INFRASTRUCTURE PLANNING AND ZONING

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

PLANNING AND ZONING
DIRECTOR
Beth Garmon

To: Richard Higgins, Chairman
Kathy Cooper, District 1 Commissioner
Billy Powell, District 2 Commissioner
Gregg Poole, District 3 Commissioner
Jeff Stowe, District 4 Commissioner

From: Beth Garmon, Director of Planning & Zoning

Date: October 28, 2024

Subject: 7051 Pony Lake Road | Rezone | from Agricultural Residential IV (AR-IV) to Planned Residential Development (PRD) | on a 1.74± acre tract | Proposed Use: Staff residence | Steve Roys, applicant

The request before you is the request of Steve Roys to rezone property from Agricultural Residential IV (AR-IV) to Planned Residential Development (PRD) for a staff residence. This item is located within Commission District 3.

At their October 7, 2024 meeting, the Hall County Planning Commission voted to recommend **approval, with six (6) conditions (5-0)**.

Staff recommendation: **Approval, with conditions**, as the proposed use is consistent with the surrounding zoning districts and the Rural Residential future land use classification in the Comprehensive Plan.

There were **no comments submitted** in advance of the Planning Commission meeting and **no one spoke during the public hearing**.

Planning Commission Conditions:

1. The property shall be developed in accordance with the site plan dated August 2, 2024, and as described in the project narrative dated August 6, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. Any further development shall require an as-built survey of the entire property to be reviewed and approved through Hall County Plat Review.
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 Official 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.

4. 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.”

5. All conditions of zoning shall be made a part of any plats or construction plans created for the property.
6. Tax Parcel 11101 000008 (7051 Pony Lake Road) and Tax Parcel 11101 000003A (7011 Pony Lake Road) shall be combined by plat.

**HALL COUNTY PLANNING COMMISSION
RECOMMENDATION REPORT**

Applicant Steve Roys

Request Rezone | from Agricultural Residential IV (AR-IV, 17.120) to Planned Residential Development (PRD, 17.180.060)

Proposed Use Staff residence

Size 1.74 ± acres

Zoning Current: Agricultural Residential IV (AR-IV, 17.120) | Proposed: Planned Residential Development (PRD, 17.180.060)

Location **7051 Pony Lake Road** | Tax Parcel 11101 000008

Commission District Three

Planning Commission Date October 7, 2024

Staff Recommendation **Approval, with conditions**, as the proposed use is consistent with the surrounding zoning districts and the Rural Residential future land use classification in the Comprehensive Plan.

Record Number.....HZON24-0026

Planning Commission Recommendations.....**Approval, with conditions**

Vote: 5-0

Planning Commission Conditions:

1. The property shall be developed in accordance with the site plan dated August 2, 2024, and as described in the project narrative dated August 6, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. Any further development shall require an as-built survey of the entire property to be reviewed and approved through Hall County Plat Review.

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5. All conditions of zoning shall be made a part of any plats or construction plans created for the property.
6. Tax Parcel 11101 000008 (7051 Pony Lake Road) and Tax Parcel 11101 000003A (7011 Pony Lake Road) shall be combined by plat.

Excerpts from the minutes of the September 3, 2024 meeting

Applicant’s Presentation:

Kristie Turner, Principal Planner, presented a summary of the request.

Steve Roys, 7021 Pony Lake Road, Dahlonega, presented the request. The applicant is requesting to rezone a 1.74± acre tract from Agricultural Residential IV (AR-IV, 17.120) to Planned Residential Development (PRD, 17.180.060) for the purpose of establishing a staff residence for the adjacent youth camp, Camp Hope. The adjacent property at 7011 Pony Lake Road has been the home of Camp Hope, a Christian youth camp, since 1965. In 1997, the site was rezoned from Agricultural Residential IV (AR-IV, 17.120) to Planned Residential Development (PRD, 17.180.060) to bring the youth camp into compliance with county ordinances.

Public Forum:

There were no comments in support or opposition.

Motion: A motion to approve with conditions was made by Mr. Hunt and seconded by Ms. Pilcher.

Vote: 5-0

Conditions:

1. The property shall be developed in accordance with the site plan dated August 2, 2024, and as described in the project narrative dated August 6, 2024, modified as necessary

for compliance with conditions herein and development standards enforced at the time of site plan approval.

2. Any further development shall require an as-built survey of the entire property to be reviewed and approved through Hall County Plat Review.
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 Official 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.
4. 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:

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5. All conditions of zoning shall be made a part of any plats or construction plans created for the property.
6. Tax Parcel 11101 000008 (7051 Pony Lake Road) and Tax Parcel 11101 000003A (7011 Pony Lake Road) shall be combined by plat.

Staff recommends APPROVAL of the applicant's request with the following conditions:

1. The property shall be developed in accordance with the site plan dated August 2, 2024, and as described in the project narrative dated August 6, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. Any further development shall require an as-built survey of the entire property to be reviewed and approved through Hall County Plat Review.
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 Official 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.
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5. All conditions of zoning shall be made a part of any plats or construction plans created for the property.

Summary Analysis

The applicant is requesting to rezone a 1.74± acre tract from Agricultural Residential IV (AR-IV, 17.120) to Planned Residential Development (PRD, 17.180.060) for the purpose of establishing a staff residence for the adjacent youth camp, Camp Hope.

The adjacent property at 7011 Pony Lake Road has been the home of Camp Hope, a Christian youth camp, since 1965. In 1997, the site was rezoned from Agricultural Residential IV (AR-IV, 17.120) to Planned Residential Development (PRD, 17.180.060) to bring the youth camp into compliance with county ordinances.

Per the submitted narrative, the applicant is requesting to rezone the subject property to include it with the Camp Hope PRD for the purpose of providing a residence for year-round camp staff to oversee and manage the camp property.

Per county records, a building permit was recently issued (HCNEW24-0161) for the installation of a manufactured home on the property. According to the site plan, access to this residence will be through 7011 Pony Lake Road.

The subject property abuts two parcels zoned Agricultural Residential IV (AR-IV) to the north, east, and west. Camp Hope borders the subject property to the south.

Based on the future land-use plan, staff finds the request *is consistent* with the Comprehensive Plan and future land use designation of Rural Residential. The intent of this character area is to preserve the established residential/ rural character and create a transition between rural areas and development in residential areas. Primary future land uses include low-density detached single-family residential uses and civic benefit uses such as places of worship, schools, community centers and parks.

Zoning Analysis

When considering a zoning amendment to the zoning maps, the following items must be considered:

1. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property; **The proposed zoning district is suitable with the existing zoning**

of Camp Hope to the south and the proposed residential use for staff housing is compatible with the other surrounding properties, which are zoned Agricultural Residential IV (AR-IV) to the north, east, and west.

2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **It is not anticipated that the proposed Planned Residential Development (PRD, 17.180.060) zoning will adversely affect adjacent properties.**
3. Whether the property to be affected by the zoning proposal has reasonable economic use as currently zoned. **The property has reasonable economic use as currently zoned; however, the expansion of the youth camp operation requires rezoning approval by the Board of Commissioners.**
4. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, or utilities; **The proposed use should not cause an excessive or burdensome use of existing streets, transportation facilities, utilities, schools, police protection, fire protection public facilities, or emergency medical service.**
5. Whether the zoning proposal is in conformity with the policy and intent of the land use plan; **The proposed use is consistent with the Comprehensive Plan and the Rural Residential land use designation.**
6. The extent to which property values are diminished by the existing zoning restrictions; **Staff is unable to determine the extent to which property values are diminished by the existing zoning restrictions.**
7. The extent to which the destruction of the subject property's value under the existing zoning promotes the health, safety, morals or general welfare of the public; **Staff is unable to comment on the impact of property values without a full market analysis. Multiple factors impact property value including construction types, proposed uses, and maintenance. Often it is difficult to determine the effect of a development on adjacent properties until the development is completed.**
8. The relative gain to the public as compared to the hardship imposed upon the individual property owner; **Staff has not identified a hardship imposed on the property owner as the property is currently zoned.**
9. The length of time the property has been vacant as zoned considered in the context of land development in the area in the vicinity of the property; **A building permit application for the installation of a manufactured home on the property has been received (HCNEW24-0161)) and is pending issuance of the final certificate of occupancy based on the board's final decision on this rezoning request.**
10. Whether there are other existing or changing conditions affecting the use or development of the property which give supporting grounds for either approval or disapproval of the zoning proposal; **Staff is not aware of any changing conditions that affect the use and development of the**

property. Rezoning of this property allows the expansion of Camp Hope for the purpose of providing additional staff housing.

- 11. Whether the change would create an isolated district unrelated to the surrounding districts; The proposed zoning would expand the existing Planned Residential Development (PRD, 17.180.060) zoning of Camp Hope.**
- 12. Whether the present zoning district boundaries are illogically drawn in relation to existing conditions in the area; There is no evidence that the present zoning district boundaries are illogically drawn.**
- 13. Whether the change requested is out of scale with the needs of the county as a whole or the immediate neighborhood; In general, the use does not appear to be out of scale with the needs of the county as a whole or the immediate neighborhood.**
- 14. Whether it is impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned; There are other properties within the county that could accommodate staff housing, however, this parcel is adjacent to Camp Hope and will be used as an expansion of the camp for a staff residence and on-site management of the camp.**
- 15. Whether the need for rezoning could be handled instead by a variance request to the [Planning Commission]; No, the request could not be handled alternatively as a variance.**
- 16. Whether there would be an ecological or pollution impact resulting from major modifications to the land if the request is granted; Any land disturbance activities on the property shall be required to go through the land development permitting process, and as a result, are subject to local, state, and federal regulations. There should not be an ecological or pollution impact resulting from any modification to the land if the request is granted.**
- 17. Whether there is reasonable evidence based upon existing and anticipated land use that would indicate a mistake was made in the original zoning of the property; There is no indication that a mistake was made in the original zoning.**

17.380.050. - Submission requirements

- A. Any person or persons requesting a change in the official zoning map or use subject to approval of the county commission shall file an application with a plat or map of the property attached thereto, together with payment of such fees set forth in chapter 17.30 to cover administrative and advertising costs, in the planning department office. Such person or persons or their authorized agent shall appear in person at the public hearing held to consider the district change. **The proposal meets the requirement. The applicant has paid the appropriate fees and understands that someone must be present at both the Hall County Planning Commission meeting and the voting meeting of the Hall County Board of Commissioners.**
- B. All applications for a change of zoning classification or use subject to approval of the county commission shall include:

1. A narrative statement identifying the existing and proposed use of the property and addressing each of the criteria set forth in section 17.380.060.C of this section [chapter]. **The proposal provides a narrative outlining the intent of the development; however, the applicant has not prepared a response to each of the criteria listed in 17.380.060.C.**
 2. A site plan drawn to scale designating the area covered by the application and identifying existing and proposed buildings and uses, adjacent existing land uses, zoning on contiguous parcels, including those across an abutting public right-of-way, and any other significant site improvements proposed to accommodate the proposed use or buffer adjacent uses, etc., or a plat of the subject property where no specific land use is proposed. In cases where only a plat or map is provided and no land use is proposed, the planning commission and county commission shall evaluate the application based on the most intense possible land use permitted in the proposed district. **The proposal meets the requirement.**
- C. For any application for a slow rate land treatment system (see chapter 17.20), the following additional requirements apply: **This standard is not applicable to the applicant's request.**
- D. For any application proposing the development of 100 or more residential dwelling units, a traffic impact study shall be submitted prior to consideration of the application by the planning commission. At the applicant's expense, the traffic impact study shall be prepared by a professional engineer in accordance with requirements established by the Hall County Engineering Department. The engineering department shall review the traffic impact study and forward any comments to the Hall County Planning Commission. **This standard is not applicable to the applicant's request.**

Development Support and Constraints

Hall County Environmental Health

In an email dated September 5, 2024, Emily McGahee stated, "Septic Permit OSC-9259 was issued on May 30, 2024 for the proposed structure."

Hall County Fire Marshal

In an email dated August 30, 2024, John Hornick, NPQ Fire Service Plans Examiner 1, Lieutenant stated, "The Hall County Fire Marshal's Office has no comments regarding the proposed single family modular structure to be placed on the campus of Camp Hope to be used as a permanent Care Takers residence."

Hall County Public Works and Utilities

In a memo dated September 6, 2024, Bill Nash, Director of Public Works and Utilities, provided the following comments:

Engineering:

No comment.

Traffic:

No comment.

Utilities:

No comment.

Georgia Department of Transportation

In an email dated September 3, 2024, Veronica Chavers, D1TO Civil Engineer III, stated GDOT coordination is not required.

PLANNING AND DEVELOPMENT DEPARTMENT
 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504
 MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30503
 t: 770-531-6809 | f: 770-531-3902



ZONING APPLICATION

Applicant (Name & Mailing Address)

Steve Roys
7021 Pony Lake Rd
Dahlonega, GA 30533
 Phone 678 316 7309
 Email Address admin@camphopega.org
 Proposed Use residential home

Property Owner (Name & Mailing Address)

Christian Youth Camp Inc DBA Camp Hope
7011 Pony Lake Rd
Dahlonega, GA 30533
 Phone 770 536 4787
 Email Address camphopega@gmail.com

Contact Person (Name & Mailing Address)

Same as above

 Phone _____
 Email Address _____

Status of Applicant

- Owner
- Option to Purchase
- Area Resident
- Other

Requested Action

Existing Zoning: AR U
 Rezone to: PRO
 Fee: \$ _____
 Receipt #: _____
 Check #: _____

Tax Parcel Number _____ Acreage 1.74
 Location Address 7051 Pony Lake Rd Dahlonega, GA 30533

I hereby certify that the above information and all attached information are true and correct.

Sign Steve Roys Date: 8/2/2024

Applicant must complete all information above. Failure to complete this section will result in the refusal of the application. The Planning Department has 15 days to review all applications and will set the dates for each application. If the application is found insufficient, an agenda date will not be set until the required information is submitted. Please note that the Planning Commission and County Commission dates are tentative.

Application Withdrawal: I hereby withdraw the application.

Sign _____ Date: _____

Staff Use Only

Application Date: _____ Taken by: _____
 Tentative Planning Commission Date: _____ Tentative County Commission Date: _____
 County Commission District: _____

PLANNING AND DEVELOPMENT DEPARTMENT
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504
MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30503
t: 770-531-6809 | f: 770-531-3902



AUTHORIZATION OF PROPERTY OWNERS

Note: If the applicant is the property owner, please disregard this form.

Name of owner(s) Christian Youth Camp Inc DBA Camp Hope
Address 7011 Pony Lake Rd # 7051 Pony Lake Rd
Dahlonega, GA 30533
Phone Number 770 536 4787

Name of applicant(s) Steve Raps
Address 7021 Pony Lake Rd
Dahlonega, GA 30533
Phone Number 678 316 7309

I swear that I am the ^{representative} ~~owner~~ of the property which is the subject matter of the attached applications as shown in the records of Hall County, Georgia.

I authorize the person named above to act as applicant in the pursuit of a rezoning, permissive use, or variance of this property.

Signature of Owner(s)
Thomas R. Wortman

Personally appeared before me in Greenville, SC
June 1, 2024

who swears that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

Julia Mesaco
Notary Public, Greenville South Carolina
my commission expires Aug 12, 2024

June 1, 2024
Date



BUSINESS SEARCH

[HOME](#)

BUSINESS INFORMATION

Business Name: **CHRISTIAN YOUTH CAMP, INC.**
 Business Type: **Foreign Nonprofit Corporation**
 Business Purpose: **NONE**
 Principal Office Address: **7011 PONY LAKE ROAD, Dahlonega, GA, 30533, USA**
 Jurisdiction: **South Carolina**

Control Number: **07039389**
 Business Status: **Active/Compliance**
 Date of Formation / Registration Date: **4/25/2007**
 Last Annual Registration Year: **2025**

REGISTERED AGENT INFORMATION

Registered Agent Name: **John Schneider, Esq.**
 Physical Address: **600 Peachtree St., NE, Suite 4100, Atlanta, GA, 30308, USA**
 County: **Fulton**

OFFICER INFORMATION

Name	Title	Business Address
Grego Balinewski	Secretary	7011 Pony Lake Road, Dahlonega, GA, 30533, USA
Ross McCulloch	CFO	7011 Pony Lake Road, Dahlonega, GA, 30533, USA
Tom Wortman	CEO	7011 Pony Lake Road, Dahlonega, GA, 30533, USA

[Back](#)

[Filing History](#)

[Name History](#)

[Return to Business Search](#)

From Church
Tom Wortman



CAMPAIGN CONTRIBUTIONS DISCLOSURE FORM

This form must be completed by the applicant and property owner, or person representing the property owner, for all zoning actions.

OCGA § 36-67A-3[C] Disclosure of campaign contributions:

- (b) When any applicant for zoning action has made, within two years immediately preceding the filing of the applicant's application for the zoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:
- (3) The name and official position of the local government official to whom the campaign contribution was made; and
- (4) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.
- (b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the zoning action is first filed. (Code 1981, Section OCGA § 36-67A-3[C], enacted by GA L. 1986, page 1269, Section 1, GA L. 1991, page 1365, Section 1).

I hereby certify that I have read the above and that:

I have** I have not

within the two years immediately preceding this date, made any contribution(s) aggregating \$250.00 or more to any local government official involved in the review or consideration of this application.

**If you have made such contributions, you must provide the data required below within ten (10) days of filing this application.

Name of Official(s): _____ Office: _____

Dollar Amount: _____ Date of Contribution: _____

Applicant's/Owner's Signature: Thomas R. Wortman Date: 07/06/2024

Applicant's/Owner's Name (Printed): Thomas R Wortman



CAMPAIGN CONTRIBUTIONS DISCLOSURE FORM

This form must be completed by the applicant and property owner, or person representing the property owner, for all zoning actions.

OCGA § 36-67A-3[C] Disclosure of campaign contributions:

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- (b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the zoning action is first filed. (Code 1981, Section OCGA § 36-67A-3[C], enacted by GA L. 1986, page 1269, Section 1, GA L. 1991, page 1365, Section 1).

I hereby certify that I have read the above and that:

I have** _____ I have not X

within the two years immediately preceding this date, made any contribution(s) aggregating \$250.00 or more to any local government official involved in the review or consideration of this application.

****If you have made such contributions, you must provide the data required below within ten (10) days of filing this application.**

Name of Official(s): _____

Office: _____

Dollar Amount: _____

Date of Contribution: _____

Applicant's/Owner's Signature: Steve Roys

Date: 5/13/24

Applicant's/Owner's Name (Printed): Steve Roys

Christian Youth Camp Inc
DBA Camp Hope
7011 and 7051 Pony Lake Rd
Dahlonega, GA 30533

RE: Rezoning & Conditionals Use Narrative

Property Development

1. Request to rezone 1.74 acres (7051 Pony Lake Rd) to be included in the existing PRD and to amend conditions for the PRD to include a residence for year-round camp staff family to oversee and manage the camp property. A building permit has been issued for 32' x 76' modular home, building permit number HCNEW24-0161.

Purpose Statement of Camp Hope

7011 Pony Lake Rd is a 100 acre parcel of land that is zoned Planned Residential Development (PRD) for the following purposes:

1. To present the claims of Christ to the unbelievers through the preaching of the God's Word and the faithful witness of staff and cabin leaders, giving them the opportunity to respond to the gospel message according to the working of the Holy Spirit.

2. To promote Christian character and maturity in the area of one's relationship to the Lord and to other believers, as well as reaching a Biblical understanding of one's identity from God's perspective.

3. To provide opportunity for fellowship among Christians, as well as give guidance and instruction in the area of interpersonal relationships.

4. To make use of the facilities by allowing local like-minded Christian churches or organizations to use the facilities for the furtherance of their local programs.

Program Objectives

1. Camp/Conferences/Retreats
2. Home School Activities
3. Follow-up ministry
4. Staff and cabin leader recruitment and training
5. Promotion/Public Relations/Communications
6. Mission Outreach
7. Guest Group programs
8. Other programs as approved by the board

RECEIVED

AUG 06 2024

Planning & Zoning Department

1" = 50'

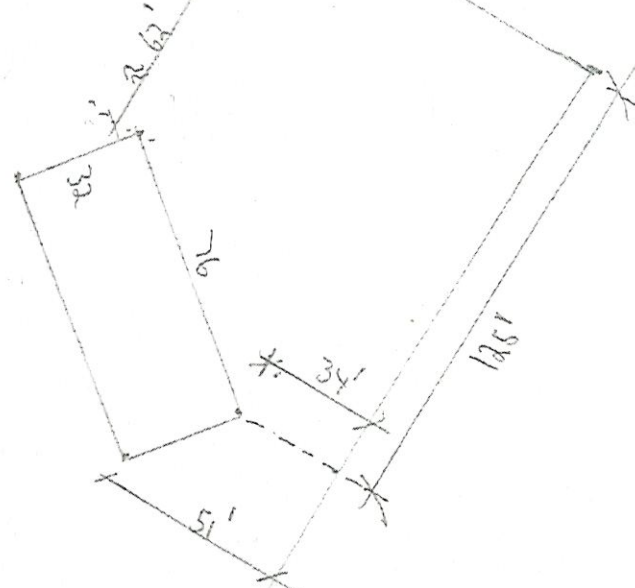


7051 Pony Lake Rd

312.2

Softball Field

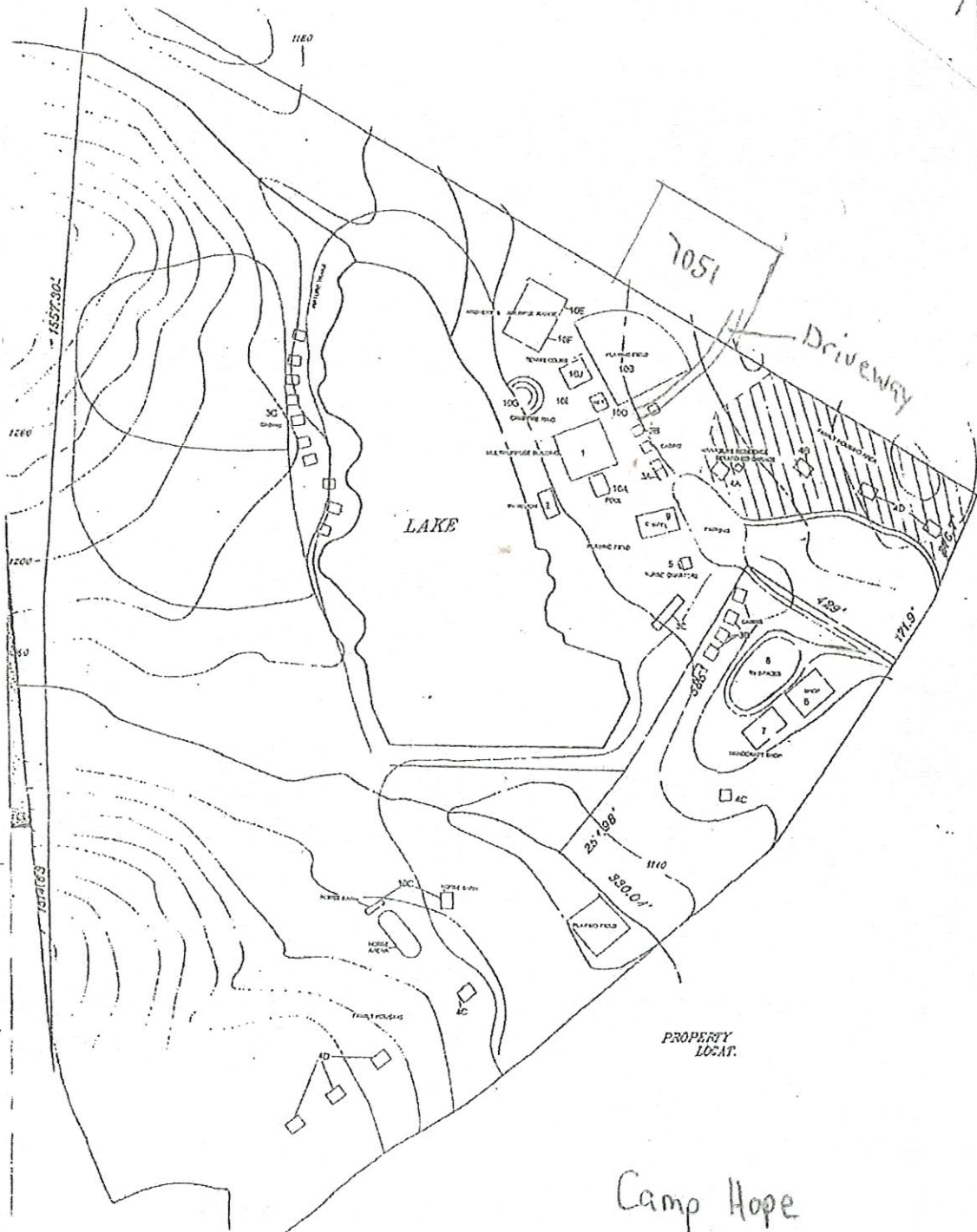
Christian Youth Camp
DBA Camp Hope
7011 Pony Lake Rd



RECEIVED

AUG 02 2024

Planning & Zoning Department



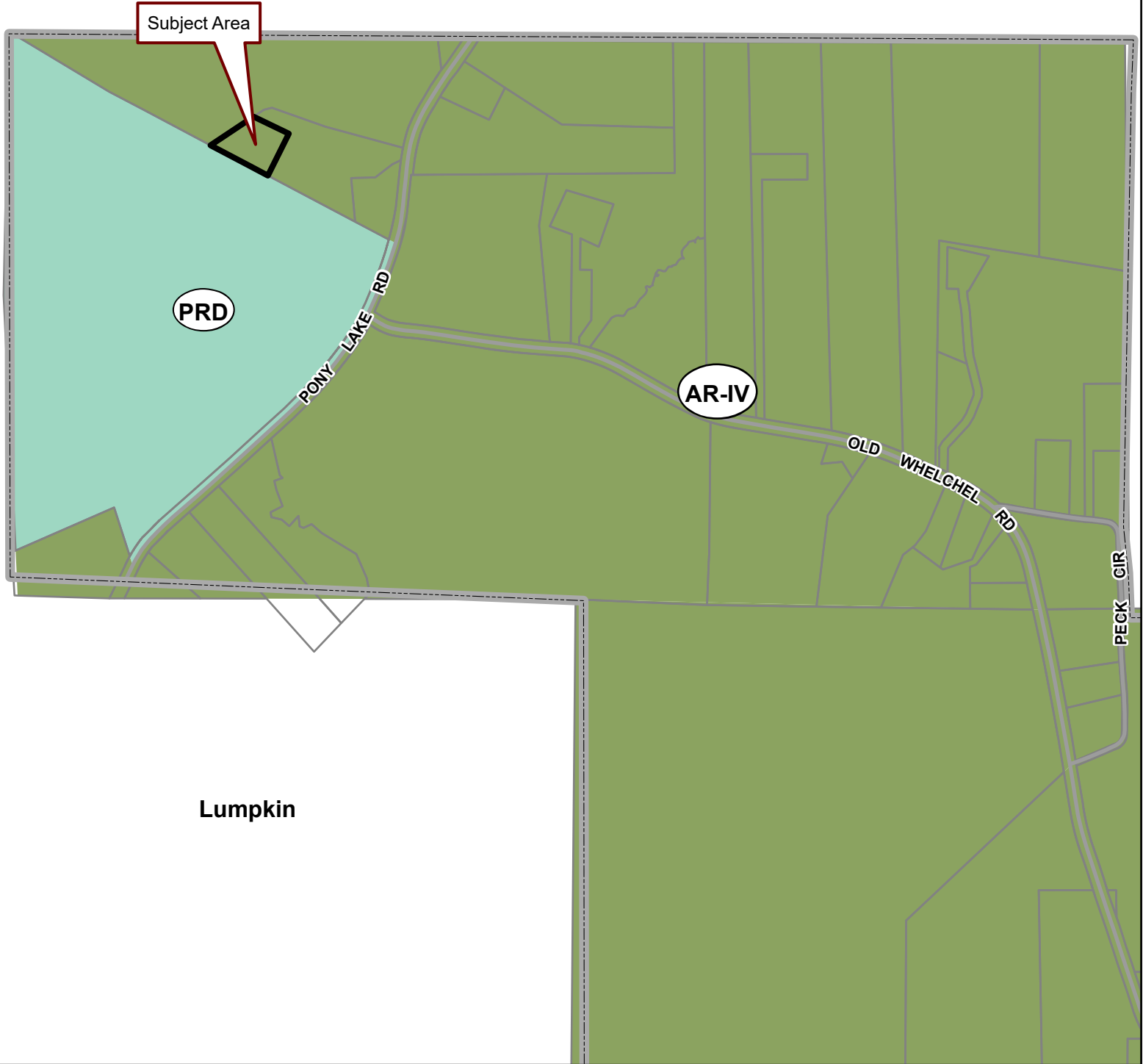
Camp Hope
7011 Pony Lake Rd
Dahlonega, GA 30533

RECEIVED

AUG 02 2024

Planning & Zoning Department

Lumpkin



Subject Area

PRD

AR-IV

PONY LAKE RD

OLD WHELCHER RD

PECK CIR

Lumpkin

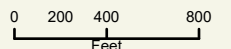
Applicant: STEVE ROYS

Tax Parcel #: 11101 000008

Location: 7051 PONY LAKE ROAD, DAHLONEGA, GA 30533

Commission District 3

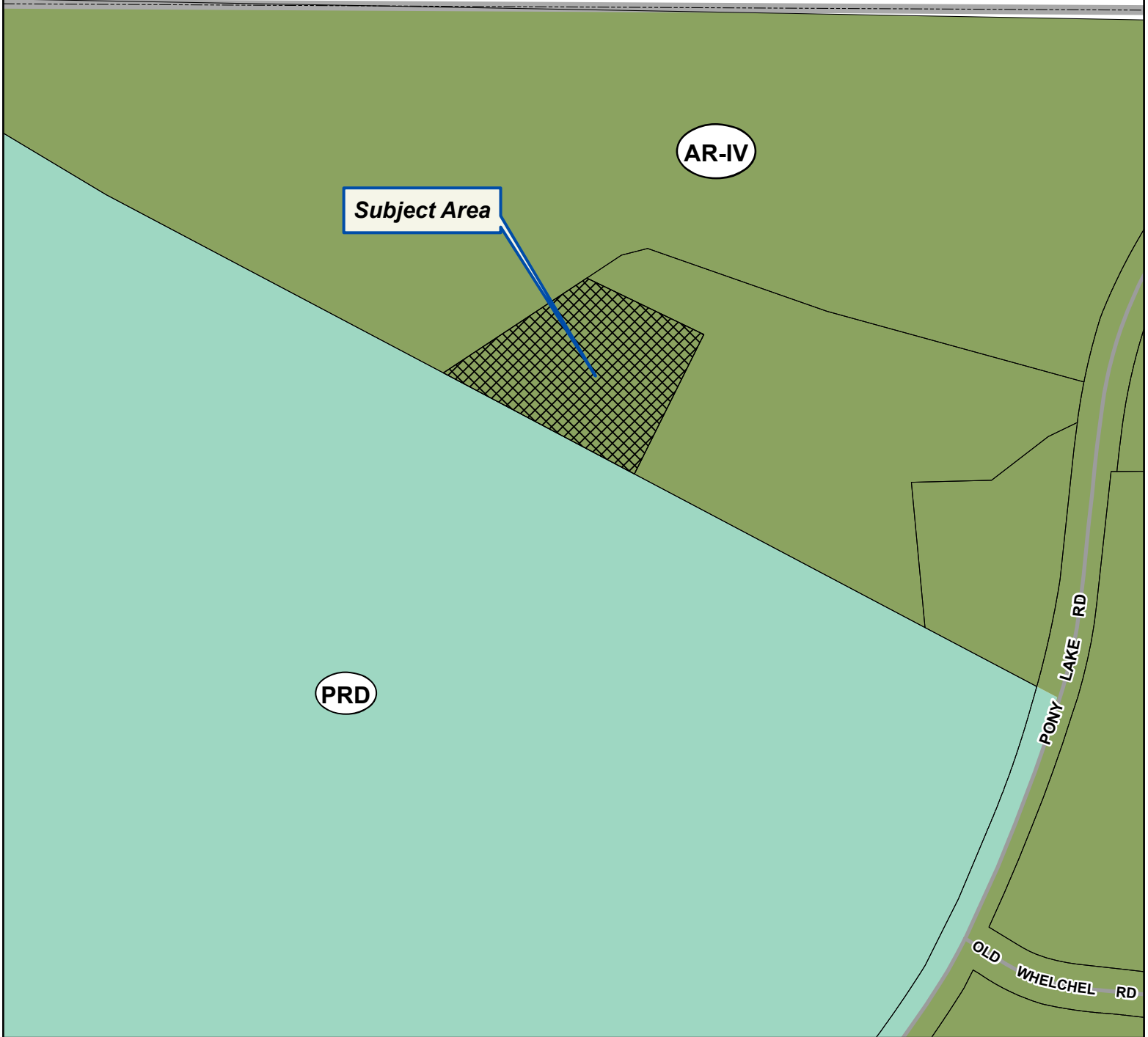
PC Mtg. Date: 10/07/2024



- Zoning Boundary
- ▭ City Limits
- ▭ Subject Area
- ▭ Structure



Lumpkin



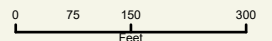
Applicant: STEVE ROYS

Tax Parcel #: 11101 000008

Location: 7051 PONY LAKE ROAD, DAHLONEGA, GA 30533

Commission District 3

PC Mtg. Date: 10/07/2024



- Zoning Boundary
- ▨ City Limits
- ▨ Subject Area
- ▭ Structure





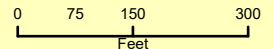
Applicant: STEVE ROYS

Tax Parcel #: 11101 000008

Location: 7051 PONY LAKE ROAD, DAHLONEGA, GA 30533

Commission District 3

PC Mtg. Date: 10/07/2024

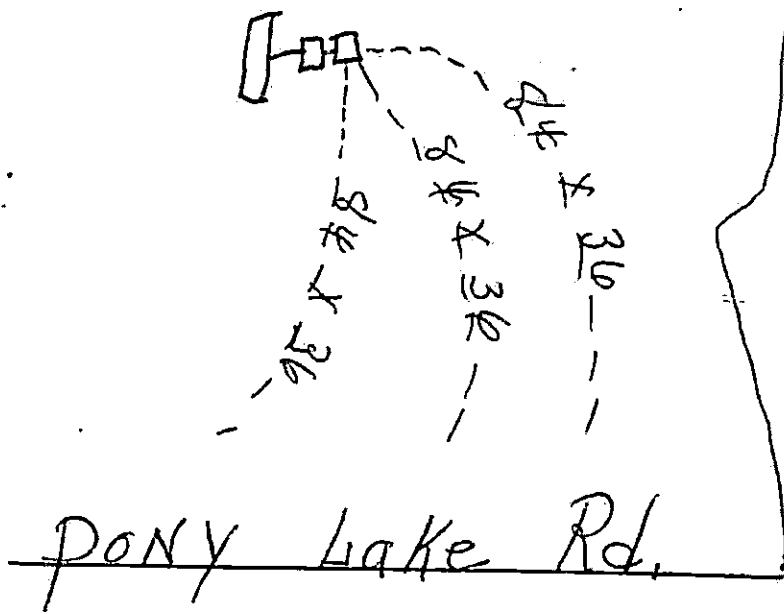


- Zoning Boundary
- City Limits
- Subject Area



AS BUILT PLOT PLAN

12/22/86 letter to Building Official



DEPARTMENT OF PUBLIC HEALTH - INDIVIDUAL SEWAGE RECORD

Mobel Home
Type of Establishment

Hall
County

Go Route #60 To Pony Lake Rd. 1/2 mile on left
Location (Address)

Doyle Robinson
Owner's Name

Johnson St. Gainesville
Owner's Address

Construction Permit Number 9040

Water Supply: City _____ Other

Name of Subdivision Pony Lake Rd

Lot Number None Block _____

Tank Size: Length 8 Feet Width 4 Feet Liquid Depth 5 Feet

Tank Material Cement + Wire Tank Capacity 1000

Tile Field:
Distance From: Foundation _____ ft.; Well _____ ft.; Nearest lot line _____ feet.

Total length 252 Feet Number of Lines 3

Length each line 84 Ft. Trench width 36 in. Depth of tile _____

Filter Material: Gravel NO # 5 Broken Stone _____ Depth _____

CONTRACTOR'S SIGNATURE Harace Lee ADDRESS Rte 4 Gainesville

DATE COMPLETED April 24, 71

Georgia Department of Public Health
INDIVIDUAL SEWAGE DISPOSAL SYSTEM INSPECTION REPORT

County Code	Construction Permit	Case Number (PHA, VA, etc.)	Health Dist.	Day	Month	Year
069	9040	9 10 11 12 13 14 15 16 17 18 19 20	02	28	06	91
2 3 4	5 6 7 8		21 22	23 24	25 26	27 28

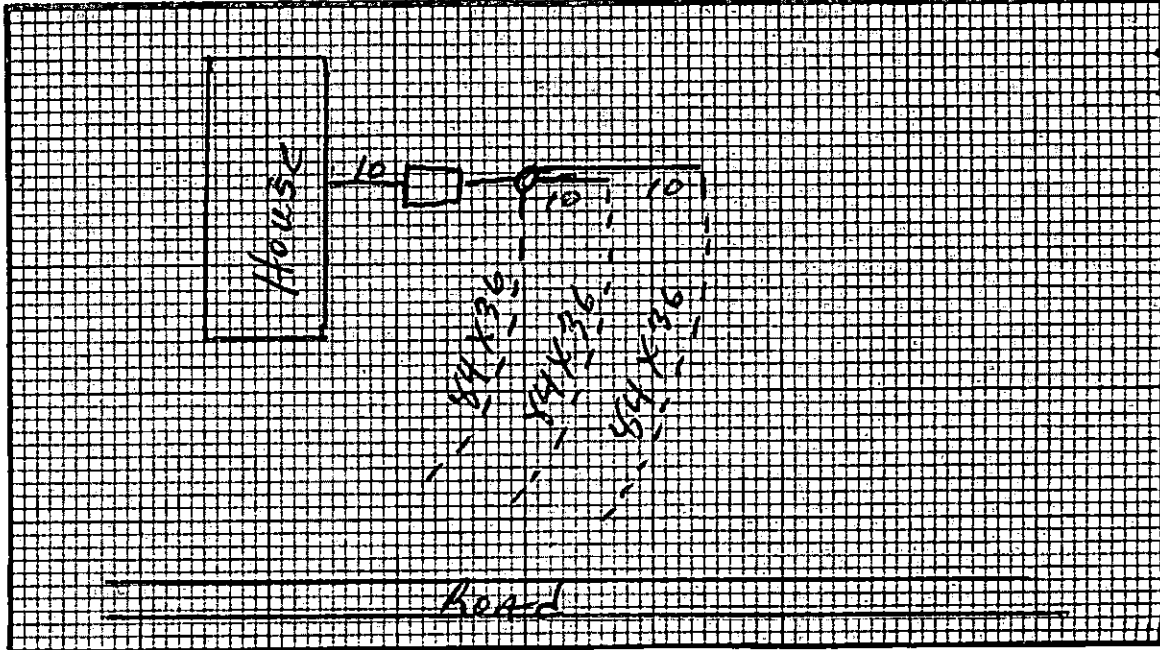
Property Location <div style="font-size: 2em; font-family: cursive;">Pony Lake Rd.</div>	Property Owner <div style="font-size: 1.5em; font-family: cursive;">Doyle Robinson</div> Sewerage/Disposal Contractor <div style="font-size: 1.5em; font-family: cursive;">Horace Gee</div>	County <div style="font-size: 2em; font-family: cursive;">Hall</div>
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ALL ITEMS: Blank = Not Applicable; 0 = Unknown

*ITEMS: 1 = Yes; 2 = No

SECTION A - GENERAL	SECTION D - PRIMARY TREATMENT	SECTION B - FACILITY	SECTION E - SECONDARY TREATMENT	SECTION F - HEALTH AGENCY TIME
1. Type Water Supply: (1) Public, (2) Community, (3) Indiv. <input checked="" type="checkbox"/> 3	1. Sewage Disposal Method: (1) Septic Tank, (2) Construction Privy, (3) Pit Privy, (4) Other <input checked="" type="checkbox"/> 1	1. **Type Facility: See Code Below <input checked="" type="checkbox"/> 01	1. Field Layout Method: (1) Distribution Box, (2) Level Field, (3) Serial <input checked="" type="checkbox"/> 1	1. Total Inclusive Time (min.): <input checked="" type="checkbox"/> 0910
2. Financial Assistance: (1) PHA, (2) VA, (3) Farmers Home, (4) Conventional, (5) Other <input checked="" type="checkbox"/> 29	2. Septic Tank Capacity (gallons): <input checked="" type="checkbox"/> 1000	2. Water Usage Determined by: (1) No. Bedrooms, (2) No. Gallons <input checked="" type="checkbox"/> 1	2. Nitrification Field: <input type="checkbox"/> 60	SECTION G - SYSTEM APPROVED
3. House Structure: (1) New, (2) Existing < 1 year, (3) Existing > 1 year <input checked="" type="checkbox"/> 30	3. Unit 1 Tank/Compartment Capacity: <input checked="" type="checkbox"/> 45 46 47 48	3. Number Bedrooms or Gallons: <input checked="" type="checkbox"/> 01002	a. Total Square Feet <input checked="" type="checkbox"/> 0756	1. *Yes <input checked="" type="checkbox"/> 1
4. Sewage Disposal Installation: (1) New, (2) Repair to existing sys. <input checked="" type="checkbox"/> 31	4. Septic Tank Inside Length (feet): <input checked="" type="checkbox"/> 49 50 51 52	SECTION C - LOT SIZE <input checked="" type="checkbox"/> 2 Acre		2. No <input type="checkbox"/> 2
5. If Repair of Existing System - Years System Installed: (1) < 1 year, (2) 1 - 2, (3) 2 - 3, (4) 3 - 5, (5) 5 - 10, (6) > 10 <input checked="" type="checkbox"/> 32	5. Septic Tank Inside Width (feet): <input checked="" type="checkbox"/> 1040	1. Lot Depth (Average): <input type="checkbox"/> 40 41 42 43		
6. Percolation Rate Min./In.: <input checked="" type="checkbox"/> 30	6. Septic Tank Liquid Depth (feet): <input checked="" type="checkbox"/> 40	2. Lot Width (Average): <input type="checkbox"/> 61 62 63 64		
7. *Is Property Part of a Subdivision: <input checked="" type="checkbox"/> 2	7. Septic Tank Material: (1) Precast concrete, (2) Poured in place, (3) Other <input checked="" type="checkbox"/> 1	3. Building Line (Feet): <input type="checkbox"/> 65 66 67 68		
SECTION B - FACILITY	8. Dosing Tank Capacity (gallons): <input type="checkbox"/> 53			
1. **Type Facility: See Code Below <input checked="" type="checkbox"/> 01	9. Grease Trap Capacity (gallons): <input type="checkbox"/> 54 55 56			
2. Water Usage Determined by: (1) No. Bedrooms, (2) No. Gallons <input checked="" type="checkbox"/> 1	10. Distance Septic Tank from Well: <input type="checkbox"/> 57 58 59			
3. Number Bedrooms or Gallons: <input checked="" type="checkbox"/> 01002	SECTION E - SECONDARY TREATMENT			
SECTION C - LOT SIZE <input checked="" type="checkbox"/> 2 Acre	1. Field Layout Method: (1) Distribution Box, (2) Level Field, (3) Serial <input checked="" type="checkbox"/> 1			
1. Lot Depth (Average): <input type="checkbox"/> 40 41 42 43	2. Nitrification Field: <input type="checkbox"/> 60			
2. Lot Width (Average): <input type="checkbox"/> 61 62 63 64	a. Total Square Feet <input checked="" type="checkbox"/> 0756			
3. Building Line (Feet): <input type="checkbox"/> 65 66 67 68				

Sketch



1. **Type Facility
- (1) Residence
 - (2) Apartment
 - (3) Institution
 - (4) Service Station
 - (5) Restaurant
 - (6) Church
 - (7) Tourist Accommodation
 - (8) Launderette
 - (9) Mobile Home Park
 - (10) Other (Specify) _____

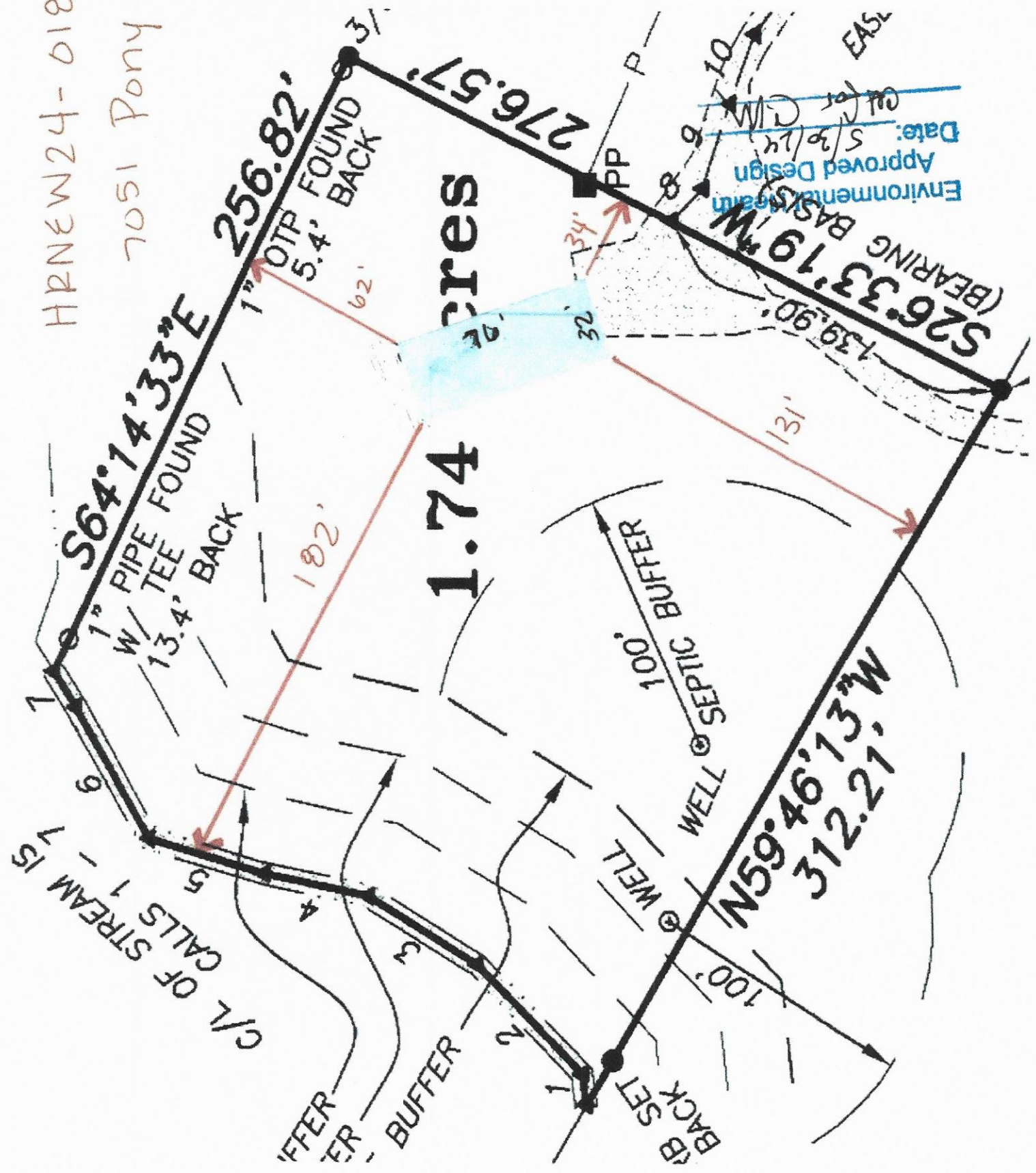
Contractor
Remarks: Draw 179

Inspected By: <u>George Fraser</u>	Title: <u>Env. Tech.</u>	Health Agency: <u>6-27-91 Hall Co. H/D.</u>
------------------------------------	--------------------------	---

**Georgia Department of Public Health
APPLICATION FOR CONSTRUCTION PERMIT AND SITE APPROVAL
FOR INDIVIDUAL SEWAGE DISPOSAL SYSTEM**

Subdivision, Street or Road <i>Route 60 - PONY Lake Rd.</i>		Health District <i>2</i>	County <i>HALL</i>
Property Location (Address, Block, Lot, Directions to Property) <i>Go Route #60 TO PONY Lake Rd. Pony's LAKE Road go approx. 1/2 mile ON left</i>			
I hereby apply for a construction permit to install or construct an individual sewage disposal system and agree that the system will be installed to conform to the requirements of the rules of the Georgia Department of Public Health, Chapter 270-5-25. I understand that final inspection is required and will notify the local or State Health Department upon completion of construction and before applying final cover.			
Signature (Owner or Applicant) <i>Horace Gee</i>		Date <i>4-24-71</i>	Property Owner's Name <i>DOYLE ROBINSON</i>
Owner's Address <i>JOHNSON STREET Gainesville</i>		Permit Applicant's Name <i>Horace Gee</i>	
Applicant's Address <i>Route 4 GAINESVILLE GA</i>		Phone No.	
Financial Assistance <input type="checkbox"/> FHA, <input type="checkbox"/> VA, <input type="checkbox"/> Farmers Home, <input checked="" type="checkbox"/> Conventional, Case Number <i>3</i>			
Type Facility (Residence, Church, Motel, Restaurant, Etc.) <i>Mobile Home</i>		No. of Bedrooms or No. of Gallons Per Day <i>2 Bd</i>	
Water Supply <input type="checkbox"/> Public, <input type="checkbox"/> Community, <input checked="" type="checkbox"/> Individual		Located Required Distances From Possible Pollution Source <input checked="" type="checkbox"/> Yes, <input type="checkbox"/> No	
Lot Size Front _____ Ft., Rear _____ Ft., Right Side _____ Ft., Left Side _____ Ft., Square Ft./Acre <i>2 acrs</i>			
House Design <input checked="" type="checkbox"/> Ground Level, <input type="checkbox"/> Split Level, <input type="checkbox"/> With Basement		Level of Plumbing Outlet <input checked="" type="checkbox"/> Ground Level, <input type="checkbox"/> Split Level, <input type="checkbox"/> Basement	
Soil Conditions (Nitrification Field) <i>C/A</i> Percolation Rate _____ Min./in.; Water Table Depth _____ Feet; Soil Type (Rock, Etc.) _____			
Sewage Disposal <input checked="" type="checkbox"/> Septic Tank, <input type="checkbox"/> Construction Privy, <input type="checkbox"/> Pit Privy		Total Capacity Septic Tank <i>1000</i> Gals.; Dosing Tank _____ Gals.; Grease Trap _____ Gals.	
Field Layout Method <input checked="" type="checkbox"/> Distribution Box, <input type="checkbox"/> Level Field, <input type="checkbox"/> Serial Distribution		Nitrification Field Area Total Sq. Ft. <i>756</i> ; Total Linear Ft. <i>252</i> ; Trench Width in <i>36</i>	
If Distribution Box is Used No. of Lines <i>3</i> ; Length Each Line, Ft. <i>84</i>			
Site Approved <input checked="" type="checkbox"/> Yes, <input type="checkbox"/> No			
Special Conditions (Explain) <i>AR-10-1226 WILL CALL</i>			
PERMIT			
A Permit is hereby granted to install or construct the individual sewage disposal system described above. This Permit is not valid unless properly signed below, and expires twelve (12) months from date of issue.			
Construction Permit Number <i>9040</i>		Date of Issue <i>23 Apr 71 (EE)</i>	
Approved by (Health Department Representative)		Title	

HRNEW24-0183
7051 Pony L



Kaitlyn Elliott (Planning)

From: Emily McGahee (Environmental Health)
Sent: Thursday, September 5, 2024 4:55 PM
To: Kaitlyn Elliott (Planning); Beth Garmon (CDI: Planning); Katie L. Greenway (CDI: Planning)
Cc: Kelly Hairston (Environmental Health); Chad Harper (Environmental Health)
Subject: HCPC Tentative Agenda 10.7.2024

Follow Up Flag: Follow up
Flag Status: Completed

Please find Environmental Health comments below:

Items 1A,B,C, 6111 Oak Hill Drive, Hoffmann: All proposed structures must meet all residential permitting requirements and/or required setbacks to existing septic system. An existing system evaluation/site visit will be required for Environmental Health to process the building permit application.

Item 2, 3654 Thompson Bridge Road, Benson: No comment. Public sewer.

Item 3, 1600C Athens Hwy, Vargas: No floor drains or process wastewater to be discharged to the existing septic system. Domestic waste only.

Item 4, 6147 Dahlonega Hwy, Rich: Must meet all Environmental Health commercial septic system permitting requirements. Further determination will be made during the civil plan review process. A detailed business plan must be submitted to Hall County Environmental Health for review. Additional items, including, but not limited to: recorded plat, soil evaluation, and septic system installation/modification may be required after review of business plan.

Item 5, 4137 Short Rd, Allen: All proposed lots must meet Hall County Board of Health Lot Size Resolution requirements. This plat is currently under review by the Hall County Plat Review Team, which is waiting for revisions to be submitted for review under case number HPLT24-0090.

Item 6, 6000 Wellspring Trail, Barnes: Must meet all Environmental Health commercial septic system permitting requirements. Further determination will be made during the civil plan review process. A detailed business plan must be submitted to Hall County Environmental Health for review. Additional items, including, but not limited to: recorded plat, soil evaluation, and septic system installation/modification may be required after review of business plan. A Food Service permit/plan review may be required after review of business plan

Item 7, 5552 Bogus Road, Barnes: All proposed lots must meet Hall County Board of Health Lot Size Resolution requirements. Please note that Zoning approval does not imply approval from other county departments. Further determination will be made during the plat review process.

Item 8, 7011/7051 Pony Lake Road, Roys: Septic Permit OSC-9259 was issued on May 30, 2024 for the proposed structure.

Item 9, 7051 Pony Lake Road, Roys: Septic Permit OSC-9259 was issued on May 30, 2024 for the proposed structure.

Item 10, 2002 Memorial Park, Sancen: Must meet all Environmental Health commercial septic system permitting requirements. A detailed business plan must be submitted to Hall County Environmental Health for review. Additional items, including, but not limited to: recorded plat, soil evaluation, and septic system installation/modification may be required after review of business plan. An onsite sewage management system (and bathroom structure) will be required on the property if it is to be occupied for two hours or more.

Emily McGahee

Hall County Environmental Health

Hall County Government Center

2875 Browns Bridge Road

Mailing: PO Box 5901

Gainesville, GA 30504

(770) 531-3973 (phone)

emcgahee@hallcounty.org

<http://dph.georgia.gov/environmental-health> (State Website)

<http://www.phdistrict2.org/HallCounty.htm> (District Website)

<https://www.hallcounty.org/192/Environmental-Health> (County Website & Forms)

EMAIL Reader Advisory Notice: Email to and from a Georgia state agency is generally public record, except for content that is confidential under specific laws. Security by encryption is applied to all confidential information sent by email from the Georgia Department of Public Health (DPH). This message is only intended for specific recipient(s) and may contain privileged, private, or sensitive information. If you received this message in error, please delete it, and contact me.

Kaitlyn Elliott (Planning)

From: Chavers, Veronica E <VChavers@dot.ga.gov>
Sent: Tuesday, September 3, 2024 12:40 PM
To: Beth Garmon (CDI: Planning); Katie L. Greenway (CDI: Planning); Kaitlyn Elliott (Planning)
Subject: RE: Tentative Planning Agenda for October 7, 2024

Follow Up Flag: Follow up
Flag Status: Completed

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

See responses blow.

From: Kaitlyn Elliott (Planning) <kelliott@hallcounty.org>
Sent: Friday, August 30, 2024 8:59 AM
To: Beth Garmon (CDI: Planning) <bgarmon@hallcounty.org>; Bill Nash (CDI: Public Works) <bnash@hallcounty.org>; Bill Schmid <weschmid@rochester-assoc.com>; Brandi Smith (CDI: Business License) <bsmith@hallcounty.org>; Brent Holloway (Parks and Leisure) <bholloway@hallcounty.org>; Bryan Cash (Fire Services) <bcash@hallcounty.org>; Chad Harper (Environmental Health) <charper@hallcounty.org>; Cher Melendez (Tax Assessors) <cmelendez@hallcounty.org>; Chris Braswell (Planning) <cbraswell@hallcounty.org>; Christopher Armstrong (Fire Services) <carmstrong@hallcounty.org>; Daniel Costantini <dcostantini@gainesvillega.gov>; Emily McGahee (Environmental Health) <emcgahee@hallcounty.org>; Frank Miller (CDI: Engineering) <fmiller@hallcounty.org>; Dykes, Jason <jdykes@dot.ga.gov>; Jason Skarda (CDI: Engineering) <jskarda@hallcounty.org>; Jerry Smith (Fire Services) <jesmith@hallcounty.org>; John Hornick (Fire Services) <jhornick@hallcounty.org>; Peevy, Jonathan <jpeevy@dot.ga.gov>; Kaitlyn Elliott (Planning) <kelliott@hallcounty.org>; Karen Martinez (CDI: Public Works - Sewer) <kmartinez@hallcounty.org>; Katie L. Greenway (CDI: Planning) <klgreenway@hallcounty.org>; Kelly Hairston (Environmental Health) <khairston@hallcounty.org>; Kristie Turner (Planning) <kturner@hallcounty.org>; Matt Cox <matt.cox@hallco.org>; Michael Vieira (Fire Services) <mvieira@hallcounty.org>; Millie Perez (Community Development & Infrastructure) <mperez@hallcounty.org>; Nick Swafford <NSwafford@gainesvillega.gov>; Nicole Griffin (Tax Assessors) <nicole.griffin@hallcounty.org>; Niebauer, Parker J <PNiebauer@dot.ga.gov>; Pam Cravero <Pam.Cravero@hallco.org>; Randi Doveton (CDI: Planning) <rdoveton@hallcounty.org>; rich <rich@flowerybranchga.org>; Sarah Crowe (Administration) <scrowe@hallcounty.org>; Scott Puckett <spuckett@hallcounty.org>; Stephen Cain <troy.s.cain@usace.army.mil>; Steve Watson (Real Property) <rswatson@hallcounty.org>; Tammie Croy (CDI: Engineering) <tcroy@hallcounty.org>; Tracy Gilreath (Tax Assessors) <tgilreath@hallcounty.org>; Chavers, Veronica E <VChavers@dot.ga.gov>; Wanda Sutton (CDI: Engineering) <wsutton@hallcounty.org>; will schofield <will.schofield@hallco.org>
Subject: FW: Tentative Planning Agenda for October 7, 2024

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My apologies the links have been corrected below.

Kaitlyn Elliott
Planning Commission Clerk
Hall County Community Development and Infrastructure
(770) 531-6810 www.hallcounty.org



From: Kaitlyn Elliott (Planning)
Sent: Thursday, August 29, 2024 3:57 PM
Subject: Tentative Planning Agenda for October 7, 2024

Good afternoon –

Here is the Tentative Agenda and Maps for the **Monday, October 7, 2024** Hall County Planning Commission Meeting.

Please use the links to review the documents and respond with comments to Hall County Planning and Development. Failure to provide comments in a timely manner may result in the information not being included in the staff report.

When submitting comments, please include the name of the applicant along with the address of the property with the corresponding comment.

Comments are due by **Friday, September 6th**. Email comments to Beth (bgarmon@hallcounty.org), Katie (kgreenway@hallcounty.org) and Kaitlyn (kelliott@hallcounty.org).

Thank you!

CALL TO ORDER

AGENDA REVIEW

APPROVAL OF MINUTES – September 16, 2024

NEW BUSINESS

1. **(A) 6111 Oak Hill Drive | Variance | 17.240.010 to reduce the front yard setback along Oak Hill Road | on a 0.39± acre tract located on the west side of Oak Hill Drive approximately 190 feet from its intersection with White Oak Drive | Zoned R-I; Tax Parcel 08102A000030 | Proposed Use: Residential addition | * Commission District 2 | Terri Hoffmann, applicant No GDOT coordination required**
(B) 6111 Oak Hill Drive | Variance | 17.240.010 to reduce the left side yard setback | on a 0.39± acre tract located on the west side of Oak Hill Drive approximately 190 feet from its intersection with White Oak Drive | Zoned R-I; Tax Parcel 08102A000030 | Proposed Use: Residential addition | * Commission District 2 | Terri Hoffmann, applicant No GDOT coordination required
(C) 6111 Oak Hill Drive | Variance | 17.240.010 to reduce the left side yard setback | on a 0.39± acre tract located on the west side of Oak Hill Drive approximately 190 feet from its intersection with White Oak Drive | Zoned R-I; Tax Parcel 08102A000030 | Proposed Use: Detached carport | * Commission District 2 | Terri Hoffmann, applicant No GDOT coordination required
2. **3658 Thompson Bridge Road | Variance | 17.420. to vary the sign standards within GCOD | on a 4.33± acre tract located on the east side of Thompson Bridge Road approximately 650 feet from its intersection with**

[Southers Road | Zoned PCD; Tax Parcel 10104 000004 | **Proposed Use: Wall sign** | * Commission District 2 | **Davis Sign & Awning c/o Matthew Benson, applicant** No GDOT coordination required](#)

3. [1600 Athens Highway, Building C | Amend Conditions of Zoning](#) | on a 0.64± acre tract located on the south side of Athens Highway approximately 596 feet from its intersection with Athens Street | Zoned I-I (GCOD); Tax Parcel 15032 000050 | **Proposed Use: Automobile repair garage** | ** Commission District 3 | **Gerado Vargas, applicant** GDOT coordination required
4. [6147 Dahlonga Highway | Use Subject to County Commission Approval](#) | on a 19.34± acre tract located on the southwest side of Dahlonga Highway approximately 703 feet from its intersection with Kenimer Road | Zoned AR-IV; Tax Parcel 11003 000002A | **Proposed Use: Commercial kennel** | ** Commission District 3 | **Rachel Christensen Rich, applicant** No GDOT coordination required
5. [4137 Short Road | Use Subject to County Commission Approval](#) | on a 4.02± acre tract located on the south side of Short Road approximately 160 feet from its intersection with Sardis Road | Zoned R-I; Tax Parcel 10080 000010 | **Proposed Use: 2-lot subdivision** | ** Commission District 2 | **Connie Allen, applicant** No GDOT coordination required
6. [6000 Wellspring Trail | Amend Conditions of Zoning](#) | on a 20.29± acre tract located at the terminus of Wellspring Trail | Zoned POD; Tax Parcel 12046 000001 | **Proposed Use: Expansion of services** | ** Commission District 3 | **Seth Barnes, applicant** No GDOT coordination required
7. [5552 Bogus Road | Rezone](#) | from Planned Residential Development (PRD) & Agricultural Residential IV (AR-IV) to Planned Residential Development (PRD) | on a 13.81± acre tract located on the west side of Bogus Road approximately 420 feet from its intersection with Claude Peck Road | Zoned PRD & AR-IV; Tax Parcel 12051 000015 | **Proposed Use: 15-lot residential development** | ** Commission District 3 | **Seth Barnes, applicant** No GDOT coordination required
8. [7011 & 7051 Pony Lake Road | Amend Conditions of Zoning](#) | on a 101.74± acre tract located on the west side of Pony Lake Road approximately 498 feet from its intersection with Old Whelchel Road | Zoned PRD & AR-IV; Tax Parcels 11101 000003A & 000008 | **Proposed Use: Staff residence** | ** Commission District 3 | **Steve Roys, applicant** No GDOT coordination required
9. [7051 Pony Lake Road | Rezone](#) | from Agricultural Residential IV (AR-IV) to Planned Residential Development (PRD) | on a 1.74± acre tract located on the west side of Pony Lake Road at its intersection with Old Whelchel Road | Zoned AR-IV; Tax Parcel 11101 000008 | **Proposed Use: Staff residence** | ** Commission District 3 | **Steve Roys, applicant** No GDOT coordination required
10. [2002 Memorial Park Drive | Rezone](#) | from Residential (R-I) to Highway Business (H-B) on a 0.89± tract on the west side of Memorial Park Drive at its intersection with Browns Bridge Road | Zoned R-I; Tax Parcel 08014 005011 | **Proposed Use: Retail sales** | ** Commission District 4 | **Salomon Sancen, applicant**

*The Planning Commission's decision will be the final action taken unless appealed to the Board of Commissioners. To do so, file an application with the Planning Department within five working days of the Planning Commission's decision.

The Hall County Board of Commissioners will hear appeals at a public hearing **Thursday, November 14, 2024** at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

The Planning Commission's recommendation will be forwarded to the Board of Commissioners for final action at a public hearing on **Thursday, November 14, 2024. The Board will meet at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

Kaitlyn Elliott
Planning Commission Clerk
Hall County Community Development and Infrastructure
(770) 531-6810 www.hallcounty.org



Human trafficking impacts every corner of the globe, including our state and local communities. Georgia DOT is committed to end human trafficking in Georgia through education enabling its employees and the public to recognize the signs of human trafficking and how to react in order to help make a change. To learn more about the warning signs of human trafficking, visit <https://doas.ga.gov/human-resources-administration/human-trafficking-awareness/trafficking-in-georgia>. To report any suspicious activity, call the Georgia Human Trafficking Hotline at 866-363-4842. Let's band together to end human trafficking in Georgia.



Hall County Government
COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
PUBLIC WORKS AND UTILITIES

MEMORANDUM

To: Beth Garmon, Director of Planning and Zoning
From: Bill Nash, Director of Public Works and Utilities
Date: September 6, 2024
Subject: October 7, 2024 - Hall County Planning Commission Agenda

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

PUBLIC WORKS AND
UTILITIES DIRECTOR
Bill Nash, P.E.

Please be advised that our office has reviewed the Hall County Planning Commission agenda for the October 7, 2024 meeting. Upon review, we provide the following comments.

NEW BUSINESS

1. [\(A\) 6111 Oak Hill Drive | Variance | 17.240.010 to reduce the front yard setback along Oak Hill Road | on a 0.39± acre tract located on the west side of Oak Hill Drive approximately 190 feet from its intersection with White Oak Drive | Zoned R-I; Tax Parcel 08102A000030 | Proposed Use: Residential addition | * Commission District 2 | Terri Hoffmann, applicant](#)
[\(B\) 6111 Oak Hill Drive | Variance | 17.240.010 to reduce the left side yard setback | on a 0.39± acre tract located on the west side of Oak Hill Drive approximately 190 feet from its intersection with White Oak Drive | Zoned R-I; Tax Parcel 08102A000030 | Proposed Use: Residential addition | * Commission District 2 | Terri Hoffmann, applicant](#)

[\(C\) 6111 Oak Hill Drive | Variance | 17.240.010 to reduce the left side yard setback | on a 0.39± acre tract located on the west side of Oak Hill Drive approximately 190 feet from its intersection with White Oak Drive | Zoned R-I; Tax Parcel 08102A000030 | Proposed Use: Detached carport | * Commission District 2 | Terri Hoffmann, applicant](#)

- a. **Engineering:** Show FEMA and Hall County studied Flood plains that are present on site
- b. **Traffic:** No Comment
- c. **Utilities:** No Comment

2. [3658 Thompson Bridge Road | Variance | 17.420. to vary the sign standards within GCOD | on a 4.33± acre tract located on the east side of Thompson Bridge Road approximately 650 feet from its intersection with Southers Road | Zoned PCD; Tax Parcel 10104 000004 | Proposed Use: Wall sign | * Commission District 2 | Davis Sign & Awning c/o Matthew Benson, applicant](#)
 - a. **Engineering:** No Comment
 - b. **Traffic:** No comment
 - c. **Utilities:** No comment

3. [1600 Athens Highway, Building C | Amend Conditions of Zoning | on a 0.64± acre tract located on the south side of Athens Highway approximately 596 feet from its intersection with Athens Street | Zoned I-I \(GCOD\); Tax Parcel 15032 000050 | Proposed Use: Automobile repair garage | ** Commission District 3 | Gerado Vargas, applicant](#)
 - a. **Engineering:** This site may require a stormwater management report should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
 - b. **Traffic:** No comment
 - c. **Utilities:** No comment

4. [6147 Dahlonega Highway | Use Subject to County Commission Approval | on a 19.34± acre tract located on the southwest side of Dahlonega Highway approximately 703 feet from its intersection with Kenimer Road | Zoned AR-IV; Tax Parcel 11003 000002A | Proposed Use: Commercial kennel | ** Commission District 3 | Rachel Christensen Rich, applicant](#)
 - a. **Engineering:** This site may require a stormwater management report should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage. Show stream buffer and impervious setback from wrested vegetation not centerline of stream Show FEMA and Hall County studied Flood plains that are present on site.
 - b. **Traffic:** No comment
 - c. **Utilities:** No comment

5. [4137 Short Road | Use Subject to County Commission Approval | on a 4.02± acre tract located on the south side of Short Road approximately 160 feet from its intersection with Sardis Road | Zoned R-I; Tax Parcel 10080 000010 | Proposed Use: 2-lot subdivision | ** Commission District 2 | Connie Allen, applicant](#)
 - a. **Engineering:** If this subdivision is greater than 6 lots on an existing road, a stormwater management report prepared by a professional engineer will be required.
 - b. **Traffic:** No comment
 - c. **Utilities:** No comment

6. [6000 Wellspring Trail | Amend Conditions of Zoning | on a 20.29± acre tract located at the terminus of Wellspring Trail | Zoned POD: Tax Parcel 12046 000001 | Proposed Use: Expansion of services | ** Commission District 3 | Seth Barnes, applicant](#)

- a. **Engineering:** This site may require a stormwater management report should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage. Show stream buffer and impervious setback from wrested vegetation not centerline of stream Show FEMA and Hall County studied Flood plains that are present on site.
- b. **Traffic:** No comment
- c. **Utilities:** No comment

7. [5552 Bogus Road | Rezone | from Planned Residential Development \(PRD\) & Agricultural Residential IV \(AR-IV\) to Planned Residential Development \(PRD\) | on a 13.81± acre tract located on the west side of Bogus Road approximately 420 feet from its intersection with Claude Peck Road | Zoned PRD & AR-IV: Tax Parcel 12051 000015 | Proposed Use: 15-lot residential development | ** Commission District 3 | Seth Barnes, applicant](#)

- a. **Engineering:** This site may require a stormwater management report should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
Traffic: Access apron at Bogus Rd. must be paved to county standards regardless if gravel road is permitted.
If variances are not approved, the new roadway will need to meet Hall County Subdivision regulations.
Unclear, is new roadway proposed to be County maintained? If so, the County does not typically accept gravel roadways into maintenance.
- b. **Utilities:** No comment

8. [7011 & 7051 Pony Lake Road | Amend Conditions of Zoning | on a 101.74± acre tract located on the west side of Pony Lake Road approximately 498 feet from its intersection with Old Whelchel Road | Zoned PRD & AR-IV; Tax Parcels 11101 000003A & 000008 | Proposed Use: Staff residence | ** Commission District 3 | Steve Roys, applicant](#)

- a. **Engineering:** No comment
- b. **Traffic:** No comment
- c. **Utilities:** No comment

9. [7051 Pony Lake Road | Rezone | from Agricultural Residential IV \(AR-IV\) to Planned Residential Development \(PRD\) | on a 1.74± acre tract located on the west side of Pony Lake Road at its intersection with Old Whelchel Road | Zoned AR-IV; Tax Parcel 11101 000008 | Proposed Use: Staff residence | ** Commission District 3 | Steve Roys, applicant](#)

- a. **Engineering:** No comment

- b. **Traffic:** No comment
- c. **Utilities:** No comment

10. 2002 Memorial Park Drive | Rezone | from Residential (R-I) to Highway Business (H-B) on a 0.89± tract on the west side of Memorial Park Drive at its intersection with Browns Bridge Road | Zoned R-I: Tax Parcel 08014 005011 | Proposed Use: Retail sales | ** Commission District 4 | Salomon Sancen, applicant

- a. **Engineering:** This site may require a stormwater management report should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
- b. **Traffic:** Driveway would need to meet Hall County and GDOT requirements.
- c. **Utilities:** No comment

Kaitlyn Elliott (Planning)

From: John Hornick (Fire Services)
Sent: Friday, August 30, 2024 10:23 AM
To: Beth Garmon (CDI: Planning)
Cc: Katie L. Greenway (CDI: Planning); Kaitlyn Elliott (Planning)
Subject: Fire Comments

Follow Up Flag: Follow up
Flag Status: Flagged

Monday, October 7, 2024 Hall County Planning Commission Meeting.

1. [7011 & 7051 Pony Lake Road | Amend Conditions of Zoning](#) | on a 101.74± acre tract located on the west side of Pony Lake Road approximately 498 feet from its intersection with Old Whelchel Road | Zoned PRD & AR-IV; Tax Parcels 11101 000003A & 000008 | **Proposed Use: Staff residence** | ** Commission District 3 | **Steve Roys, applicant**

The Hall County Fire Marshal's Office has no comments regarding the proposed single family modular structure to be placed on the campus of Camp Hope to be used as a permanent Care Takers residence.

2. [7051 Pony Lake Road | Rezone](#) | from Agricultural Residential IV (AR-IV) to Planned Residential Development (PRD) | on a 1.74± acre tract located on the west side of Pony Lake Road at its intersection with Old Whelchel Road | Zoned AR-IV; Tax Parcel 11101 000008 | **Proposed Use: Staff residence** | ** Commission District 3 | **Steve Roys, applicant**

The Hall County Fire Marshal's Office has no comments regarding the proposed single family modular structure to be placed on the campus of Camp Hope to be used as a permanent Care Takers residence.

Regards,

John Hornick, NPQ Fire Service Plans Examiner 1
Lieutenant, Hall County Fire Rescue
Hall County Government

Main: 770-531-6838 | Cell: 404-597-0083

Website: www.Hallcounty.org



PUBLIC NOTICE REQUIREMENTS

Zoning regulations require that public notice must be given prior to all zoning hearings as follows:

1. The Planning Department shall publish a legal advertisement no less than fifteen (15) days and no more than forty-five (45) days prior to the public hearing.
2. The Planning Department shall send notification by letter of all other property owners within a 500-foot radius of the applicant's property is standard administrative policy of the Planning Department.
3. The applicant/property owner shall place the public notice sign in a conspicuous location on the property not less than fifteen (15) days and not more than forty-five (45) days prior to the public hearing.

The Planning Department shall post the legal advertisement and notify property owners within a 500ft radius to the subject property.

The applicant is required to post the public notice sign not less than fifteen (15) days and not more than forty-five (45) days prior to the public hearing. A photo of the sign placed at the location is required and must be sent to the Planning Department.

Multiple sign postings on a site may be required as determined by the Planning Department. The sign must be in a location where it is clearly visible from the roadway. The sign cannot be obstructed in any manner, placed too far from the road, or placed in such manner as would cause it to blend into the landscape.

Should you find the sign missing or vandalized in any manner, contact the Planning Department for a replacement sign. When the proceeding is complete and final Board action has occurred, the sign shall then be removed from the property by the applicant.

THE ZONING SIGN MUST BE POSTED NO EARLIER THAN AUGUST 27, 2024 AND NO LATER THAN SEPT 08, 2024.

THE ORIGINAL SIGNED AFFIDAVIT MUST BE AND RETURNED TO THE PLANNING DEPARTMENT NO LATER THAN SEPT 08, 2024 ALONG WITH A MINIMUM OF ONE PHOTO SHOWING THE SIGN POSTED AT THE SUBJECT PROPERTY.

Failure to comply will result in a delay of the application.

AFFIDAVIT

By my signature, I, Steve Roys, hereby acknowledge that I have
Please Print Name

read and understand the sign posting requirements. I further certify that the required

public notice sign was posted on 8/28/2024 for Steve Roys.
Date (Name application filed as)

Signature Steve Roys

(The original document is required)





ZONING NOTICE

AN APPLICANT HAS BEEN FILED WITH THE BOARD OF ZONING IN REGARDS TO THE FOLLOWING REZONING APPLICATIONS AS THEY APPLY TO THIS PROPERTY:

APPLICANT: **STEVE POYS**

REQUEST: **REZONE FROM AR-IV TO PRD-FOR-A
STAFF RESIDENCE**

IN ORDER TO BE HEARD, PUBLIC HEARINGS WILL BE HELD ON:
 PUBLIC HEARING 1: **Date: OCT 27, 2024
Time: 5:15 PM**
 PUBLIC HEARING 2: **Date: NOV 15, 2024
Time: 6:00 PM**

FOR MORE INFORMATION CALL 270.912.4400

ZONING NOTICE

AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY.

APPLICANT: STEVE ROYS

REQUEST: AMEND CONDITIONS OF A PCD FOR A STAFF RESIDENCE

IN ORDER FOR APPROVAL TO BE RECEIVED:
BY HEARING / COMMENTARY: AND FOR APPROVAL:
Date: OCT 07, 2024 8 Date: NOV 14, 2024
Time: 5:15 PM Time: 6:00 PM

FOR MORE INFORMATION, CALL 1-770-521-6800



AGENDA ITEM

Planning & Zoning

REPORT TO: Work Session (11/12/24)

REPORT TO: Voting Meeting (11/14/24)

ITEM NO: 582/2024

SUBJECT: **7011 & 7051 Pony Lake Road | Amend Conditions of Zoning** | on a 101.74± acre tract located on the west side of Pony Lake Road approximately 498 feet from its intersection with Old Wheelchel Road | Zoned PRD & AR-IV; Tax Parcels 11101 000003A & 000008 | **Proposed Use: Staff residence** | Commission District 3 | **Steve Roys, applicant**

Meetings:

Work Session Date: 11/12/24

Voting Meeting Date: 11/14/24

Executive Summary:

Presenter: BG

Recommendation:

Approval, with conditions

1. The property shall be developed in accordance with the site plan dated August 2, 2024, and as described in the project narrative dated August 6, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. The camp uses may be expanded to include one full-time staff residence located at 7051 Pony Lake, tax parcel 11101 000008.
3. Any further development shall require an as-built survey of the entire property to be reviewed and approved through Hall County Plat Review.
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 Official 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.
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. All conditions of zoning shall be made a part of any plats or construction plans created for the property.
7. Tax Parcel 11101 000008 (7051 Pony Lake Road) and Tax Parcel 11101 000003A (7011 Pony Lake Road) shall be combined by plat.

Purpose of Request:

History:

7011 & 7051 Pony Lake Road | Amend Conditions of Zoning |
 on a 101.74± acre tract located on the west side of Pony Lake Road
 approximately 498 feet from its intersection with Old Wheelchel Road |
 Zoned PRD & AR-IV; Tax Parcels 11101 000003A & 000008 |
Proposed Use: Staff residence | Commission District 3 | Steve
Roys, applicant

Facts and Issues:

Options:

Funding Requested \$ 0.00
Are funds within current budget? No
Source of Funds
Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.? No
Has it been reviewed by the County Attorney? Yes
Is there a deadline for this item?

Approvals:

Submit	Approve	Attorney	Administration
KE	BG	WLI	CR
Clerk			
JR			

Attachments:

- Board Memo
- Recommendation Report
- Application
- Narrative
- Plat
- Site Plan
- Maps
- Septic Plans
- Environmental Health Comments
- GDOT Comments
- Public Works Comments
- Fire Comments
- Notice Signs



Hall County Government

COMMUNITY DEVELOPMENT & INFRASTRUCTURE
PLANNING AND ZONING

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

PLANNING AND ZONING
DIRECTOR
Beth Garmon

To: Richard Higgins, Chairman
Kathy Cooper, District 1 Commissioner
Billy Powell, District 2 Commissioner
Gregg Poole, District 3 Commissioner
Jeff Stowe, District 4 Commissioner

From: Beth Garmon, Director of Planning & Zoning

Date: October 28, 2024

Subject: 7011 & 7051 Pony Lake Road | Amend Conditions of Zoning | on a 101.74± acre tract | Zoned PRD & AR-IV; Tax Parcels 11101 000003A & 000008 | Proposed Use: Staff residence | Steve Roys, applicant

The request before you is the request of Steve Roys to amend conditions of zoning of a Planned Residential Development (PRD) for a youth camp staff residence. This item is located within Commission District 3.

At their October 7, 2024 meeting, the Hall County Planning Commission voted to recommend **approval, with seven (7) conditions (5-0)**.

Staff recommendation: **Approval, with conditions**, as the proposed use is consistent with the surrounding zoning districts and the Rural Residential future land use classification in the Comprehensive Plan.

There were **no comments submitted** in advance of the Planning Commission meeting and **no one spoke during the public hearing**.

Planning Commission Conditions:

1. The property shall be developed in accordance with the site plan dated August 2, 2024, and as described in the project narrative dated August 6, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. The camp uses may be expanded to include one full-time staff residence located at 7051 Pony Lake, tax parcel 11101 000008.
3. Any further development shall require an as-built survey of the entire property to be reviewed and approved through Hall County Plat Review.

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 Official 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.
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. All conditions of zoning shall be made a part of any plats or construction plans created for the property.
7. Tax Parcel 11101 000008 (7051 Pony Lake Road) and Tax Parcel 11101 000003A (7011 Pony Lake Road) shall be combined by plat.

**HALL COUNTY PLANNING COMMISSION
RECOMMENDATION REPORT**

Applicant Steve Roys

Request Rezone | from Agricultural Residential IV (AR-IV, 17.120) to Planned Residential Development (PRD, 17.180.060)

Proposed Use Staff residence

Size 101.74 ± acres

Zoning Planned Residential Development (PRD, 17.180.060)

Location **7011 & 7051 Pony Lake Road** | Tax Parcels 11101 000003A & 000008

Commission District Three

Planning Commission Date October 7, 2024

Staff Recommendation **Approval, with conditions**, as the proposed changes are consistent with previous approvals.

Record Number..... HZON24-0026

Planning Commission Recommendation..... **Approval, with conditions**

Vote: 5-0

Planning Commission Conditions:

1. The property shall be developed in accordance with the site plan dated August 2, 2024, and as described in the project narrative dated August 6, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. The camp uses may be expanded to include one full-time staff residence located at 7051 Pony Lake, tax parcel 11101 000008.
3. Any further development shall require an as-built survey of the entire property to be reviewed and approved through Hall County Plat Review.
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 Official

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.

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. All conditions of zoning shall be made a part of any plats or construction plans created for the property.
7. Tax Parcel 11101 000008 (7051 Pony Lake Road) and Tax Parcel 11101 000003A (7011 Pony Lake Road) shall be combined by plat.

Excerpts from the minutes of the October 7, 2024 meeting

Applicant's Presentation:

Kristie Turner, Principal Planner, presented a summary of the request.

Steve Roys, 7021 Pony Lake Road, Dahlonga, presented the request. The applicant is requesting to amend conditions of a Planned Residential Development (PRD, 17.180.060) for the purpose of establishing a staff residence for an existing youth camp at 7051 Pony Lake Road, tax parcel 11101 000008. This property has a concurrent request to rezone to Planned Residential Development (PRD, 17.180.060) (HZON24-0026) for the purpose of adding this parcel into the overall development to be used as a staff residence for the existing camp property.

Public Forum:

There were no comments in support or opposition.

***Motion: A motion to approve with conditions was made by Mr. Hunt and seconded by Ms. Pilcher.
Vote: 5-0***

Conditions:

1. The property shall be developed in accordance with the site plan dated August 2, 2024, and as described in the project narrative dated August 6, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. The camp uses may be expanded to include one full-time staff residence located at 7051 Pony Lake, tax parcel 11101 000008.

3. Any further development shall require an as-built survey of the entire property to be reviewed and approved through Hall County Plat Review.
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 Official 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.
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. All conditions of zoning shall be made a part of any plats or construction plans created for the property.
7. Tax Parcel 11101 000008 (7051 Pony Lake Road) and Tax Parcel 11101 000003A (7011 Pony Lake Road) shall be combined by plat.

Staff recommends APPROVAL of the applicant’s request with the following conditions:

1. The property shall be developed in accordance with the site plan dated August 2, 2024, and as described in the project narrative dated August 6, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. The camp uses may be expanded to include one full-time staff residence located at 7051 Pony Lake, tax parcel 11101 000008.
3. Any further development shall require an as-built survey of the entire property to be reviewed and approved through Hall County Plat Review.
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 Official 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.
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. All conditions of zoning shall be made a part of any plats or construction plans created for the property.

Summary Analysis

The applicant is requesting to amend conditions of a Planned Residential Development (PRD, 17.180.060) for the purpose of establishing a staff residence for an existing youth camp at 7051 Pony Lake Road, tax parcel 11101 000008. This property has a concurrent request to rezone to Planned Residential Development (PRD, 17.180.060) (HZON24-0026) for the purpose of adding this parcel into the overall development to be used as a staff residence for the existing camp property.

The property at 7011 Pony Lake Road has been the home of Camp Hope, a Christian youth camp, since 1965. In 1997, the site was rezoned from Agricultural Residential IV (AR-IV, 17.120) to Planned Residential Development (PRD, 17.180.060) to bring the existing youth camp into compliance and allow for the reconstruction of buildings damaged by the 1996 tornado.

Per the submitted narrative, the applicant is requesting to rezone the property at 7051 Pony Lake Road to include the parcel into the Planned Residential Development (PRD, 17.180.060) that encompasses Camp Hope and expand the uses to include a residence for year-round camp staff residence to oversee and manage the camp property.

Per County records, a building permit was recently issued (HCNEW24-0161) for the installation of a manufactured home on the property. According to the site plan, access to this residence will be through Camp Hope.

The subject property is surrounded by multiple parcels zoned Agricultural Residential IV (AR-IV) to the north, east, and south and abuts the Lumpkin County line to the west.

Based on the future land-use plan, staff finds the request *is consistent* with the Comprehensive Plan and future land use designation of Rural Residential. The intent of this character area is to preserve the established residential/ rural character and create a transition between rural areas and development in residential areas. Primary future land uses include low-density detached single-family residential uses and civic benefit uses such as places of worship, schools, community centers and parks.

Zoning Analysis

Per Planning Commission and Hall County Commission consideration and decision (17.380.060), the commission shall study the need and justification for the change based on a determination of the facts applicable to the particular case, and the following general lines of inquiry shall be considered, to wit:

1. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property; **The requested amendment to the development is consistent with the previous approval for the Planned Residential Development on June 26, 1997.**
2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **It is not anticipated that the proposed residential use will adversely affect adjacent properties.**
3. Whether the property to be affected by the zoning proposal has reasonable economic use as currently zoned. **Yes, the property has reasonable economic use as currently zoned Planned Residential Development (PRD, 17.180.060).**
4. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, or utilities; **The camp has been in operation since 1965, and the property was rezoned in June 26, 1997, to bring the existing use into compliance and allow for the reconstruction of buildings damaged by the 1996 tornado. The expansion of services to include a staff residence will not result in an excessive or burdensome use of existing infrastructure.**
5. Whether the zoning proposal is in conformity with the policy and intent of the land use plan; **The zoning designation for the camp has been established by previous board action. The requested modification does not significantly impact the designated future land use of the area.**
6. The extent to which property values are diminished by the existing zoning restrictions; **Staff is unable to determine the extent to which property values are diminished by the existing zoning restrictions.**
7. The extent to which the destruction of the subject property's value under the existing zoning promotes the health, safety, morals or general welfare of the public; **Staff is unable to comment on the impact of property values without a full market analysis. Multiple factors impact property value including construction types, proposed uses, and maintenance. Often it is difficult to determine the effect of a development on adjacent properties until the development is completed.**
8. The relative gain to the public as compared to the hardship imposed upon the individual property owner; **Staff has not identified a hardship imposed on the property owner as the property is currently zoned.**
9. The length of time the property has been vacant as zoned considered in the context of land development in the area in the vicinity of the property; **A building permit application for the installation of a manufactured home on the property has been received (HCNEW24-0161) and is pending issuance of the final certificate of occupancy based on the board's final decisions on the conditional use and concurrent rezoning request (HZON24-0026).**
10. Whether there are other existing or changing conditions affecting the use or development of the property which give supporting grounds for either approval or disapproval of the zoning proposal; **Staff is not aware of any changing conditions that affect the use and development of the**

property. Amending conditions allows the expansion of Camp Hope Planned Residential Development (PRD, 17.180.060) for the purpose of providing additional staff housing.

11. Whether the change would create an isolated district unrelated to the surrounding districts; **The current request is to amend conditions of an existing Planned Residential Development. Per the Official Code of Hall County, the Planned Development District (17.160) is to be utilized as a "floating zone" which shall mean that areas will not be pre-designated as planned development districts but rather each such designation shall result from a specific and separate application for amendment.**
12. Whether the present zoning district boundaries are illogically drawn in relation to existing conditions in the area; **There is no evidence that the present zoning district boundaries are illogically drawn.**
13. Whether the change requested is out of scale with the needs of the county as a whole or the immediate neighborhood; **No, the recommended amendments to the conditions would not be out of scale with the needs of the County as a whole.**
14. Whether it is impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned; **The existing zoning of the subject site supports the proposed use; however, the inclusion of this property into the Camp Hope Planned Residential Development (PRD, 17.180.060) is required to add the use of a staff residence.**
15. Whether the need for rezoning could be handled instead by a variance request to the [Planning Commission]; **No, the request could not be handled alternatively as a variance.**
16. Whether there would be an ecological or pollution impact resulting from major modifications to the land if the request is granted; **Any land disturbance activities on the property shall be required to go through the land development permitting process, and as a result, are subject to local, state, and federal regulations. There should not be an ecological or pollution impact resulting from any modification to the land if the request is granted.**
17. Whether there is reasonable evidence based upon existing and anticipated land use that would indicate a mistake was made in the original zoning of the property; **There is no indication that a mistake was made in the original zoning.**

17.380.050. - Submission requirements

- A. Any person or persons requesting a change in the official zoning map or use subject to approval of the county commission shall file an application with a plat or map of the property attached thereto, together with payment of such fees set forth in chapter 17.30 to cover administrative and advertising costs, in the planning department office. Such person or persons or their authorized agent shall appear in person at the public hearing held to consider the district change. **The proposal meets the requirement. The applicant has paid the appropriate fees and understands that someone must be present at both the Hall County Planning Commission meeting and the voting meeting of the Hall County Board of Commissioners.**

- B. All applications for a change of zoning classification or use subject to approval of the county commission shall include:
1. A narrative statement identifying the existing and proposed use of the property and addressing each of the criteria set forth in section 17.380.060.C of this section [chapter]. **The proposal provides a narrative outlining the intent of the development; however, the applicant has not prepared a response to each of the criteria listed in 17.380.060.C.**
 2. A site plan drawn to scale designating the area covered by the application and identifying existing and proposed buildings and uses, adjacent existing land uses, zoning on contiguous parcels, including those across an abutting public right-of-way, and any other significant site improvements proposed to accommodate the proposed use or buffer adjacent uses, etc., or a plat of the subject property where no specific land use is proposed. In cases where only a plat or map is provided and no land use is proposed, the planning commission and county commission shall evaluate the application based on the most intense possible land use permitted in the proposed district. **The proposal meets the requirement.**
- C. For any application for a slow rate land treatment system (see chapter 17.20), the following additional requirements apply: **This standard is not applicable to the applicant's request.**
- D. For any application proposing the development of 100 or more residential dwelling units, a traffic impact study shall be submitted prior to consideration of the application by the planning commission. At the applicant's expense, the traffic impact study shall be prepared by a professional engineer in accordance with requirements established by the Hall County Engineering Department. The engineering department shall review the traffic impact study and forward any comments to the Hall County Planning Commission. **This standard is not applicable to the applicant's request.**

Development Support and Constraints

Hall County Environmental Health

In an email dated September 5, 2024, Emily McGahee stated "Septic Permit OSC-9259 was issued on May 30, 2024 for the proposed structure."

Hall County Fire Marshal

In an email dated August 30, 2024, John Hornick, NPQ Fire Service Plans Examiner 1, Lieutenant stated, "The Hall County Fire Marshal's Office has no comments regarding the proposed single family modular structure to be placed on the campus of Camp Hope to be used as a permanent Care Takers residence."

Hall County Public Works and Utilities

In a memo dated September 6, 2024, Bill Nash, Director of Public Works and Utilities, provided the following comments:

Engineering:

No comment.

Traffic:

No comment.

Utilities:

No comment.

Georgia Department of Transportation

In an email dated September 3, 2024, Veronica Chavers, D1TO Civil Engineer III, stated GDOT coordination is not required.

CONDITIONAL USE APPLICATION

Applicant (Name & Mailing Address)

Steve Roys
7021 Pony Lake Rd
Dahlonega, GA 30533
 Phone 770 536 4787 C-678 316 7309
 Email Address admin@camphopega.org
 Proposed Use residential home

Property Owner (Name & Mailing Address)

Christian Youth Camp Inc DBA Camp Hope
7011 Pony Lake Rd
Dahlonega, GA 30533
 Phone 770 536 4787
 Email Address camphopega@gmail.com

Contact Person (Name & Mailing Address)

Steve Roys | Owner
7021 Pony Lake Rd
Dahlonega, GA 30533
 Phone 678 316 7309 | Other
 Email Address admin@camphopega.org
 Tax Parcel Number 7051 Pony Lake 11101 000008
7011 Pony Lake 11101 000003A
 Location Address 7011 Pony Lake Rd Dahlonega, GA 30533

Status of Applicant

Requested Action

Permissive Use:
 Option to Purchase HCPC HCC
 Area Resident Fee: \$ _____
 Zoning: _____ Receipt #: _____
 Acreage 1.74 Check #: _____

I hereby certify that the above information and all attached information are true and correct.

Sign Steve Roys Date: _____

Applicant must complete all information above. Failure to complete this section will result in the refusal of the application. The Planning Department has 15 days to review all applications and will set the dates for each application. If the application is found insufficient, an agenda date will not be set until the required information is submitted. Please note that the Planning Commission and County Commission dates are tentative.

Application Withdrawal: I hereby **withdraw** the application.

Sign _____ Date: _____

Staff Use Only

Application Date: _____ Taken by: _____
 Tentative Planning Commission Date: _____ Tentative County Commission Date: _____
 County Commission District: _____

PLANNING AND DEVELOPMENT DEPARTMENT
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504
MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30503
t: 770-531-6809 | f: 770-531-3902



AUTHORIZATION OF PROPERTY OWNERS

Note: If the applicant is the property owner, please disregard this form.

Name of owner(s) Christian Youth Camp Inc DBA Camp Hope
Address 7011 Pony Lake Rd # 7051 Pony Lake Rd
Dahlonega, GA 30533
Phone Number 770 536 4787

Name of applicant(s) Steve Raps
Address 7021 Pony Lake Rd
Dahlonega, GA 30533
Phone Number 678 316 7309

I swear that I am the ^{representative} ~~owner~~ of the property which is the subject matter of the attached applications as shown in the records of Hall County, Georgia.

I authorize the person named above to act as applicant in the pursuit of a rezoning, permissive use, or variance of this property.

Signature of Owner(s)
Thomas R. Wortman

Personally appeared before me in Greenville, SC
June 1, 2024

who swears that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

Julia Mesaco
Notary Public, Greenville South Carolina
my commission expires Aug 2, 2024

June 1, 2024
Date



BUSINESS SEARCH

HOME

BUSINESS INFORMATION

Business Name: **CHRISTIAN YOUTH CAMP, INC.**
 Business Type: **Foreign Nonprofit Corporation**
 Business Purpose: **NONE**
 Principal Office Address: **7011 PONY LAKE ROAD, Dahlonega, GA, 30533, USA**
 Jurisdiction: **South Carolina**

Control Number: **07039389**
 Business Status: **Active/Compliance**
 Date of Formation / Registration Date: **4/25/2007**
 Last Annual Registration Year: **2025**

REGISTERED AGENT INFORMATION

Registered Agent Name: **John Schneider, Esq.**
 Physical Address: **600 Peachtree St., NE, Suite 4100, Atlanta, GA, 30308, USA**
 County: **Fulton**

OFFICER INFORMATION

Name	Title	Business Address
Grego Balinewski	Secretary	7011 Pony Lake Road, Dahlonega, GA, 30533, USA
Ross McCulloch	CFO	7011 Pony Lake Road, Dahlonega, GA, 30533, USA
Tom Wortman	CEO	7011 Pony Lake Road, Dahlonega, GA, 30533, USA

Back

Filing History

Name History

Return to Business Search



CAMPAIGN CONTRIBUTIONS DISCLOSURE FORM

This form must be completed by the applicant and property owner, or person representing the property owner, for all zoning actions.

OCGA § 36-67A-3[C] Disclosure of campaign contributions:

- (b) When any applicant for zoning action has made, within two years immediately preceding the filing of the applicant's application for the zoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:
- (3) The name and official position of the local government official to whom the campaign contribution was made; and
- (4) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.
- (b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the zoning action is first filed. (Code 1981, Section OCGA § 36-67A-3[C], enacted by GA L. 1986, page 1269, Section 1, GA L. 1991, page 1365, Section 1).

I hereby certify that I have read the above and that:

I have** _____ I have not X

within the two years immediately preceding this date, made any contribution(s) aggregating \$250.00 or more to any local government official involved in the review or consideration of this application.

****If you have made such contributions, you must provide the data required below within ten (10) days of filing this application.**

Name of Official(s): _____

Office: _____

Dollar Amount: _____

Date of Contribution: _____

Applicant's/Owner's Signature: Steve Roys

Date: 5/13/24

Applicant's/Owner's Name (Printed): Steve Roys

From Church
Tom Wortman



CAMPAIGN CONTRIBUTIONS DISCLOSURE FORM

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- (3) The name and official position of the local government official to whom the campaign contribution was made; and
- (4) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.
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I have** I have not

within the two years immediately preceding this date, made any contribution(s) aggregating \$250.00 or more to any local government official involved in the review or consideration of this application.

**If you have made such contributions, you must provide the data required below within ten (10) days of filing this application.

Name of Official(s): _____ Office: _____

Dollar Amount: _____ Date of Contribution: _____

Applicant's/Owner's Signature: Thomas R. Wortman Date: 07/06/2024

Applicant's/Owner's Name (Printed): Thomas R Wortman

Christian Youth Camp Inc
DBA Camp Hope
7011 and 7051 Pony Lake Rd
Dahlonega, GA 30533

RE: Rezoning & Conditionals Use Narrative

Property Development

1. Request to rezone 1.74 acres (7051 Pony Lake Rd) to be included in the existing PRD and to amend conditions for the PRD to include a residence for year-round camp staff family to oversee and manage the camp property. A building permit has been issued for 32' x 76' modular home, building permit number HCNEW24-0161.

Purpose Statement of Camp Hope

7011 Pony Lake Rd is a 100 acre parcel of land that is zoned Planned Residential Development (PRD) for the following purposes:

1. To present the claims of Christ to the unbelievers through the preaching of the God's Word and the faithful witness of staff and cabin leaders, giving them the opportunity to respond to the gospel message according to the working of the Holy Spirit.

2. To promote Christian character and maturity in the area of one's relationship to the Lord and to other believers, as well as reaching a Biblical understanding of one's identity from God's perspective.

3. To provide opportunity for fellowship among Christians, as well as give guidance and instruction in the area of interpersonal relationships.

4. To make use of the facilities by allowing local like-minded Christian churches or organizations to use the facilities for the furtherance of their local programs.

Program Objectives

1. Camp/Conferences/Retreats
2. Home School Activities
3. Follow-up ministry
4. Staff and cabin leader recruitment and training
5. Promotion/Public Relations/Communications
6. Mission Outreach
7. Guest Group programs
8. Other programs as approved by the board

RECEIVED

AUG 06 2024

Planning & Zoning Department

Christian Youth Camps, Inc.

LAND LOT 101
11th DISTRICT, 1st SECTION
HALL COUNTY, GEORGIA

DATE: APRIL 8, 2024

REVISIONS:

DATE	COMMENT
4-24-24	ADDRESS COUNTY REVIEW
7-5-24	ADD COMBINATION INFO.

LEGEND

● IRON PIN FOUND	☐ FIRE HYDRANT	☐ POWER BOX
● IRON PIN SET (IPS)	☐ UTILITY POLE	⊙ MILE POST
▲ COMPUTED POSITION (NO MONUMENT)	☐ WATER METER	⊙ DRAIN INLET
● ROCK	☐ WATER VALVE	⊙ STORM NH
■ OR CONCRETE MONUMENT	☐ GAS METER	⊙ SEWER NH
■ REBAR	☐ GAS VALVE	⊙ LIGHT POLE
OT/PT — OPEN TOP PIPE	— — — — — PROPERTY LINE	
CTP — CRIMP TOP PIPE	— — — — — LAND LOT LINE	
P.O.B. — POINT OF BEGINNING	— — — — — RIGHT OF WAY	
R/W — RIGHT OF WAY	— — — — — G/H POWER	
P/L — PROPERTY LINE	— — — — — G/H TELEPHONE	
C/L — CENTERLINE	— — — — — FENCE	
N/F — NOW OR FORMERLY	— — — — — STREAM OR POND	
DB/pg — DEED BOOK/PAGE	— — — — — UG GAS LINE	
PB/pg — PLAT BOOK/PAGE	— — — — — UG POWER	
PP — UTILITY POLE	— — — — — SEWER LINE	
LL — LAND LOT	— — — — — WATER LINE	
RCP — REINFORCED CONCRETE PIPE	— — — — — C — CUMULATIONS	
CMP — CORRUGATED METAL PIPE	— — — — — STORM LINE	
CPP — CORRUGATED PLASTIC PIPE	— — — — — R/W TRACKS	
— — — — — ASPHALT	— — — — — EXIST. CONTOUR	
— — — — — CONCRETE	— — — — — 1000 — EXIST. INDEX CONTOUR	
— — — — — GRAVEL	— — — — — 1000 — PROP. INDEX CONTOUR	

MONUMENT DIMENSIONS ARE OUTSIDE/OVERALL DIMENSIONS. ALL IPS ARE CAPPED 5/8" REBAR UNLESS OTHERWISE NOTED.
Thou shalt not remove thy neighbor's landmark, which thy of old time have set.
Deuteronomy 19:14 KJV

DISCLOSURE & NOTICE
This drawing and any findings does not constitute a title or legal opinion by Chastain & Associates, P.C. Any provided certification is a statement based on facts and knowledge known to the registrant and is not a guarantee or warranty, either expressed or implied. Other documents or conditions may exist that would affect this property. As a unique pictorial and graphic professional work, this survey is subject to the Copyright laws of the United States. The latest date of field survey work is the date applicable to provisions of Statutes of Limitation. No certification or liability is extended to any party not named herein. Subsurface matters not certified unless excavated.
IN GOD WE TRUST

PREPARED BY
CHASTAIN & ASSOCIATES, P.C.
SURVEYING~PLANNING~CONSULTING

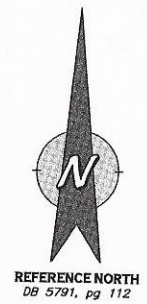


"Covering Dixie Like The Dew"
CHASTAINASSOCIATES.COM
(706)276-7528 (770)889-1770
email: INFO@CHASTAINASSOCIATES.COM
288 N. Main St., Ellijay, GA 30540
GEORGIA CERTIFICATE OF AUTH. LSF000781
TENNESSEE PROFESSIONAL REG. NO. 1937
NORTH CAROLINA SURVEYING FIRM C-3198
ALABAMA LAND SURVEYING FIRM CA-892-LS
SOUTH CAROLINA SURVEYING FIRM COA No. 5205

50 0 100 200
GRAPHIC SCALE - 1" = 100'
SHEET 1 OF 1
FILE: 214D24A

THE FOLLOWING GOVERNMENTAL DEPARTMENTS HAVE APPROVED THIS PLAT:

HALL COUNTY PLANNING & ZONING	DATE
HALL COUNTY ENVIRONMENTAL HEALTH	DATE
HALL COUNTY ENGINEERING	DATE



NOTES REQUIRED BY HALL COUNTY GOVERNMENT:
1) THIS PROPERTY DOES NOT LIE WITHIN A HALL COUNTY STUDIED FLOOD ZONE AS SHOWN ON HALL COUNTY GIS.
2) TANY STREAM OR STATE WATER LOCATED ON THIS PROPERTY IS SUBJECT TO A 50' UNDISTURBED NATURAL VEGETATIVE BUFFER AND A 75' IMPERVIOUS SURFACE SETBACK MEASURED FROM THE POINT OF WRESTED VEGETATION (HALL COUNTY ORD. 8.170.070).
3) ALL LAND DISTURBANCES OVER ONE ACRE SHALL REQUIRE AN EROSION, SEDIMENTATION, AND POLLUTION CONTROL PLAN.

N/F ROBINSON
DB 8679, pg 663
PB 37, pg 146



N/F SHEFFIELD
DB 8027, pg 101
PB 874, pg 181

N/F ROBINSON
DB 5647, pg 648
PB 73, pg 106

N/F SHEFFIELD
DB 8027, pg 101
PB 874, pg 181

N/F CHRISTIAN YOUTH CAMPS, INC.
DB 669, pg 609
PB 30, pg 180



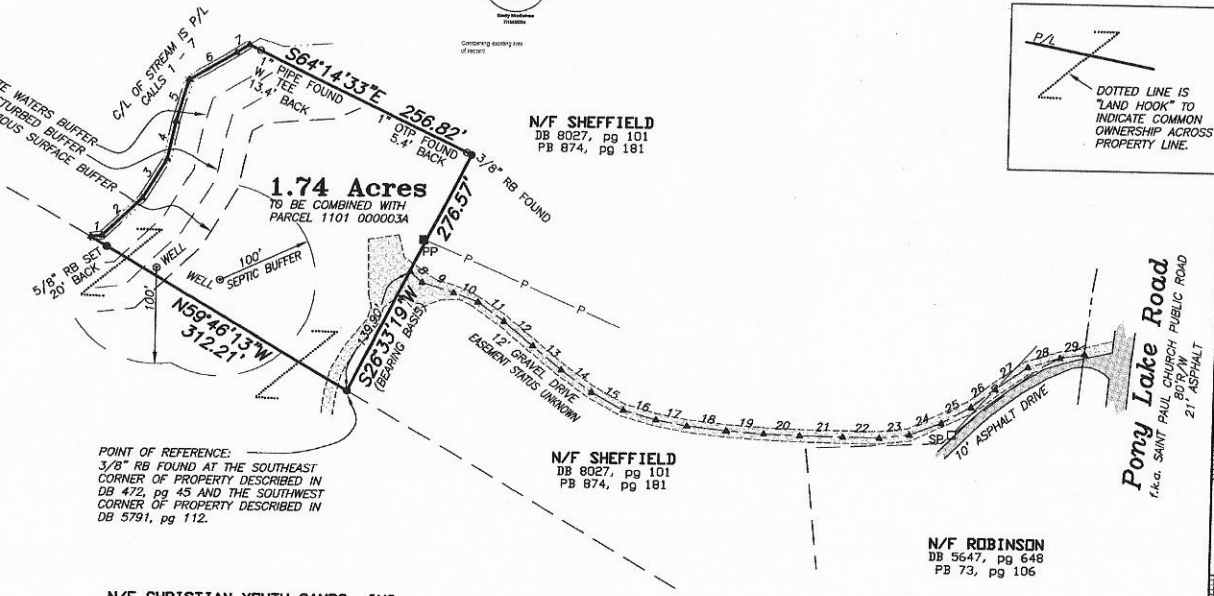
FLOOD STATEMENT:
THIS PROPERTY IS DEPICTED AS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA BY GRAPHICAL INTERPRETATION OF FLOOD INSURANCE RATE MAP (F.I.R.M.) 13139C0060G DATED: 4/4/2018.
THIS OPINION IS NOT A CERTIFICATION OF FLOOD HAZARD STATUS, BUT AN INTERPRETATION OF THE REFERENCED MAP AND PUBLIC DATA. IF THE EXACT LOCATION OR ELEVATION OF FLOOD HAZARD BOUNDARIES ARE NECESSARY, A MORE DETAILED STUDY MAY BE NEEDED. CHASTAIN & ASSOCIATES, P.C. ASSUMES NO RESPONSIBILITY OR LIABILITY FOR THE ACCURACY OF THE REFERENCED MAP OR PUBLIC DATA.

CALL TABLE

LINE	BEARING	DISTANCE
1	N83°24'39"E	12.24'
2	N46°26'36"E	56.86'
3	N31°29'11"E	48.54'
4	N11°58'21"E	40.18'
5	N16°38'05"E	45.63'
6	N59°49'58"E	56.15'
7	N57°25'14"E	15.95'
8	S47°10'42"E	17.01'
9	S72°21'04"E	33.48'
10	S70°03'16"E	27.30'
11	S53°54'45"E	33.58'
12	S51°18'39"E	39.89'
13	S51°23'13"E	39.40'
14	S54°20'32"E	39.29'
15	S61°49'27"E	38.67'
16	S74°09'35"E	35.47'
17	S79°29'52"E	32.71'
18	S83°39'37"E	40.72'

CALL TABLE

LINE	BEARING	DISTANCE
19	S86°14'22"E	38.84'
20	S87°48'37"E	37.63'
21	S89°24'01"E	46.21'
22	S89°16'15"E	37.98'
23	N83°20'47"E	31.90'
24	N69°12'17"E	35.37'
25	N60°42'57"E	34.99'
26	N52°24'07"E	31.15'
27	N54°31'29"E	40.81'
28	N72°51'45"E	34.87'
29	N80°49'53"E	25.81'



eFiled and eRecorded
DATE: 07/17/2024
TIME: 1:49 PM
PLAT BOOK: 885
PAGE: 368 - 368
FILING FEES: \$10.00
PART ID: 7951616124
PART ID: 2919157511
RECORDED BY: NB
Charles Baker, C.S.C
Hall County, GA

THE SPACE ABOVE IS RESERVED FOR THE CLERK OF SUPERIOR COURT FOR RECORDING DATA

GEORGIA SURVEY DATA
A. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS CLOSURE PRECISION OF ONE FOOT IN 55,559 FEET, AND AN ANGULAR ERROR OF 12 SECONDS PER ANGLE POINT, AND WAS ADJUSTED USING LEAST SQUARES.
B. THE PERIMETER OF THIS SURVEY HAS A CLOSURE PRECISION OF ONE FOOT IN 199,209 FEET.
C. ANGULAR AND LINEAR MEASUREMENTS OBTAINED BY USE OF A TOPCON GTS-235 TOTAL STATION.
D. DATE(S) OF FIELD SURVEY: 4-21-14 & 3-20-24.
E. OWNER INFORMATION AT TIME OF SURVEY:
OWNER: CHRISTIAN YOUTH CAMPS, INC.
SOURCE OF TITLE: DB 7462, pg 585
TAX PARCEL: 1101 000008

GPS STATEMENT:
THIS SURVEY INCORPORATED POINTS ESTABLISHED BY A NETWORK ADJUSTED REAL TIME KINEMATIC GPS SURVEY USING A CARLSON Br7 DUAL FREQUENCY RECEIVER AND THE GOCS SOLUTIONS NETWORK. THE RELATIVE POSITIONAL ACCURACY OF THE GPS PORTION OF THIS SURVEY IS 0.1'.

RECORDING PERMIT

By Brittany Passmore
HALL COUNTY PLANNING COMMISSION
DATE: 7/18/2024

GEORGIA SURVEYOR CERTIFICATION
O.C.G.A. 15-6-67(c)(3)(A)(i) (APPROVAL NEEDED)
As required by subsection (d) of O.C.G.A. Section 15-6-67, this plat has been prepared by a land surveyor and approved by all applicable local jurisdictions for recording as evidenced by approval certificates, signatures, stamps, or statements hereon. Such approvals or affirmations should be confirmed with the appropriate governmental bodies by any purchaser or user of this plat as to intended use of any parcel. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.

MARK E. CHASTAIN, RLS No. 2718 DATE: 7-4-2024



1" = 50'

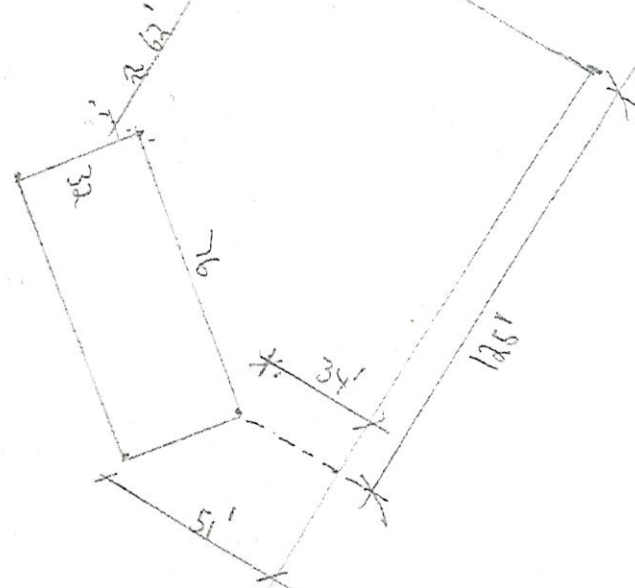


7051 Pony Lake Rd

312.2

Softball Field

Christian Youth Camp
DBA Camp Hope
7011 Pony Lake Rd

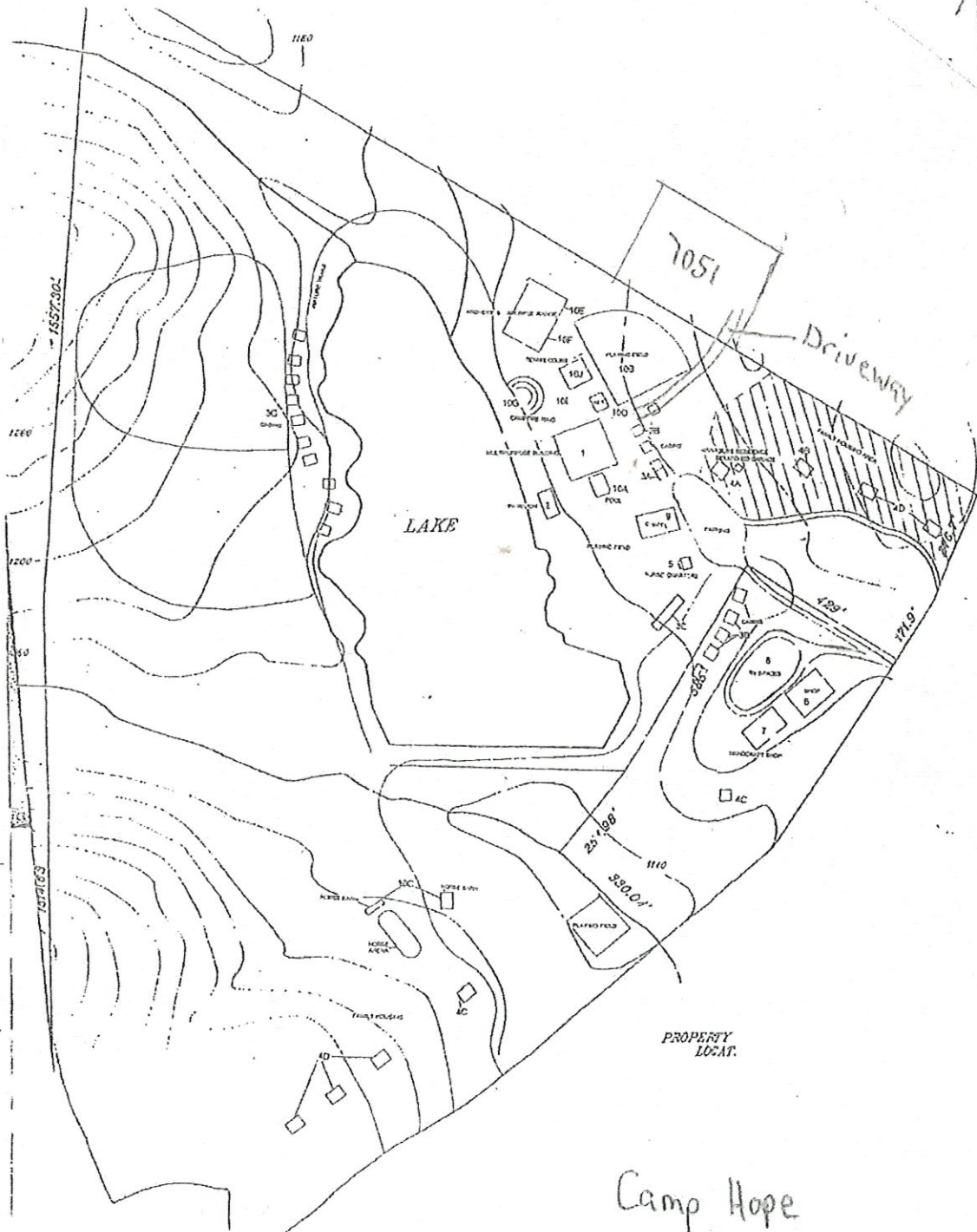


276.5

RECEIVED

AUG 02 2024

Planning & Zoning Department



Camp Hope
7011 Pony Lake Rd
Dahlonega, GA 30533

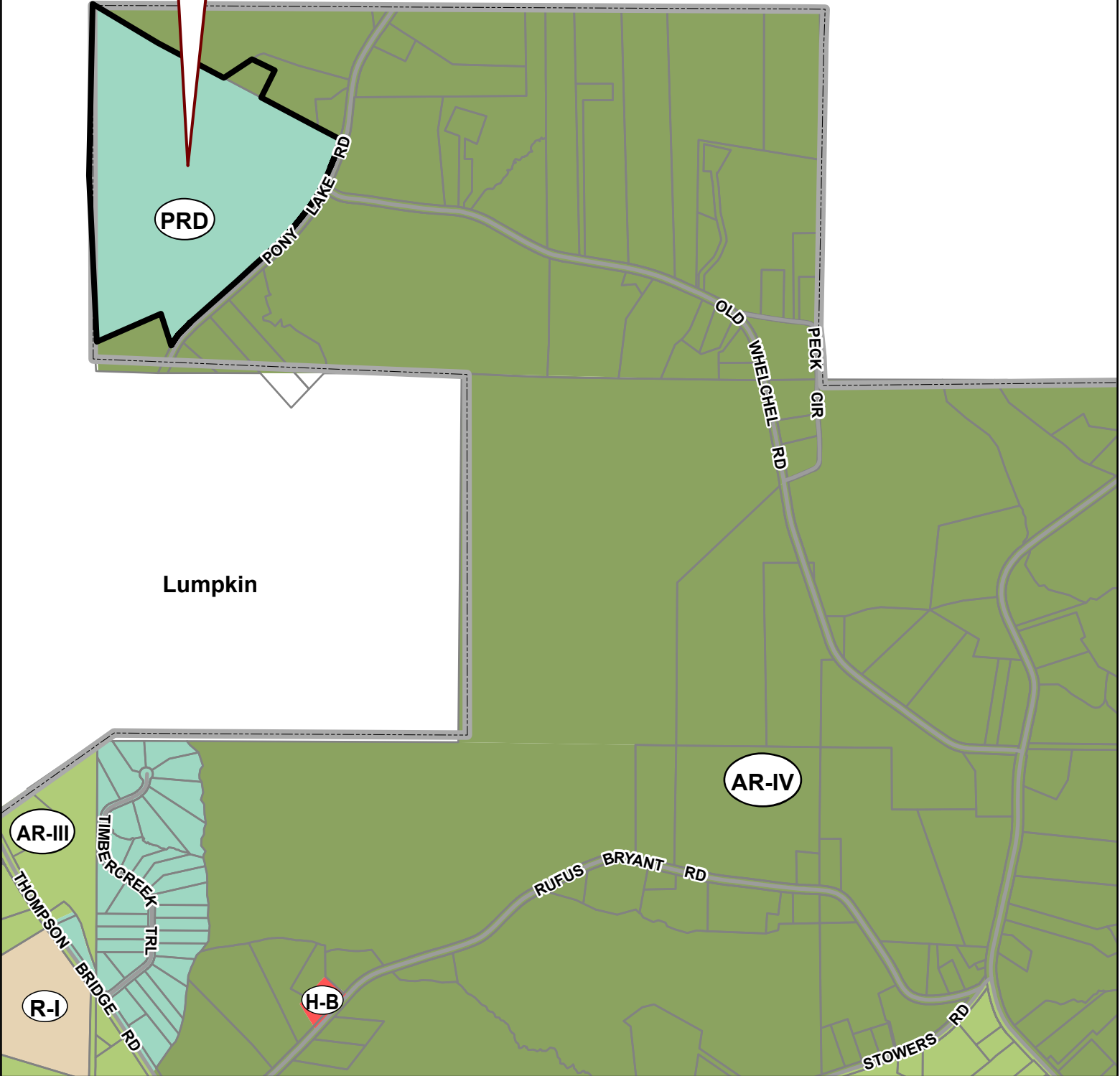
RECEIVED

AUG 02 2024

Planning & Zoning Department

Lumpkin

Subject Area



Lumpkin

AR-IV

AR-III

R-I

H-B

Applicant: STEVE ROYS

Tax Parcel #: 11101 000003A & 11101 000008

Location: 7011 & 7051 PONY LAKE ROAD, DAHLONEGA, GA 30533

Commission District 3

PC Mtg. Date: 10/07/2024

0 300 600 1,200
Feet

- Zoning Boundary
 - ▭ City Limits
 - ◻ Subject Area
 - ◻ Structure
- N

Lumpkin



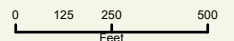
Applicant: STEVE ROYS

Tax Parcel #: 11101 000003A & 11101 000008

Location: 7011 & 7051 PONY LAKE ROAD, DAHLONEGA, GA 30533

Commission District 3

PC Mtg. Date: 10/07/2024



- Zoning Boundary
- City Limits
- ▨ Subject Area
- Structure





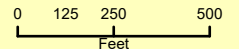
Applicant: STEVE ROYS

Tax Parcel #: 11101 000003A & 11101 000008

Location: 7011 & 7051 PONY LAKE ROAD, DAHLONEGA, GA 30533

Commission District 3

PC Mtg. Date: 10/07/2024

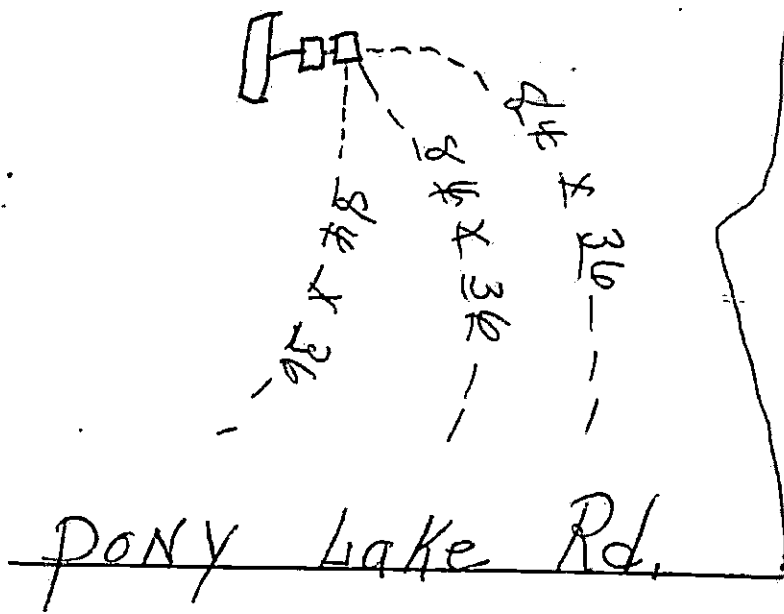


- Zoning Boundary
- - - City Limits
- ▣ Subject Area



AS BUILT PLOT PLAN

12/22/86 letter
to Building Official



DEPARTMENT OF PUBLIC HEALTH - INDIVIDUAL SEWAGE RECORD

Mobel Home
Type of Establishment

Hall
County

Go Route #60 To Pony Lake Rd 1/2 mile on left
Location (Address)

Doyle Robinson
Owner's Name

Johnson St. Gainesville
Owner's Address

Construction Permit Number 9040

Water Supply: City _____ Other

Name of Subdivision Pony Lake Rd

Lot Number None Block _____

Tank Size: Length 8 Feet Width 4 Feet Liquid Depth 5 Feet

Tank Material Cement + Wire Tank Capacity 1000

Tile Field:
Distance From: Foundation _____ ft.; Well _____ ft.; Nearest lot line _____ feet.

Total length 252 Feet Number of Lines 3

Length each line 84 Ft. Trench width 36 in. Depth of tile _____

Filter Material: Gravel NO # 5 Broken Stone _____ Depth _____

CONTRACTOR'S SIGNATURE Harace Lee ADDRESS Rte 4 Gainesville

DATE COMPLETED April 24, 71

Georgia Department of Public Health
INDIVIDUAL SEWAGE DISPOSAL SYSTEM INSPECTION REPORT

County Code	Construction Permit	Case Number (PHA, VA, etc.)	Health Dist.	Day	Month	Year
069	9040	9 10 11 12 13 14 15 16 17 18 19 20	02	28	06	91
2 3 4	5 6 7 8		21 22	23 24	25 26	27 28

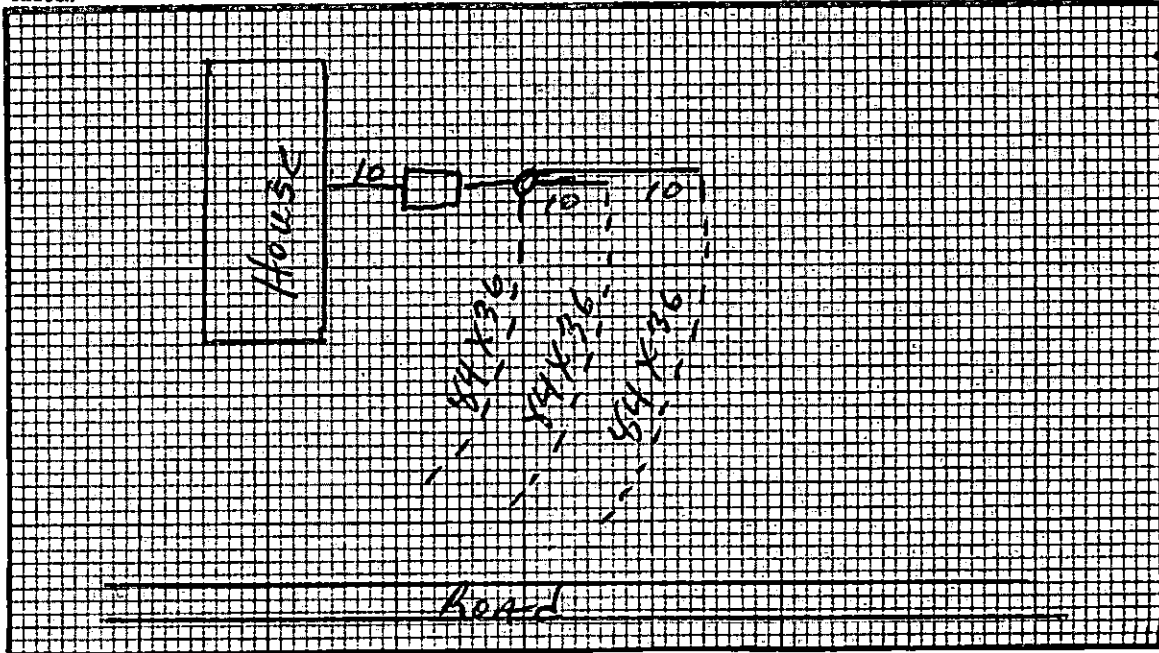
Property Location <div style="font-size: 1.5em; font-family: cursive;">Pony Lake Rd.</div>	Property Owner <div style="font-size: 1.2em; font-family: cursive;">Doyle Robinson</div> Sewerage/Disposal Contractor <div style="font-size: 1.2em; font-family: cursive;">Horace Gee</div>	County <div style="font-size: 1.5em; font-family: cursive;">Hall</div>
---	---	---

ALL ITEMS: Blank = Not Applicable; 0 = Unknown

*ITEMS: 1 = Yes; 2 = No

SECTION A - GENERAL	SECTION D - PRIMARY TREATMENT	SECTION B - FACILITY	SECTION E - SECONDARY TREATMENT	SECTION F - HEALTH AGENCY TIME
1. Type Water Supply: (1) Public, (2) Community, (3) Indiv. <input checked="" type="checkbox"/> 3	1. Sewage Disposal Method: (1) Septic Tank, (2) Construction Privy, (3) Pit Privy, (4) Other <input checked="" type="checkbox"/> 1	1. **Type Facility: See Code Below <input checked="" type="checkbox"/> 01	1. Field Layout Method: (1) Distribution Box, (2) Level Field, (3) Serial <input checked="" type="checkbox"/> 1	1. Total Inclusive Time (min.): <input checked="" type="checkbox"/> 0910
2. Financial Assistance: (1) PHA, (2) VA, (3) Farmers Home, (4) Conventional, (5) Other <input checked="" type="checkbox"/> 29	2. Septic Tank Capacity (gallons): <input checked="" type="checkbox"/> 1000	2. Water Usage Determined by: (1) No. Bedrooms, (2) No. Gallons <input checked="" type="checkbox"/> 1	2. Nitrification Field: <input type="checkbox"/> 60	SECTION G - SYSTEM APPROVED
3. House Structure: (1) New, (2) Existing < 1 year, (3) Existing > 1 year <input checked="" type="checkbox"/> 30	3. Unit 1 Tank/Compartment Capacity: <input checked="" type="checkbox"/> 45 46 47 48	3. Number Bedrooms or Gallons: <input checked="" type="checkbox"/> 01002	a. Total Square Feet <input checked="" type="checkbox"/> 0756	1. *Yes <input checked="" type="checkbox"/> 1
4. Sewage Disposal Installation: (1) New, (2) Repair to existing sys. <input checked="" type="checkbox"/> 31	4. Septic Tank Inside Length (feet): <input checked="" type="checkbox"/> 49 50 51 52	SECTION C - LOT SIZE <input checked="" type="checkbox"/> 2 Acre	61 62 63 64	2. No <input type="checkbox"/> 74
5. If Repair of Existing System - Years System Installed: (1) < 1 year, (2) 1 - 2, (3) 2 - 3, (4) 3 - 5, (5) 5 - 10, (6) > 10 <input checked="" type="checkbox"/> 32	5. Septic Tank Inside Width (feet): <input checked="" type="checkbox"/> 1040	1. Lot Depth (Average): <input type="checkbox"/>		
6. Percolation Rate Min./In.: <input checked="" type="checkbox"/> 30	6. Septic Tank Liquid Depth (feet): <input checked="" type="checkbox"/> 40	2. Lot Width (Average): <input type="checkbox"/>		
7. *Is Property Part of a Subdivision: <input checked="" type="checkbox"/> 2	7. Septic Tank Material: (1) Precast concrete, (2) Poured in place, (3) Other <input checked="" type="checkbox"/> 1	3. Building Line (Feet): <input type="checkbox"/>		
SECTION B - FACILITY <input checked="" type="checkbox"/> 36	8. Dosing Tank Capacity (gallons): <input type="checkbox"/> 53			
1. **Type Facility: See Code Below <input checked="" type="checkbox"/> 01	9. Grease Trap Capacity (gallons): <input type="checkbox"/> 54 55 56			
2. Water Usage Determined by: (1) No. Bedrooms, (2) No. Gallons <input checked="" type="checkbox"/> 1	10. Distance Septic Tank from Well: <input type="checkbox"/> 57 58 59			
3. Number Bedrooms or Gallons: <input checked="" type="checkbox"/> 01002	SECTION E - SECONDARY TREATMENT			
SECTION C - LOT SIZE <input checked="" type="checkbox"/> 2 Acre	1. Field Layout Method: (1) Distribution Box, (2) Level Field, (3) Serial <input checked="" type="checkbox"/> 1			
1. Lot Depth (Average): <input type="checkbox"/>	2. Nitrification Field: <input type="checkbox"/> 60			
2. Lot Width (Average): <input type="checkbox"/>	a. Total Square Feet <input checked="" type="checkbox"/> 0756			
3. Building Line (Feet): <input type="checkbox"/>	61 62 63 64			

Sketch



1. **Type Facility
- (1) Residence
 - (2) Apartment
 - (3) Institution
 - (4) Service Station
 - (5) Restaurant
 - (6) Church
 - (7) Tourist Accommodation
 - (8) Launderette
 - (9) Mobile Home Park
 - (10) Other (Specify) _____

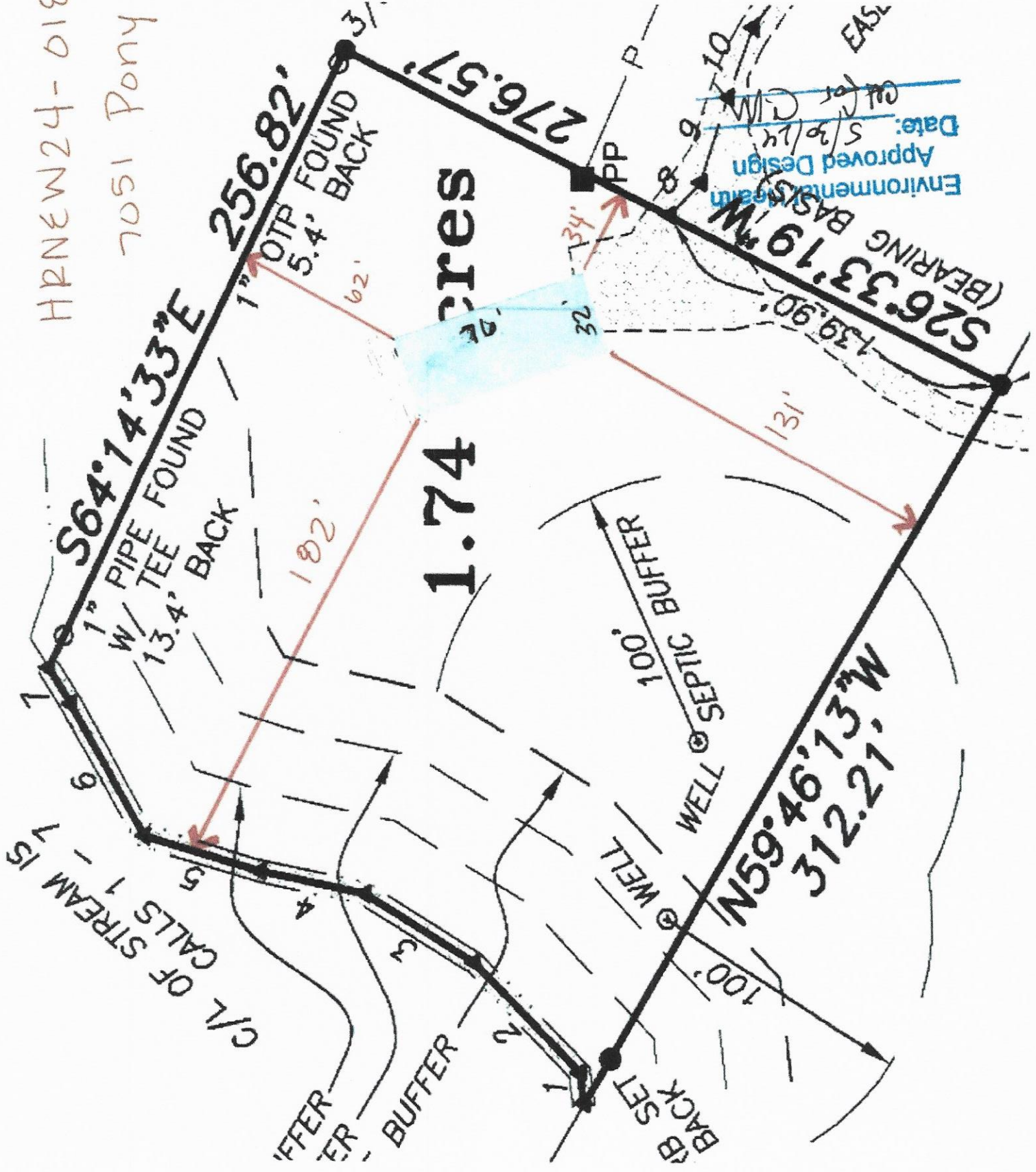
Contractor
Remarks: Draw 179

Inspected By: <u>George Fraser</u>	Title: <u>Env. Tech.</u>	Health Agency: <u>6-27-91 Hall Co. H/D.</u>
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**Georgia Department of Public Health
APPLICATION FOR CONSTRUCTION PERMIT AND SITE APPROVAL
FOR INDIVIDUAL SEWAGE DISPOSAL SYSTEM**

Subdivision, Street or Road <i>Route 60 - PONY Lake Rd.</i>		Health District <i>2</i>	County <i>HALL</i>
Property Location (Address, Block, Lot, Directions to Property) <i>Go Route #60 TO PONY Lake Rd. Pony's LAKE Road go approx. 1/2 mile ON left</i>			
I hereby apply for a construction permit to install or construct an individual sewage disposal system and agree that the system will be installed to conform to the requirements of the rules of the Georgia Department of Public Health, Chapter 270-5-25. I understand that final inspection is required and will notify the local or State Health Department upon completion of construction and before applying final cover.			
Signature (Owner or Applicant) <i>Horace Gee</i>		Date <i>4-24-71</i>	Phone No.
Property Owner's Name <i>DOYLE ROBINSON</i>		Phone No.	
Owner's Address <i>Johnson Street Gainesville</i>			
Permit Applicant's Name <i>Horace Gee</i>		Phone No.	
Applicant's Address <i>Route 4 Gainesville GA</i>			
Financial Assistance <input type="checkbox"/> FHA, <input type="checkbox"/> VA, <input type="checkbox"/> Farmers Home, <input checked="" type="checkbox"/> Conventional, Case Number <i>3</i>			
Type Facility (Residence, Church, Motel, Restaurant, Etc.) <i>Mobile Home</i>		No. of Bedrooms or No. of Gallons Per Day <i>2 Bd</i>	
Water Supply <input type="checkbox"/> Public, <input type="checkbox"/> Community, <input checked="" type="checkbox"/> Individual		Located Required Distances From Possible Pollution Source <input checked="" type="checkbox"/> Yes, <input type="checkbox"/> No	
Lot Size Front _____ Ft., Rear _____ Ft., Right Side _____ Ft., Left Side _____ Ft., Square Ft./Acre <i>2 acrs</i>			
House Design <input checked="" type="checkbox"/> Ground Level, <input type="checkbox"/> Split Level, <input type="checkbox"/> With Basement		Level of Plumbing Outlet <input checked="" type="checkbox"/> Ground Level, <input type="checkbox"/> Split Level, <input type="checkbox"/> Basement	
Soil Conditions (Nitrification Field) <i>C/A</i> Percolation Rate _____ Min./in.; Water Table Depth _____ Feet; Soil Type (Rock, Etc.) _____			
Sewage Disposal <input checked="" type="checkbox"/> Septic Tank, <input type="checkbox"/> Construction Privy, <input type="checkbox"/> Pit Privy		Total Capacity Septic Tank <i>1000</i> Gals.; Dosing Tank _____ Gals.; Grease Trap _____ Gals.	
Field Layout Method <input checked="" type="checkbox"/> Distribution Box, <input type="checkbox"/> Level Field, <input type="checkbox"/> Serial Distribution		Nitrification Field Area Total Sq. Ft. <i>756</i> ; Total Linear Ft. <i>252</i> ; Trench Width in <i>36</i>	
If Distribution Box is Used No. of Lines <i>3</i> ; Length Each Line, Ft. <i>84</i>			
Site Approved <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
Special Conditions (Explain) <i>AR-10-1226 WILL CALL</i>			
PERMIT			
A Permit is hereby granted to install or construct the individual sewage disposal system described above. This Permit is not valid unless properly signed below, and expires twelve (12) months from date of issue.			
Construction Permit Number <i>9040</i>		Date of Issue <i>23 Apr 71 (EE)</i>	
Approved by (Health Department Representative)		Title	

HRNEW24-0183
7051 Pony L



Environmental Staff
Approved Design
Date: 5/30/14
G.M.
EAS

Kaitlyn Elliott (Planning)

From: Emily McGahee (Environmental Health)
Sent: Thursday, September 5, 2024 4:55 PM
To: Kaitlyn Elliott (Planning); Beth Garmon (CDI: Planning); Katie L. Greenway (CDI: Planning)
Cc: Kelly Hairston (Environmental Health); Chad Harper (Environmental Health)
Subject: HCPC Tentative Agenda 10.7.2024

Follow Up Flag: Follow up
Flag Status: Completed

Please find Environmental Health comments below:

Items 1A,B,C, 6111 Oak Hill Drive, Hoffmann: All proposed structures must meet all residential permitting requirements and/or required setbacks to existing septic system. An existing system evaluation/site visit will be required for Environmental Health to process the building permit application.

Item 2, 3654 Thompson Bridge Road, Benson: No comment. Public sewer.

Item 3, 1600C Athens Hwy, Vargas: No floor drains or process wastewater to be discharged to the existing septic system. Domestic waste only.

Item 4, 6147 Dahlonega Hwy, Rich: Must meet all Environmental Health commercial septic system permitting requirements. Further determination will be made during the civil plan review process. A detailed business plan must be submitted to Hall County Environmental Health for review. Additional items, including, but not limited to: recorded plat, soil evaluation, and septic system installation/modification may be required after review of business plan.

Item 5, 4137 Short Rd, Allen: All proposed lots must meet Hall County Board of Health Lot Size Resolution requirements. This plat is currently under review by the Hall County Plat Review Team, which is waiting for revisions to be submitted for review under case number HPLT24-0090.

Item 6, 6000 Wellspring Trail, Barnes: Must meet all Environmental Health commercial septic system permitting requirements. Further determination will be made during the civil plan review process. A detailed business plan must be submitted to Hall County Environmental Health for review. Additional items, including, but not limited to: recorded plat, soil evaluation, and septic system installation/modification may be required after review of business plan. A Food Service permit/plan review may be required after review of business plan

Item 7, 5552 Bogus Road, Barnes: All proposed lots must meet Hall County Board of Health Lot Size Resolution requirements. Please note that Zoning approval does not imply approval from other county departments. Further determination will be made during the plat review process.

Item 8, 7011/7051 Pony Lake Road, Roys: Septic Permit OSC-9259 was issued on May 30, 2024 for the proposed structure.

Item 9, 7051 Pony Lake Road, Roys: Septic Permit OSC-9259 was issued on May 30, 2024 for the proposed structure.

Item 10, 2002 Memorial Park, Sancen: Must meet all Environmental Health commercial septic system permitting requirements. A detailed business plan must be submitted to Hall County Environmental Health for review. Additional items, including, but not limited to: recorded plat, soil evaluation, and septic system installation/modification may be required after review of business plan. An onsite sewage management system (and bathroom structure) will be required on the property if it is to be occupied for two hours or more.

Emily McGahee

Hall County Environmental Health

Hall County Government Center

2875 Browns Bridge Road

Mailing: PO Box 5901

Gainesville, GA 30504

(770) 531-3973 (phone)

emcgahee@hallcounty.org

<http://dph.georgia.gov/environmental-health> (State Website)

<http://www.phdistrict2.org/HallCounty.htm> (District Website)

<https://www.hallcounty.org/192/Environmental-Health> (County Website & Forms)

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Kaitlyn Elliott (Planning)

From: Chavers, Veronica E <VChavers@dot.ga.gov>
Sent: Tuesday, September 3, 2024 12:40 PM
To: Beth Garmon (CDI: Planning); Katie L. Greenway (CDI: Planning); Kaitlyn Elliott (Planning)
Subject: RE: Tentative Planning Agenda for October 7, 2024

Follow Up Flag: Follow up
Flag Status: Completed

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

See responses blow.

From: Kaitlyn Elliott (Planning) <kelliott@hallcounty.org>
Sent: Friday, August 30, 2024 8:59 AM
To: Beth Garmon (CDI: Planning) <bgarmon@hallcounty.org>; Bill Nash (CDI: Public Works) <bnash@hallcounty.org>; Bill Schmid <weschmid@rochester-assoc.com>; Brandi Smith (CDI: Business License) <bsmith@hallcounty.org>; Brent Holloway (Parks and Leisure) <bholloway@hallcounty.org>; Bryan Cash (Fire Services) <bcash@hallcounty.org>; Chad Harper (Environmental Health) <charper@hallcounty.org>; Cher Melendez (Tax Assessors) <cmelendez@hallcounty.org>; Chris Braswell (Planning) <cbraswell@hallcounty.org>; Christopher Armstrong (Fire Services) <carmstrong@hallcounty.org>; Daniel Costantini <dcostantini@gainesvillega.gov>; Emily McGahee (Environmental Health) <emcgahee@hallcounty.org>; Frank Miller (CDI: Engineering) <fmiller@hallcounty.org>; Dykes, Jason <jdykes@dot.ga.gov>; Jason Skarda (CDI: Engineering) <jskarda@hallcounty.org>; Jerry Smith (Fire Services) <jesmith@hallcounty.org>; John Hornick (Fire Services) <jhornick@hallcounty.org>; Peevy, Jonathan <jpeevy@dot.ga.gov>; Kaitlyn Elliott (Planning) <kelliott@hallcounty.org>; Karen Martinez (CDI: Public Works - Sewer) <kmartinez@hallcounty.org>; Katie L. Greenway (CDI: Planning) <klgreenway@hallcounty.org>; Kelly Hairston (Environmental Health) <khairston@hallcounty.org>; Kristie Turner (Planning) <kturner@hallcounty.org>; Matt Cox <matt.cox@hallco.org>; Michael Vieira (Fire Services) <mvieira@hallcounty.org>; Millie Perez (Community Development & Infrastructure) <mperez@hallcounty.org>; Nick Swafford <NSwafford@gainesvillega.gov>; Nicole Griffin (Tax Assessors) <nicole.griffin@hallcounty.org>; Niebauer, Parker J <PNiebauer@dot.ga.gov>; Pam Cravero <Pam.Cravero@hallco.org>; Randi Doveton (CDI: Planning) <rdoveton@hallcounty.org>; rich <rich@flowerybranchga.org>; Sarah Crowe (Administration) <scrowe@hallcounty.org>; Scott Puckett <spuckett@hallcounty.org>; Stephen Cain <troy.s.cain@usace.army.mil>; Steve Watson (Real Property) <rswatson@hallcounty.org>; Tammie Croy (CDI: Engineering) <tcroy@hallcounty.org>; Tracy Gilreath (Tax Assessors) <tgilreath@hallcounty.org>; Chavers, Veronica E <VChavers@dot.ga.gov>; Wanda Sutton (CDI: Engineering) <wsutton@hallcounty.org>; will schofield <will.schofield@hallco.org>
Subject: FW: Tentative Planning Agenda for October 7, 2024

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My apologies the links have been corrected below.

Kaitlyn Elliott
Planning Commission Clerk
Hall County Community Development and Infrastructure
(770) 531-6810 www.hallcounty.org



From: Kaitlyn Elliott (Planning)
Sent: Thursday, August 29, 2024 3:57 PM
Subject: Tentative Planning Agenda for October 7, 2024

Good afternoon –

Here is the Tentative Agenda and Maps for the **Monday, October 7, 2024** Hall County Planning Commission Meeting.

Please use the links to review the documents and respond with comments to Hall County Planning and Development. Failure to provide comments in a timely manner may result in the information not being included in the staff report.

When submitting comments, please include the name of the applicant along with the address of the property with the corresponding comment.

Comments are due by **Friday, September 6th**. Email comments to Beth (bgarmon@hallcounty.org), Katie (kgreenway@hallcounty.org) and Kaitlyn (kelliott@hallcounty.org).

Thank you!

CALL TO ORDER

AGENDA REVIEW

APPROVAL OF MINUTES – September 16, 2024

NEW BUSINESS

1. **(A) 6111 Oak Hill Drive | Variance | 17.240.010 to reduce the front yard setback along Oak Hill Road | on a 0.39± acre tract located on the west side of Oak Hill Drive approximately 190 feet from its intersection with White Oak Drive | Zoned R-I; Tax Parcel 08102A000030 | Proposed Use: Residential addition | * Commission District 2 | Terri Hoffmann, applicant No GDOT coordination required**
(B) 6111 Oak Hill Drive | Variance | 17.240.010 to reduce the left side yard setback | on a 0.39± acre tract located on the west side of Oak Hill Drive approximately 190 feet from its intersection with White Oak Drive | Zoned R-I; Tax Parcel 08102A000030 | Proposed Use: Residential addition | * Commission District 2 | Terri Hoffmann, applicant No GDOT coordination required
(C) 6111 Oak Hill Drive | Variance | 17.240.010 to reduce the left side yard setback | on a 0.39± acre tract located on the west side of Oak Hill Drive approximately 190 feet from its intersection with White Oak Drive | Zoned R-I; Tax Parcel 08102A000030 | Proposed Use: Detached carport | * Commission District 2 | Terri Hoffmann, applicant No GDOT coordination required
2. **3658 Thompson Bridge Road | Variance | 17.420. to vary the sign standards within GCOD | on a 4.33± acre tract located on the east side of Thompson Bridge Road approximately 650 feet from its intersection with**

[Southers Road | Zoned PCD; Tax Parcel 10104 000004 | **Proposed Use: Wall sign** | * Commission District 2 | **Davis Sign & Awning c/o Matthew Benson, applicant** No GDOT coordination required](#)

3. [1600 Athens Highway, Building C | Amend Conditions of Zoning](#) | on a 0.64± acre tract located on the south side of Athens Highway approximately 596 feet from its intersection with Athens Street | Zoned I-I (GCOD); Tax Parcel 15032 000050 | **Proposed Use: Automobile repair garage** | ** Commission District 3 | **Gerado Vargas, applicant** GDOT coordination required
4. [6147 Dahlonga Highway | Use Subject to County Commission Approval](#) | on a 19.34± acre tract located on the southwest side of Dahlonga Highway approximately 703 feet from its intersection with Kenimer Road | Zoned AR-IV; Tax Parcel 11003 000002A | **Proposed Use: Commercial kennel** | ** Commission District 3 | **Rachel Christensen Rich, applicant** No GDOT coordination required
5. [4137 Short Road | Use Subject to County Commission Approval](#) | on a 4.02± acre tract located on the south side of Short Road approximately 160 feet from its intersection with Sardis Road | Zoned R-I; Tax Parcel 10080 000010 | **Proposed Use: 2-lot subdivision** | ** Commission District 2 | **Connie Allen, applicant** No GDOT coordination required
6. [6000 Wellspring Trail | Amend Conditions of Zoning](#) | on a 20.29± acre tract located at the terminus of Wellspring Trail | Zoned POD; Tax Parcel 12046 000001 | **Proposed Use: Expansion of services** | ** Commission District 3 | **Seth Barnes, applicant** No GDOT coordination required
7. [5552 Bogus Road | Rezone](#) | from Planned Residential Development (PRD) & Agricultural Residential IV (AR-IV) to Planned Residential Development (PRD) | on a 13.81± acre tract located on the west side of Bogus Road approximately 420 feet from its intersection with Claude Peck Road | Zoned PRD & AR-IV; Tax Parcel 12051 000015 | **Proposed Use: 15-lot residential development** | ** Commission District 3 | **Seth Barnes, applicant** No GDOT coordination required
8. [7011 & 7051 Pony Lake Road | Amend Conditions of Zoning](#) | on a 101.74± acre tract located on the west side of Pony Lake Road approximately 498 feet from its intersection with Old Whelchel Road | Zoned PRD & AR-IV; Tax Parcels 11101 000003A & 000008 | **Proposed Use: Staff residence** | ** Commission District 3 | **Steve Roys, applicant** No GDOT coordination required
9. [7051 Pony Lake Road | Rezone](#) | from Agricultural Residential IV (AR-IV) to Planned Residential Development (PRD) | on a 1.74± acre tract located on the west side of Pony Lake Road at its intersection with Old Whelchel Road | Zoned AR-IV; Tax Parcel 11101 000008 | **Proposed Use: Staff residence** | ** Commission District 3 | **Steve Roys, applicant** No GDOT coordination required
10. [2002 Memorial Park Drive | Rezone](#) | from Residential (R-I) to Highway Business (H-B) on a 0.89± tract on the west side of Memorial Park Drive at its intersection with Browns Bridge Road | Zoned R-I; Tax Parcel 08014 005011 | **Proposed Use: Retail sales** | ** Commission District 4 | **Salomon Sancen, applicant**

*The Planning Commission's decision will be the final action taken unless appealed to the Board of Commissioners. To do so, file an application with the Planning Department within five working days of the Planning Commission's decision.

The Hall County Board of Commissioners will hear appeals at a public hearing **Thursday, November 14, 2024** at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

The Planning Commission's recommendation will be forwarded to the Board of Commissioners for final action at a public hearing on **Thursday, November 14, 2024. The Board will meet at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

Kaitlyn Elliott
Planning Commission Clerk
Hall County Community Development and Infrastructure
(770) 531-6810 www.hallcounty.org



Human trafficking impacts every corner of the globe, including our state and local communities. Georgia DOT is committed to end human trafficking in Georgia through education enabling its employees and the public to recognize the signs of human trafficking and how to react in order to help make a change. To learn more about the warning signs of human trafficking, visit <https://doas.ga.gov/human-resources-administration/human-trafficking-awareness/trafficking-in-georgia>. To report any suspicious activity, call the Georgia Human Trafficking Hotline at 866-363-4842. Let's band together to end human trafficking in Georgia.



Hall County Government
COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
PUBLIC WORKS AND UTILITIES

MEMORANDUM

To: Beth Garmon, Director of Planning and Zoning
From: Bill Nash, Director of Public Works and Utilities
Date: September 6, 2024
Subject: October 7, 2024 - Hall County Planning Commission Agenda

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

PUBLIC WORKS AND
UTILITIES DIRECTOR
Bill Nash, P.E.

Please be advised that our office has reviewed the Hall County Planning Commission agenda for the October 7, 2024 meeting. Upon review, we provide the following comments.

NEW BUSINESS

1. [\(A\) 6111 Oak Hill Drive | Variance | 17.240.010 to reduce the front yard setback along Oak Hill Road | on a 0.39± acre tract located on the west side of Oak Hill Drive approximately 190 feet from its intersection with White Oak Drive | Zoned R-I; Tax Parcel 08102A000030 | Proposed Use: Residential addition | * Commission District 2 | Terri Hoffmann, applicant](#)
[\(B\) 6111 Oak Hill Drive | Variance | 17.240.010 to reduce the left side yard setback | on a 0.39± acre tract located on the west side of Oak Hill Drive approximately 190 feet from its intersection with White Oak Drive | Zoned R-I; Tax Parcel 08102A000030 | Proposed Use: Residential addition | * Commission District 2 | Terri Hoffmann, applicant](#)

[\(C\) 6111 Oak Hill Drive | Variance | 17.240.010 to reduce the left side yard setback | on a 0.39± acre tract located on the west side of Oak Hill Drive approximately 190 feet from its intersection with White Oak Drive | Zoned R-I; Tax Parcel 08102A000030 | Proposed Use: Detached carport | * Commission District 2 | Terri Hoffmann, applicant](#)

- a. **Engineering:** Show FEMA and Hall County studied Flood plains that are present on site
- b. **Traffic:** No Comment
- c. **Utilities:** No Comment

2. [3658 Thompson Bridge Road | Variance | 17.420. to vary the sign standards within GCOD | on a 4.33± acre tract located on the east side of Thompson Bridge Road approximately 650 feet from its intersection with Southers Road | Zoned PCD; Tax Parcel 10104 000004 | Proposed Use: Wall sign | * Commission District 2 | Davis Sign & Awning c/o Matthew Benson, applicant](#)
 - a. **Engineering:** No Comment
 - b. **Traffic:** No comment
 - c. **Utilities:** No comment

3. [1600 Athens Highway, Building C | Amend Conditions of Zoning | on a 0.64± acre tract located on the south side of Athens Highway approximately 596 feet from its intersection with Athens Street | Zoned I-I \(GCOD\); Tax Parcel 15032 000050 | Proposed Use: Automobile repair garage | ** Commission District 3 | Gerado Vargas, applicant](#)
 - a. **Engineering:** This site may require a stormwater management report should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
 - b. **Traffic:** No comment
 - c. **Utilities:** No comment

4. [6147 Dahlonega Highway | Use Subject to County Commission Approval | on a 19.34± acre tract located on the southwest side of Dahlonega Highway approximately 703 feet from its intersection with Kenimer Road | Zoned AR-IV; Tax Parcel 11003 000002A | Proposed Use: Commercial kennel | ** Commission District 3 | Rachel Christensen Rich, applicant](#)
 - a. **Engineering:** This site may require a stormwater management report should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage. Show stream buffer and impervious setback from wrested vegetation not centerline of stream Show FEMA and Hall County studied Flood plains that are present on site.
 - b. **Traffic:** No comment
 - c. **Utilities:** No comment

5. [4137 Short Road | Use Subject to County Commission Approval | on a 4.02± acre tract located on the south side of Short Road approximately 160 feet from its intersection with Sardis Road | Zoned R-I; Tax Parcel 10080 000010 | Proposed Use: 2-lot subdivision | ** Commission District 2 | Connie Allen, applicant](#)
 - a. **Engineering:** If this subdivision is greater than 6 lots on an existing road, a stormwater management report prepared by a professional engineer will be required.
 - b. **Traffic:** No comment
 - c. **Utilities:** No comment

6. [6000 Wellspring Trail | Amend Conditions of Zoning | on a 20.29± acre tract located at the terminus of Wellspring Trail | Zoned POD: Tax Parcel 12046 000001 | Proposed Use: Expansion of services | ** Commission District 3 | Seth Barnes, applicant](#)

- a. **Engineering:** This site may require a stormwater management report should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage. Show stream buffer and impervious setback from wrested vegetation not centerline of stream Show FEMA and Hall County studied Flood plains that are present on site.
- b. **Traffic:** No comment
- c. **Utilities:** No comment

7. [5552 Bogus Road | Rezone | from Planned Residential Development \(PRD\) & Agricultural Residential IV \(AR-IV\) to Planned Residential Development \(PRD\) | on a 13.81± acre tract located on the west side of Bogus Road approximately 420 feet from its intersection with Claude Peck Road | Zoned PRD & AR-IV: Tax Parcel 12051 000015 | Proposed Use: 15-lot residential development | ** Commission District 3 | Seth Barnes, applicant](#)

- a. **Engineering:** This site may require a stormwater management report should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
Traffic: Access apron at Bogus Rd. must be paved to county standards regardless if gravel road is permitted.
If variances are not approved, the new roadway will need to meet Hall County Subdivision regulations.
Unclear, is new roadway proposed to be County maintained? If so, the County does not typically accept gravel roadways into maintenance.
- b. **Utilities:** No comment

8. [7011 & 7051 Pony Lake Road | Amend Conditions of Zoning | on a 101.74± acre tract located on the west side of Pony Lake Road approximately 498 feet from its intersection with Old Whelchel Road | Zoned PRD & AR-IV; Tax Parcels 11101 000003A & 000008 | Proposed Use: Staff residence | ** Commission District 3 | Steve Roys, applicant](#)

- a. **Engineering:** No comment
- b. **Traffic:** No comment
- c. **Utilities:** No comment

9. [7051 Pony Lake Road | Rezone | from Agricultural Residential IV \(AR-IV\) to Planned Residential Development \(PRD\) | on a 1.74± acre tract located on the west side of Pony Lake Road at its intersection with Old Whelchel Road | Zoned AR-IV; Tax Parcel 11101 000008 | Proposed Use: Staff residence | ** Commission District 3 | Steve Roys, applicant](#)

- a. **Engineering:** No comment

- b. **Traffic:** No comment
- c. **Utilities:** No comment

10. 2002 Memorial Park Drive | Rezone | from Residential (R-I) to Highway Business (H-B) on a 0.89± tract on the west side of Memorial Park Drive at its intersection with Browns Bridge Road | Zoned R-I: Tax Parcel 08014 005011 | Proposed Use: Retail sales | ** Commission District 4 | Salomon Sancen, applicant

- a. **Engineering:** This site may require a stormwater management report should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
- b. **Traffic:** Driveway would need to meet Hall County and GDOT requirements.
- c. **Utilities:** No comment

Kaitlyn Elliott (Planning)

From: John Hornick (Fire Services)
Sent: Friday, August 30, 2024 10:23 AM
To: Beth Garmon (CDI: Planning)
Cc: Katie L. Greenway (CDI: Planning); Kaitlyn Elliott (Planning)
Subject: Fire Comments

Follow Up Flag: Follow up
Flag Status: Flagged

Monday, October 7, 2024 Hall County Planning Commission Meeting.

1. [7011 & 7051 Pony Lake Road | Amend Conditions of Zoning](#) | on a 101.74± acre tract located on the west side of Pony Lake Road approximately 498 feet from its intersection with Old Whelchel Road | Zoned PRD & AR-IV; Tax Parcels 11101 000003A & 000008 | **Proposed Use: Staff residence** | ** Commission District 3 | **Steve Roys, applicant**

The Hall County Fire Marshal's Office has no comments regarding the proposed single family modular structure to be placed on the campus of Camp Hope to be used as a permanent Care Takers residence.

2. [7051 Pony Lake Road | Rezone](#) | from Agricultural Residential IV (AR-IV) to Planned Residential Development (PRD) | on a 1.74± acre tract located on the west side of Pony Lake Road at its intersection with Old Whelchel Road | Zoned AR-IV; Tax Parcel 11101 000008 | **Proposed Use: Staff residence** | ** Commission District 3 | **Steve Roys, applicant**

The Hall County Fire Marshal's Office has no comments regarding the proposed single family modular structure to be placed on the campus of Camp Hope to be used as a permanent Care Takers residence.

Regards,

John Hornick, NPQ Fire Service Plans Examiner 1
Lieutenant, Hall County Fire Rescue
Hall County Government

Main: 770-531-6838 | Cell: 404-597-0083

Website: www.Hallcounty.org







ZONING NOTICE

AN APPLICANT HAS BEEN FILED WITH THE BOARD OF ZONING IN REGARDS TO THE FOLLOWING REZONING APPLICATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: **STEVE POYS**

REQUEST: **REZONE FROM AR-IV TO PRD-FOR-A**

STAFF RESIDENCE

Date: **OCT. 27, 2024** & Date: **NOV. 15, 2024**

Time: **5:15 PM** & Time: **6:00 PM**

FOR MORE INFORMATION CALL 2709-911-4400

ZONING NOTICE

AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY.

APPLICANT: STEVE ROYS

REQUEST: AMEND CONDITIONS OF A PCD FOR A STAFF RESIDENCE

IN ORDER FOR APPROVAL TO BE RECEIVED:
BY HEARING / COMMENTARY: AND FOR APPROVAL:
Date: OCT 07, 2024 8 Date: NOV 14, 2024
Time: 5:15 PM Time: 6:00 PM

FOR MORE INFORMATION, CALL 1-770-571-6800

PUBLIC NOTICE REQUIREMENTS

Zoning regulations require that public notice must be given prior to all zoning hearings as follows:

1. The Planning Department shall publish a legal advertisement no less than fifteen (15) days and no more than forty-five (45) days prior to the public hearing.
2. The Planning Department shall send notification by letter of all other property owners within a 500-foot radius of the applicant's property is standard administrative policy of the Planning Department.
3. The applicant/property owner shall place the public notice sign in a conspicuous location on the property not less than fifteen (15) days and not more than forty-five (45) days prior to the public hearing.

The Planning Department shall post the legal advertisement and notify property owners within a 500ft radius to the subject property.

The applicant is required to post the public notice sign not less than fifteen (15) days and not more than forty-five (45) days prior to the public hearing. A photo of the sign placed at the location is required and must be sent to the Planning Department.

Multiple sign postings on a site may be required as determined by the Planning Department. The sign must be in a location where it is clearly visible from the roadway. The sign cannot be obstructed in any manner, placed too far from the road, or placed in such manner as would cause it to blend into the landscape.

Should you find the sign missing or vandalized in any manner, contact the Planning Department for a replacement sign. When the proceeding is complete and final Board action has occurred, the sign shall then be removed from the property by the applicant.

THE ZONING SIGN MUST BE POSTED NO EARLIER THAN AUGUST 27, 2024 AND NO LATER THAN SEPT 08, 2024.

THE ORIGINAL SIGNED AFFIDAVIT MUST BE AND RETURNED TO THE PLANNING DEPARTMENT NO LATER THAN SEPT 08, 2024 ALONG WITH A MINIMUM OF ONE PHOTO SHOWING THE SIGN POSTED AT THE SUBJECT PROPERTY.

Failure to comply will result in a delay of the application.

AFFIDAVIT

By my signature, I, Steve Roys, hereby acknowledge that I have
Please Print Name

read and understand the sign posting requirements. I further certify that the required

public notice sign was posted on 8/28/2024 for Steve Roys.
Date (Name application filed as)

Signature Steve Roys

(The original document is required)



AGENDA ITEM

Public Works and Utilities

REPORT TO: Work Session (11/12/24)
REPORT TO: Voting Meeting (11/14/24)
ITEM NO: 593/2024
SUBJECT: Approve the sole source purchase of leachate treatment membranes, seals and labor for Public Works & Utilities to Rochem Americas, Inc. of Hermosa Beach, CA, in the amount of \$121,494.00.

Meetings:

Work Session Date: 11/12/24

Voting Meeting Date: 11/14/24

Executive Summary:

Presenter: BK
Recommendation: Approve.

Purpose of Request: Approve the sole source purchase of leachate treatment membranes, seals and labor for Public Works & Utilities to Rochem Americas, Inc. of Hermosa Beach, CA, in the amount of \$121,494.00.

History:

Facts and Issues:

Options:

Rochem Americas, Inc. is the US distributor for the Rochem Group and has provided leachate treatment systems worldwide since 1988.

Rochem's modules and elements are the only reverse osmosis modules designed for treating landfill leachate. Rochem's advanced technology is proven to remove organic and inorganic compounds efficiently and economically, with a long membrane and system life. The Rochem technology has been designed specifically for treating landfill leachate.

The existing leachate treatment system at the Candler Road Landfill is a proprietary system of Rochem America.

Landfill leachate, a landfill by-product, is created when rainwater filters through buried wastes in a landfill. The rainwater *leaches*, or dissolves, constituents that are in those wastes.

As the new cell opens up in a few months we will be in a critical stage. As the "fluff" layer of trash is placed over the new liner, there will be increased exposure to rainfall impact on the leachate generation. It is imperative we have the leachate treatment in peak condition when this transition occurs along with best management practices to minimize the impact of rainfall on the new cell.

The reverse osmosis method of leachate treatment being used at the Candler Road Landfill requires replacement of the filter membranes every three to five years.

Funding Requested	\$ 121,494.00
Are funds within current budget?	Yes
Source of Funds	Landfill Fund
Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?	No
Has it been reviewed by the County Attorney?	Yes
Is there a deadline for this item?	

Approvals:

Submit	Approve	Purchasing	Budget
BN	BN	AP	JM
Finance	Attorney	Administration	Clerk
TS	WLI	CR	JR

Attachments:

- Financial Supplement
- Seals Quotation
- Membranes Quotation
- Executed Rochem Service Agreement
- Sole Source Form



**HALL COUNTY BOARD OF COMMISSIONERS
FINANCIAL SUPPLEMENT REPORT**

AGENDA ITEM 593/2024

Funds Requested: \$ 121,494.00

Request Budgeted: Yes

Proposed Source of Funding:

Budget Transfer Requested:

Landfill Fund

No

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
2025	540-SOLID WASTE FUND	4530-LANDFILL	541400- INFRASTRUCTURE	\$121,494.00

Budget Transfer Items:

Additional Information/Comments:

Contact for Questions: WK

Phone: 770-329-0863



Rochem Americas Inc.
 426 30th Street
 Hermosa Beach California 90254
 U.S.A

Quotation
 Quotation No: 7039

Bill To
Hall County
 Hall County
 Attn: Accounts Payable
 Hall Co. Board of Commissioners
 P.O. Drawer 1435
 Gainesville
 GA, 30503

Ship To
 Hall County Candler Road Landfill
 1700 Oakbrook Drive
 Gainesville
 , 30507
 U.S.A

Quotation Date : 10/24/2024

#	Item & Description	Qty	Rate	Amount
1	ROCHEM® Seal Kit, TS Module SKU : TS0200 Seal Kit for TS Membrane Elements 2-11056 (ST0312), 2-PN:14976 (ST0303), 2-PN:26480,(ST0424), 1-PN: 30186 (ST0309), 2-PN:30239 (ST0307), 2-PN:30240 (ST0310), 1-PN:30241 (ST0314)	40.00 Each	172.35	6,894.00
			Sub Total	6,894.00
			Shipping charge	300.00
			Total	\$7,194.00

Notes

Looking forward to your business. Please note that shipping charges are estimated. Actual shipping cost will be charged upon delivery.



Rochem Americas Inc.
 426 30th Street
 Hermosa Beach California 90254
 U.S.A

Quotation
 Quotation No: 6979

Bill To
Hall County
 Hall County
 Attn: Accounts Payable
 Hall Co. Board of Commissioners
 P.O. Drawer 1435
 Gainesville
 GA, 30503

Ship To
 Hall County Candler Road Landfill
 1700 Oakbrook Drive
 Gainesville
 , 30507
 U.S.A

Quotation Date : 10/23/2024

#	Item & Description	Qty	Rate	Amount
1	RO2 membranes	5.00	4,500.00	22,500.00
2	RO1 membranes	15.00	4,500.00	67,500.00
3	2 Sr Tech to assist	1.00	21,750.00	21,750.00
			Sub Total	111,750.00
			Shipping charge	2,550.00
			Total	\$114,300.00

Notes

Looking forward to your business. Please note that shipping charges are estimated. Actual shipping cost will be charged upon delivery.



Rochem Americas, Inc.
430 30th Street
Hermosa Beach, CA 90254

Phone: 310-963-1478
Fax: 310-371-5393
Email: Rochem@rochemamericas.com

Service and Support Agreement

Customer: Hall County
Candler Road Landfill
1700 Oakbrook Drive
Gainesville, GA 30507

Vendor: Rochem Americas, Inc.
430 30th Street
Hermosa Beach, CA 90254

Scope:

Vendor will provide telephone support and on-site support, service and training for the Rochem system at the Hall County Landfill as detailed in this agreement. The on-site support consists of a number of scheduled visits performed by a Vendor Service Engineer or Technician.

Services Provided:

During each regular visit the following services will be performed:

- Visual inspection of the entire system
- Basic water analysis (conductivity, pH, temperature)
- Logging of Operating Parameters
- Scheduled service of pump, valves and gauges supplied with the system
- Scheduled service of filters (multimedia, cartridge, deacidification)
- Inspection of electrical controls, control panels, and components
- Removal and installation of any warranted parts needing replacement
- Instruction to operating staff as required
- Troubleshooting as required
- Other services may be provided at additional cost, with prior authorization



Performance while on site:

Vendor personnel will adapt, as much as possible, to the working time of the customer. All work will be performed in a workman like manner. While on Customer premises, all Vendor personnel shall comply with applicable Customer rules and procedures, and shall work courteously with Customer personnel.

Standard of Care

In providing these services, Vendor will act in accordance with the highest business and ethical standards, and will exercise the same degree of care and provide the same level of quality, responsiveness, and timeliness as would be provided by an independent service company.

Resources

Vendor will provide the services either through its own resources, those of its subsidiaries or affiliates, or through contract with other companies. Vendor warrants its personnel have the experience, knowledge, training, and skill required to provide the services.

Additional Services

The services and time covered under this service agreement are intended to allow for normal maintenance and operational support and some troubleshooting as required. Vendor will be pleased to offer other services relating to the system including repair/replacement of pumps, membranes and other components as well as control system troubleshooting and repair. All of these services can be performed on an as needed basis while the technician is on site. If the services requested cannot be performed during the regularly scheduled one-day visit, Customer will be billed for the additional labor and per diem charges.

Service Materials

All materials, cleaners, repair kits, and spares required to properly service the system will be billed to Customer unless provided from Customer stock.

Service Report

A detailed Service Report will be provided to the customer after each service call. The report will include:

- Services performed
- Inventory of consumables on hand
- Explanation of the condition of the system
- Recommendations, if any, regarding system performance
- Recommendations, if any, regarding inventory of spares and consumables



Service Visits

This proposal is based on:

- Four (4) scheduled visits (one per quarter)
- Six (6) unscheduled visits

During each calendar year of the agreement. Each scheduled visit and unscheduled visit is based on round trip travel time and one workday at Customer site.

Upon commencement of this contract, Rochem will contact Vendor to develop the schedule for each full year of the contract. The schedule may be modified if both parties are in agreement.

Telephone Support

Vendor will supply a reasonable amount (up to 50 hours per year) of telephone support as part of the base rate for this agreement. There will be no additional billing for this telephone support.

Service Charges

The billing for service under this agreement will be based on the then current published Rochem Service and Consumable Price List. The current price list is attached to this agreement. Customer will be advised at least 60 days prior to the modification date of changes to the published price list. The price list will be adjusted annually.

Service time is based on an 8-hour working day. Service visits will be billed in full-day or half-day increments. Time of less than four (4) hours will be billed at one half (1/2) of the then current day rate. Time over four (4) hours will be billed at the current day rate. Weekends, holidays, and call-outs with less than 24 hours notice will be billed at twice the current day rate.

In order to allow better budgeting, Vendor is offering a flat rate service fee of \$1,590.00 per visit for the first year of this agreement. This fee includes labor; travel time; per diem; and airfare or mileage. The total fee for each year is \$15,900.00 and will be billed in advance in quarterly installments of \$3,975.00 plus sales tax. This flat rate service fee may be adjusted for future years of the agreement.

If a service visit requires additional time beyond the base days (two for a scheduled visit), each additional day will be billed, along with the associated per diem charge, after the conclusion of the visit.

Due to our ongoing relationship, Vendor will offer a discount of 10% off of all consumable purchases from the price list current at the time of order.



After each service visit, an additional invoice may be generated to cover items not covered under the base charge for the service contract. These charges may include:

- Parts used that were not available in the customer stock
- Additional service days beyond the number included in the base charge
- Additional per diem charges

The discounted flat rate Per Diem for the first year of the agreement is \$215.00/day. This rate includes lodging, meals, and incidental expenses for each night spent away from the employee's home base. The Per Diem rate may be adjusted in future years of the agreement.

For service visits in excess of the scheduled visits in this agreement, Vendor will bill labor, travel and mileage as occurred. Labor will be billed at a preferred daily rate of \$1,200 per day.

In case of interruption of delay in the work not due to any fault of Vendor that requires the withdrawal of Vendor personnel, the resulting labor and travel costs will be charged.

All invoices issued under this agreement will be invoiced 30 days prior to the start of the quarter and due Net 30 days.

Terms and Conditions

This agreement will begin July 1, 2023 and shall remain in effect for a term of 12 months. The agreement will automatically be renewed for successive 12-month terms thereafter until terminated by either Vendor or Customer.

The discount on consumables will begin immediately on signing.

In the event that Customer has overdue invoices for the service agreement, consumables or any other charges from Vendor, service visits may be stopped until all overdue amounts are paid. Consumables will not be sold at discount if there are any outstanding invoices more than 30 days old until the outstanding invoices are paid.

Either party may terminate this agreement by providing three (3) months written notice or as otherwise agreed by both parties. Termination shall not be effective until Vendor receives all payments and expense reimbursements due under the terms of the agreement. All payments and expense reimbursements due after the date of notice of termination and the effective date of termination shall be paid in accordance with this agreement.




Vendor Contact:

Jeffery Williams
803-640-0089
jeff@rochemamericas.com

Locations where Service will be performed:

Hall County
Candler Road Landfill
1700 Oakbrook Drive
Gainesville, GA 30507


Accepted for Rochem Americas, Inc.:

Signature: 

Name/Title: C. Bernard Rieder, General Manager

Date: April 17, 2023

Accepted for Customer:

Signature: 

Name/Title: Richard Higgins, BOC Chairman

Date: May 10, 2023



Rochem Americas, Inc.
426 30th Street
Hermosa Beach, CA 90254

Phone: 310-374-0202
Email rochem@rochemamericas.com

Rochem Service and Consumable List Prices

Effective January 17, 2023

Personnel Charges

Standard (Daily) Rate	
Service Manager	\$1,470.00 / day
Sr. Technician	\$1,150.00/ day
Technician	\$975.00/ day
Sr. Engineer	\$1,600.00 / day
Jr. Engineer	\$1,200.00 / day

Time billed on a daily rate basis with a minimum charge of one half (1/2) day.

Travel Charges

Travel time will be charged portal to portal from the employee's home base as follows:

- 10 hour Drive → \$1,000/day
- 5-10 hour Drive \$800/day
- <5 hour Drive → \$500/day

Travel and Subsistence Expenses

Meals, and lodging are charges at cost plus 15% or negotiated flat rate

Mileage: IRS Standard per mile round trip



Consumables

Part Number	Description	List Price	Unit
21647 C	Cartridge Filter, 10 Micron, 2.5 x 20 Inch	\$159.00	Case (24)
A31934	Cartridge Filter, 5 Micron, 2.5 x 20 Inch	\$159.00	Case (24)
A31935	Cartridge Filter, 1 Micron, 2.5 x 20 Inch	\$159.00	Case (24)
06523	Cleaner AA, Pail	\$225.00	Pail (25l)
06524	Cleaner AA, Drum	\$1,870.00	Drum (210 l)
06526	Cleaner AA, Tote	\$8,800.00	Tote (1000 l)
06543	Cleaner B, Pail	\$250.00	Pail (25l)
06544	Cleaner B, Drum	\$2,039.00	Drum (210 l)
06546	Cleaner B, Tote	\$9,071.00	Tote (1000 l)
06553	Cleaner C, Pail	\$270.00	Pail(25 l)
06554	Cleaner C, Drum	\$2,200.00	Drum (210 l)
06583	ROPrep, Pail	\$825.00	Pail (25 l)
06584	ROPrep, Drum	\$6,500.00	Drum(210 l)
06563	Cleaner D, Pail	\$188.00	Pail (25 l)
06593	Defoamer, Pail	\$265.00	Pail (25 l)
06596	Defoamer, Tote	\$7,250.00	Tote(1000 l)

Membrane Elements

Part Number	Description	List Price	Unit
30251	TS Membrane Element, 75 bar, RO4L	\$3,125.00	each
30531	TS Membrane Element, 75 bar, RO6F	\$3,300.00	each
30251HP	TS Membrane Element, 120 bar, RO4L	\$3,475.00	each
30599L	TS+ Membrane Element, 75 bar, RO4L	\$3,400.00	each
30599F	TS+ Membrane Element, 75 bar, RO6F	\$3,575.00	each

Note: Service prices listed herein exclude any discounts applied for service contracts



Sole Source/Brand and Single Source Justification

Request Submitted By

Name:	
Job Title:	
Department:	
E-Mail Address:	
Date of Request:	

Request Details

Sole Source: Any contract entered into without a competitive solicitation process, based on a justification that only one known source exists or that only one single supplier can fulfill the requirements of the County.

Sole Brand: A purchasing situation in which only one brand of equipment/supply, etc. will meet the requirements of the County.

Single Source: Any contract entered into without a competitive solicitation process, based on a justification that two or more vendors can supply the commodity, technology, and/or perform the services required by an agency, but one vendor is selected over the others for reasons such as expertise or previous experience with similar contracts.

For Sole Source or Sole Brand, identify efforts made to locate other possible sources.

--

Desired Supplier Name:
Desired Supplier Email:
Desired Supplier Phone Number:

Scope of Work

Provide a detailed description of commodities/services to be provided. Also, include the following details: exact or estimated quantity, per unit price, and the total estimated cost.

Justifying a Sole Source/Brand

Provide an explanation why only a particular style, model, type or manufacturer is required (i.e. why the commodity is the only commodity which will meet the County needs).

Provide a detailed description of proposed source's unique capabilities and/or personnel to perform the work and why this is the only source.

Justifying a Single Source

Provide an explanation why the recommended vendor is being selected over other vendors that can provide the requested commodity, technology, and/or perform the services required.

--

Letter from Original Equipment Manufacturer (required):

Attached

Purchasing Use Only

Buyer:

Buyer E-Mail Address:

Buyer Telephone:

Contract #:

Contract Name:

If publicly solicited, number of protests:

Outcome:

Bid # (if competitively bid):

Purchase Order #:



AGENDA ITEM

Public Works and Utilities

REPORT TO: **Work Session (11/12/24)**

REPORT TO: **Voting Meeting (11/14/24)**

ITEM NO: 523/2024

SUBJECT: Approve the award of RFQ/P #45-020 Pond Fork Basin Phase 1 Sewer Improvements for Public Works & Utilities to W.L. Griffin Company, LLC of Gillsville, GA, in the amount of \$9,876,126.97.

Meetings:

Work Session Date: 11/12/24 **Voting Meeting Date:** 11/14/24

Executive Summary:

Presenter: BK

Recommendation:
Approve.

<p>Purpose of Request:</p> <p>Approve the award of RFQ/P #45-020 Pond Fork Basin Phase 1 Sewer Improvements for Public Works & Utilities to W.L. Griffin Company, LLC of Gillsville, GA, in the amount of \$9,876,126.97.</p>	<p>History:</p> <p>This project is phase 1 of sewer service in the Pond Fork Basin of South Hall County in accordance with the approved Hall County Sanitary Sewer Master Plan and the approved Pond Fork Sanitary Sewer Master Plan.</p>
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<p>Facts and Issues:</p> <p>The sewer line construction project will consist of 5,300 LF gravity, 13,100 LF of forcemain and one (1) new lift station. The estimated timeline for construction is 18 months once the Notice to Proceed is issued.</p>	<p>Options:</p>
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Funding Requested	\$ 9,876,126.97
Are funds within current budget?	Yes
Source of Funds	American Rescue Plan and SPLOST VIII
Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?	Yes
Has it been reviewed by the County Attorney?	Yes
Is there a deadline for this item?	2024-12-31

Approvals:

Buyer	Submit	Approve	Purchasing
AP	BN	BN	AP
Budget	Finance	Attorney	Administration
JM	TS	WLI	CR
Clerk			
JR			

Attachments:

- Financial Supplement
- Bid Tab
- Contract Execution Request
- Contract
- Exhibit C - Revised Bid



**HALL COUNTY BOARD OF COMMISSIONERS
FINANCIAL SUPPLEMENT REPORT**

AGENDA ITEM 523/2024

Funds Requested: \$ 9,876,126.97

Request Budgeted: Yes

Proposed Source of Funding:

Budget Transfer Requested:

American Rescue Plan and SPLOST VIII

Yes

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
2025	230-AMERICAN RESCUE PLAN ACT FUND	3921-COVID RELIEF	541400-INFRASTRUCTURE	\$3,000,000.00
2026	230-AMERICAN RESCUE PLAN ACT FUND	3921-COVID RELIEF	541400-INFRASTRUCTURE	\$1,322,630.00
2026	324-SPLOST VIII	4330-SEWER	541400-INFRASTRUCTURE	\$5,553,496.97

Budget Transfer Items:

Additional Information/Comments:

Contact for Questions: W(K

Phone:

770-329-0863

BID TABULATION SUMMARY

10/25/2024

RFQ/P # 45-020 POND FORK BASIN PHASE - 1 SEWER IMPROVEMENTS

SCORES	North Georgia Pipeline, Inc.	W.L. Griffin Company, LLC*	Strickland & Sons Pipeline, Inc.	Garney Construction
Bids	\$ 10,909,899.00	\$ 11,628,537.41	\$ 12,774,662.00	\$ 14,119,189.00
Ave Technical Scores	179	142	184	167
Ave Cost Scores	800	734	534	334
Total Scores	979	876	718	501

Due to budget constraints, a formal Invitation-to-Negotiate was offered to the two highest scoring bidders. The negotiations resulted in updated cost proposals with W.L. Griffin Company bidding \$9,876,126.97

Bids mailed out:	38
Hall County:	2
Bids Received:	4
No Bids:	34



Hall County Government

FINANCIAL SERVICES

CONTRACT EXECUTION SIGNATURE REQUEST

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.535.8270

DIRECTOR
Taylor Samples, CPA, MBA

Date: 10/28/2024

To: Richard Higgins, Chairman, BOC

From: Andy Penick, Purchasing Manager

Your signature is requested to execute the attached Contract:

Bid/Contract No: RFQ/P #45-020

Bid/Contract Name: Pond Fork Basin Phase – 1 Sewer Improvements

Department(s) Requesting Contract: Public Works & Utilities

Award Recipient Name: W.L. Griffin Company, LLC

Contract Description: The sewer line construction project will consist of 5,300 LF gravity, 13,100 LF of forcemain and one (1) new lift station. The estimated timeline for construction is 18 months once the Notice to Proceed is issued.

Annual Contract New Renewal

Prior Year's Spend: N/A

Price Increase Requested Increase Percentage: N/A

Project/Service Contract Estimated Amount: \$9,876,126.97

Product Contract Estimated Amount:

Comments:

This project is Phase 1 of sewer service in the Pond Fork Basin of South Hall County in accordance with the Approved Hall County Sanitary Sewer Master Plan and the Approved Pond Fork Sanitary Sewer Master Plan.



Hall County Government
FINANCIAL SERVICES
EXHIBIT B – CONTRACT FOR SERVICES_R

STATE OF GEORGIA
COUNTY OF HALL

CONTRACT # 45-020

For the provision of
**POND FORK BASIN PHASE – 1
SEWER IMPROVEMENTS**

POST OFFICE DRAWER 1436
GAINESVILLE, GA 30501

770.535.8270

DIRECTOR
Taylor Samples, CPA

ARTICLE #101 – INTRODUCTION

This Contract for Pond Fork Basin Phase – 1 Sewer Improvements (hereinafter “Services”) is made and as entered into as of _____ (execution date) and _____ (effective date) is by and between Hall County, Georgia, (hereinafter “County”, “Owner”) located at 2875 Browns Bridge Rd, Gainesville, Georgia 30504, and W.L. Griffin Company, LLC, located at 134 Hickory Flat Rd. Gillsville, Georgia 30543 (hereinafter “Contractor”).

WHEREAS Contractor is an entity that is legally registered and qualified and holding any such licenses and certifications as may be required to render Services to do business in the State of Georgia. County and Contractor are known individually as a “Party” and collectively as the “Parties”.

WHEREAS Nothing contained in this Contract shall be construed to convert the Contractor or any of its employees, agents, subcontractors, or sub-subcontractors into a partner, employee, or agent of the County, nor shall either Party to this Contract have any authority to bind the other in any respect.

WHEREAS the Contractor represents that it complies with the State of Georgia requirements for corporations and has signified a willingness to provide Services to the County and the County has relied on such representation; and,

WHEREAS the Parties mutually desire to enter into this Contract to document the provision of Services by the Contractor to the County in exchange for payment as compensation; and,

WHEREAS this contract will become legally binding upon signature by both Parties; and,

WHEREAS any attached documents, plans, exhibits, attachments, or references are all incorporated herein by reference, and

NOW, THEREFORE and in consideration of the mutual promises, terms, conditions, covenants, and agreements made as expressed and contained herein, or attached, incorporated, and made a part hereof, and other good and valuable consideration expressed by a valid offer and

acceptance, the receipt and sufficiency of which the Parties hereby acknowledge, the Parties hereto agree as follows:

ARTICLE #102 – CONTRACT

- 102.1 CONTRACTOR shall perform the Work as specified or indicated in the Contract Documents.
- 102.2 The Project has been designed by AECOM Technical Services, Inc., 1360 Peachtree Street, NE, Suite 300, Atlanta, GA 30339 who will act as ENGINEER in connection with completion of the Work in accordance with the Contract Documents.
- 102.3 CONTRACTOR agrees that the Work shall be prosecuted regularly, diligently and uninterruptedly and at such rate of progress as will ensure full completion thereof within the Contract Time stated in the Contractor's response. It is expressly understood and agreed, by and between the parties.
- 102.4 CONTRACTOR and OWNER agree that the Contract Time is reasonable for the completion of the Work, taking into consideration the average climatic range and usual industrial conditions prevailing in this locality.
- 102.5 OWNER will pay CONTRACTOR for performance of the Work in accordance with the Contract Documents in current funds at the unit prices agreed upon in the Section 004113.16 EXHIBIT C – COST PROPOSAL BID FORM attached to this Agreement.
- 102.6 OWNER and CONTRACTOR recognize that time is of the essence of this Agreement and that OWNER will suffer financial loss if the Work is not completed within the Contract Time specified, plus any extensions thereof allowed in accordance with this agreement. They also recognize the delays, expense and difficulties involved in proving, in a legal or arbitration proceeding, the actual loss suffered by OWNER if the Work is not completed on time. Accordingly, instead of requiring any such proof OWNER and CONTRACTOR agree that as liquidated damages for delay (but not as a penalty) CONTRACTOR shall pay OWNER \$1,000.00 per day for each calendar day of delay until the Work is complete.
- 102.7 CONTRACTOR has familiarized himself with the nature and extent of the Contract Documents, Work, locality, and with all local conditions and Federal, State and local laws, ordinances, rules and regulations that in any manner may affect cost, progress or performance of the Work.
- 102.8 CONTRACTOR has studied carefully all reports of investigations and tests of subsurface and latent physical conditions at the site or otherwise affecting cost, progress or performance of the Work which were relied upon by ENGINEER in the preparation of the Drawings and Specifications.
- 102.9 CONTRACTOR has made or caused to be made examinations, investigations and tests and studies of such reports and related data [in addition to those referred to in the above paragraph] as CONTRACTOR deems necessary for the performance of the Work at the Contract Price within the Contract Time and in accordance with the other terms and

conditions of the Contract Documents; and no additional examinations, investigations, tests, reports or similar data are or will be required for such purposes.

- 102.10 CONTRACTOR has correlated the results of all such observations, examinations, investigations, tests, reports and data with the terms and conditions of the Contract Documents.
- 102.11 CONTRACTOR has given ENGINEER written notice of any conflict, error or discrepancy that CONTRACTOR has discovered in the Contract Documents and the written resolution thereof by ENGINEER is acceptable to CONTRACTOR.
- 102.12 CONTRACTOR agrees that the Contract Documents are sufficient in scope and detail to indicate and convey understanding of all terms and conditions for performance of the Work.
- 102.13 Terms used in this Agreement which are defined in Article 133 of the Conditions of the Contract shall have the meanings assigned in the Conditions of the Contract.
- 102.14 Neither OWNER nor CONTRACTOR shall, without the prior written consent of the other, assign or sublet in whole or in part any interest under any of the Contract Documents; and, specifically but without limitation, CONTRACTOR shall not assign any monies due or to become due without the prior written consent of OWNER. In case CONTRACTOR assigns all or any part of any monies due or to become due under this Contract, the instrument of assignment shall contain a clause substantially to the effect that it is agreed that the right of the assignee in and to any monies due or to become due to CONTRACTOR shall be subject to prior claims of all persons, firms and corporations for services rendered or materials supplied for the performance of the Work called for in this Contract.
- 102.15 OWNER and CONTRACTOR each bind themselves, their partners, successors, assigns and legal representatives in respect to all covenants, agreements and obligations contained in the Contract Documents.
- 102.16 The Contract Documents constitute the entire agreement between OWNER and CONTRACTOR and may only be altered, amended or repealed by a mutual agreed to Modification.
- 102.17 CONTRACTOR agrees to attend all such meetings as required for the successful completion of the project including pre-construction and on-going work progress meetings.

ARTICLE #103 – NOTICES

To the extent that either Party to this Contract is required to provide notice(s) to the other Party in compliance herewith, then the Party shall direct notice(s) to the following persons:

COUNTY PROJECT MANAGER

William (Bill) H. King III, P.E.
Assistant Public Works Director
Hall County Community Development
and Infrastructure

COUNTY ISSUING OFFICER

Andy Penick
Purchasing Manager
Hall County Purchasing Division
2875 Browns Bridge Rd

2875 Browns Bridge Rd
Gainesville, GA 30504
wking@hallcounty.org
Ph: 770-531-6800 ext. 6799
Cell: 770-329-0863

Gainesville, GA.30504
apenick@hallcounty.org
Ph: (770) 531-4939

CONTRACTOR'S CONTACT INFORMATION

Name: Westly Griffin

Title: Owner

Company Name: W.L. Griffin Company, LLC

Physical Address: 134 Hickory Flat Rd.

City, State, ZIP: Gillsville, Georgia 30543

Email: westly@wigriffincompany.com

Phone: Cell (706) 308-1250, Office (706) 677-1373

REMIT TO ADDRESS (if different): Same

ARTICLE #104 – NON-EXCLUSIVE RIGHTS

The Contract is not exclusive. The County reserves the right to select other Contractors to provide the Services similar to those described in this Contract during the term of the Contract should the need arise, or the Contractor fail to perform.

ARTICLE #105 – CONTRACT TERM

From Notice-to-Proceed until substantial and final completion of Services according to agreed time-schedule of and after all subcontractor(s) and material suppliers' liens are satisfied.

ARTICLE #106 – CONTRACT AMENDMENTS AND MODIFICATION

This Contract may only be modified, amended, or changed in writing and fully executed by both Parties hereto. This Contract constitutes the sole and entire Contract and understanding between the Parties as to the subject matter hereof, and no verbal promises have been made by either Party in relation hereto.

ARTICLE #107 – REMEDIES AND CONTRACT PERFORMANCE

In the event that either Party to this Contract breaches this Contract, including failure to meet the timetables set forth herein, the non-breaching Party shall provide a written Notice-to-Cure to the breaching Party which describes the breach of this Contract. The breaching Party shall have thirty (30) days from the date of receipt of the written Notice-to-Cure the breach or to otherwise negotiate a resolution of the breach.

If the breach has not been cured and the Parties hereto have not resolved the issue described in the Notice-to-Cure by thirty (30) days after receipt of the letter, the Party authoring the letter shall

be entitled to seek any and all remedies allowed by Georgia law, including damages, equitable relief, declaratory relief, specific performance, and/or relief as to any bonds issued hereon. Additional provisions are:

A. **Delay or Impossibility of Performance.** Any failure or delay must be beyond the reasonable control of and without the fault or negligence of the Contractor. If the Services to be provided to the County are interrupted by a force majeure event, as defined below, the County will be entitled to an equitable adjustment to the fees and other payments due to the Contractor under this Contract. If delay results from a subcontractor's negligent conduct or failure to perform, the Contractor shall not be excused from compliance with the terms and obligations of the Contract.

Neither Party shall be held liable or responsible to the other Party nor be deemed to have defaulted under or breached this Contract for failure or delay in fulfilling or performing any obligation under this Contract when such failure or delay is caused by or results from causes beyond the reasonable control of the affected Party including, but not limited to, fire, floods, embargoes, acts of war, civil unrest, insurrections, riots, strikes, lockouts or other labor disturbances, or acts of God; provided, however, that the Party so affected shall use reasonable commercial efforts to avoid or remove such causes of nonperformance, and shall continue performance hereunder with reasonable dispatch whenever such causes are removed. Either Party shall provide the other Party with prompt written notice of any delay or failure to perform that occurs by reason of force majeure.

Definition: The term "force majeure" as defined in Black's Law Dictionary is "an event or effect that can be neither anticipated nor controlled. It is a contractual provision allocating the risk of loss if performance becomes impossible or impracticable, especially as a result of an event that the Parties could not have anticipated or controlled."

- B. **Obligations Beyond Contract Term.** The Contract shall remain in full force and effect to the end of the specified term or until terminated or canceled pursuant to *ARTICLE #108 – TERMINATION PROVISIONS*.
- C. **Transition Cooperation with the County and Cooperation with Other Contractors.** Contractor agrees that upon termination of this Contract for any reason, it shall provide sufficient efforts and reasonable cooperation and assistance to the County to ensure an orderly and efficient transition to the County or an alternative Contractor. Further, if the County has entered into or enters into contracts with other Contractors related to the Services, Contractor agrees to cooperate fully with other such Contractors. Contractor shall not engage in any act that will interfere with the performance of work by any other Contractor(s).

ARTICLE #108 – TERMINATION PROVISIONS

The County may terminate this Contract by providing thirty (30) days' written notice to the Contractor at any time. Should the County terminate this Contract prior to the date of automatic termination, Contractor shall provide the County with all deliverables up to the date of termination thirty (30) days after the Notice to Terminate is issued. The County shall pay the Contractor for all work properly performed in compliance with the terms of this Contract up to the date of termination.

- A. **Termination for Convenience.** Following thirty (30) days written notice, the County may terminate the Contract in whole or in part for any reason without the payment of any penalty or incurring any further obligation to the Contractor.
- B. **Termination for Cause.** The occurrence of any of the following events shall constitute cause for the County to declare the Contractor in default of its obligations under the Contract:

1. The Contractor fails to deliver or has delivered nonconforming Services or fails to perform, to the County's satisfaction, any material requirement of the Contract or is in violation of a material provision of the Contract including, but without limitation, the expressed warranties made by the Contractor.
 2. The County determines that Contractor's unsatisfactory performance substantially endangers completion or that default is likely to occur.
 3. The Contractor fails to make substantial and timely progress toward performance of the Contract.
 4. The Contractor becomes subject to any bankruptcy or insolvency proceeding under federal or state law to the extent allowed by applicable federal or state law including bankruptcy laws; the Contractor terminates or suspends its business; or the County reasonably believes that the Contractor has become insolvent or unable to pay its obligations as they accrue consistent with applicable federal or state law.
 5. The Contractor has failed to comply with applicable federal, state, and local laws, rules, County ordinances, regulations, and orders when performing within the scope of the Contract.
 6. The Contractor has engaged in conduct that has or may expose the County or the State to liability, as determined in the County's sole discretion; or a material breach of the terms of the Contract by County upon County's failure to cure such material breach after written notice thereof has been delivered in accordance with *ARTICLE #108.C* below constitutes cause for the Contractor to declare that the County is in default of its obligations under the Contract.
- C. **Notice of Default.** If either Party causes any of the default events set out in *ARTICLE #108 – TERMINATION PROVISIONS*, then either Party shall issue a written Notice of Default to the Party that causes one (1) or more of the default events requesting that the breach or noncompliance be remedied within the period of time specified in the Notice of Default. If the breach or noncompliance is not remedied within the period of time specified in the written notice, the non-breaching Party may:
1. Immediately terminate the Contract for default without additional written notice; and/or,
 2. In the event of a breach by the Contractor, the County may procure substitute Services from another source and charge the difference between the Contract and the substitute Contract to the defaulting Contractor; and/or,
 3. Enforce the terms and conditions of the Contract and seek any legal or equitable remedies.
- D. **Termination Due to Non-Availability of Funds.** This Contract will terminate immediately and absolutely if the County determines that adequate funds are de-appropriated such that the County cannot fulfill its obligations under the Contract, such determination being at the County's sole discretion and conclusive. County agrees to provide prompt written notice to Contractor in the event of any de-appropriation.
- E. **Termination due to Failure of Contractor to Act.** The County may terminate the Contract for any of the following reasons effective immediately without advance notice:
1. If the Contractor must be certified or licensed as a condition precedent to providing the Services, the revocation, suspension, or other loss of such license or certification may result in immediate termination of the Contract effective as of the date on which the license or certification is no longer in effect.
 2. The County determines that the actions, or failure to act, of the Contractor, its agents, employees, or subcontractors have caused, or reasonably could cause, life, health, or safety to be jeopardized.
 3. The Contractor furnished any statement, representation, or certification in connection with the Contract or the bidding process, which is materially false, deceptive, criminal, or maliciously incorrect.

4. Failure of the Contractor to obtain, provide, maintain, and deliver the performance and payment bonds (if required) when required under this Contract, or failure to comply with any requirement pertaining to the appropriate amounts thereof as set forth in ARTICLE #123 – PERFORMANCE AND PAYMENT BONDS.
- F. **Payment Limitation in Event of Termination.** In the event of termination of the Contract for any reason by County, the County shall pay only those amounts, if any, due and owing to the Contractor for Services actually received and accepted by the County up to and including the date of termination of the Contract and for which the County is obligated to pay pursuant to the Contract.
- G. **Contractor's Termination Duties.** Upon receipt of a Notice of Termination, the Contractor shall:
1. Cease work under the Contract and take all necessary or appropriate steps to limit disbursements and minimize costs and furnish a report within thirty (30) days of the date of Notice of Termination describing the status of all work under the Contract including, without limitation, results accomplished, conclusions resulting therefrom, and any other matters the County may require.
 2. Immediately cease use and return to the County any personal property or materials, whether tangible or intangible, provided by the County to the Contractor.
 3. Comply with the County's instructions for the timely transfer of any active files and work product produced by the Contractor under the Contract.
 4. Cooperate in good faith with the County, its employees, agents, and Contractors during the transition period between the Notification of Termination and the substitution of any replacement Contractor.
 5. Contractor is to immediately return any payments made by the County for goods and services that were not delivered by the Contractor.

ARTICLE #109 – NO DEFENSE OR INDEMNIFICATION BY COUNTY

The Parties agree that the County shall not be responsible for defending or indemnifying any Contractor from any claim brought by any third party against the Contractor.

ARTICLE #110 – ASSIGNMENT AND DELEGATION BY CONTRACTOR

The Contractor shall not assign or delegate this Contract, or any performance required by it, in whole or in part, without the prior expressed written consent of the County.

ARTICLE #111 – USE OF THIRD PARTIES (SUBCONTRACTORS)

This Contract is for the benefit of the Parties hereto only and is not intended to benefit any third party or give rise to any duty or causes of action for any third party. All restrictions, obligations, and responsibilities of the Contractor under the Contract shall also apply to third parties such as subcontractors, if allowed in writing by the County. Any Contract with a subcontractor must also preserve the rights of the County.

ARTICLE #112 – ENTIRE CONTRACT

This Contract, as executed and approved, shall constitute the entire agreement between the Parties and supersedes all other prior and contemporaneous statements, agreements, and understandings between the Parties. No written or oral statements, agreements, or understandings that are not set out, referenced, or specifically incorporated in this Contract shall in any way be binding or of effect between the Parties.

ARTICLE #113 – SEVERABILITY

If any paragraph, sub-paragraph, sentence, clause, phrase, or portion of this Contract is declared invalid or unconstitutional by any Court of competent jurisdiction or if the provisions of any part of

this Contract as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the remaining portions of this Contract not so held to be invalid or the application of this Contract to other circumstances not so held to be invalid.

ARTICLE #114 – RECORDS

- A. **Public Records Request.** The Georgia Open Records Act, as provided in O.C.G.A. § 50-18-70 et seq, requires procurement records and all other records received by or prepared or maintained on behalf of the County shall be made open to public inspection unless otherwise provided by law.
- B. **Record Retention and Access.** The Contractor shall maintain books, records, and documents in accordance with generally accepted accounting principles and procedures and which sufficiently and properly document and calculate all charges billed to the County throughout the term of the Contract for a period of at least five (5) years following the date of final payment or completion of any required audit, whichever is later. Records to be maintained include both financial records and service records.

ARTICLE #115 – ADDITIONAL TERMS

The County shall not be bound by any terms and conditions included in any Contractor's sales-orders, literature, packaging, invoice, catalog, brochure, technical data sheet, on-line representation, warranties or service level agreement, or other document which attempts to impose any condition in variance with or in addition to the terms and conditions contained herein.

ARTICLE #116 – WAIVER

The failure of any Party hereto to seek a remedy for any alleged breach of this Contract shall not constitute a waiver of any claim, cause of action, or remedy allowed by Georgia law for breach thereof.

ARTICLE #117 – CONTRACTOR AND COUNTY RIGHTS AND OBLIGATIONS

- A. The County has the right at any time to require the Contractor to put an immediate stop to any procedure, or the use of any equipment, chemical, material, personnel, etc. considered by the County to be hazardous or toxic to persons, buildings, or surfaces. The Contractor will utilize acceptable substitutes approved by the County as quickly as possible. In the event of such replacement, Contractor shall (i) notify County of any resulting replacement, (ii) introduce the individual serving as the replacement to County, and/or (iii) provide County with a résumé and any other information regarding the individual that may be reasonably requested by County.
- B. The County has the right to require the Contractor to reassign or remove any employee or subcontractor's employee from the premises temporarily or permanently when, in the County's sole opinion, the employee is not suitable. The County's decision shall be final, and Contractor will remove the employee immediately and replace with a person of at least equivalent training, experience, and requisite qualifications as quickly as possible, subject to the County's approval.
- C. Contractor agrees to obtain prior written approval from the County for the use of subcontractors to provide the Services described in Scope of Work prior to subcontractor's performance of work.

ARTICLE #118 – INSURANCE REQUIREMENTS

The Contractor must procure and maintain insurance policies at the Contractor's own expense and must furnish the County with a certificate of insurance (COI) providing evidence of proof of

coverage at least in the amounts indicated in this subsection. The COI must list "Hall County, Georgia" as the certificate holder and as an additional insured under the commercial general, automobile, and umbrella liability policies as follows: "County of Hall, its Board of Commissioners, officers, employees, servants, and agents, 2875 Browns Bridge Rd, Gainesville, GA, 30504". The policy must protect the Contractor and the County (as an additional insured) from any claims for bodily injury, property damage, or personal injury covered by the indemnification obligations set forth herein throughout the duration of the Contract. The Contractor must maintain the following insurance coverage during the term of the Contract, in at least the minimum amounts set forth below, to cover all loss and liability for damages or destruction of property caused by or arising from any and all services carried on and any and all work performed by the Contractor pursuant to this Contract:

Workers Compensation Insurance: Required for all contracts.

- \$500,000 Bodily Injury by Accident – Each Accident
- \$500,000 Bodily Injury by Disease – Each Disease
- \$500,000 Bodily Injury by Disease – Each Employee

Additional Provisions: Waiver of Subrogation. The insurer agrees to waive all rights of subrogation against Hall County Board of Commissioners (BOC), its elected or appointed officers, officials, agents, authorized volunteers, and employees for losses paid under the terms of this policy which arise from work performed by the Named Insured for Hall County BOC. This provision applies regardless of whether or not Hall County BOC has received a waiver of subrogation from the insurer.

General Liability Insurance: Required for all contracts.

- \$2,000,000 General Aggregate
- \$2,000,000 Products & Completed Operations Aggregate
- \$1,000,000 Each Occurrence
- \$1,000,000 Personal & Advertising Injury
- \$500,000 Damages to Premises/Fire/Legal
- \$5,000 Medical Payments

Commercial Auto Liability Insurance: Required for all contracts, except for goods and/or services that are remote in nature and/or are delivered by a professional delivery service..

- \$1,000,000 Combined Single Limit Or \$500,000 per Person/\$1,000,000 per Occurrence
- \$100,000 Property Damage
- \$1,000 for Medical Payments (no fault coverage)

Additional Provisions:

- Uninsured motorist's coverage should be equal to the per occurrence limit except for contracts with other governmental entities.
- Coverage shall be included for any owned, leased, hired, or non-owned autos.
- For any contracts involving the transportation of hazardous materials, limited pollution endorsement ISO form CA9948 or its equivalent shall be on the policy.

Umbrella Liability Insurance: Required for all contracts.
\$1,000,000 per Occurrence

Additional Provisions: Required for all contracts.

- Underlying coverage shall be General Liability, Automobile Liability, and Employers Liability (Workers Compensation).
- Minimum limit of \$5,000,000 per occurrence for all contracts over \$1,000,000 or involving any special risks or high hazard activities.
- Minimum limit of \$5,000,000 for automobile coverage for any transportation contracts involving seniors, special education, transit services, students, or youths.
- Concurrent policy dates with primary liability policies except for workers compensation.

Pollution Liability: Required for all road construction projects, work near wastewater, solid waste lines, or any work that involves handling, transporting, disposing, or working with hazardous materials, pollutants, water reclamation facilities, waste management, or other potentially toxic chemicals.

- \$1,000,000 per Occurrence
- \$1,000,000 Aggregate

Additional Provisions:

- Minimum limit of \$5,000,000 per occurrence for all contracts over \$50,000,000 or involving any special risks or high hazard activities

Professional Liability Insurance (Errors & Omissions): Required for all professional service contracts. This shall include any consultants, medical, legal, technical, insurance agents, or other professions that require proper licenses.

- \$1,000,000 Each Claim/Wrongful Act
- \$2,000,000 General Aggregate
- If written on a claim's made policy, the policy must be maintained for at least two (2) years after the completion of the work and/or contract.

Builders Risk: Hall County requires Builders Risk Coverage to be purchased by the Contractor for any construction project under \$10,000,000 insuring the full value of the project.

ARTICLE #122 – COUNTY PAYMENT TO CONTRACTOR

- A. The County will issue a Notice to Proceed ("NTP") and a Purchase Order(s) ("PO") to the Contractor. The terms of this Contract shall be incorporated by reference into any PO(s) issued prior to the expiration or termination of this Contract. The County will issue the NTP and PO(s) by electronic mail (e-mail) to the Contractor's representative in *ARTICLE #103 – NOTICES*. A PO is considered "issued" when the e-mail containing the PO is sent by the County to the Contractor.

The Contractor shall not deliver any Services, equipment, devices, or components thereof until authorized in writing by the County through issuance of a PO, which shall provide a commencement date. Any work including, but not limited to, travel, preliminary meetings, planning, etc. performed outside of the terms and conditions of and before the issuance of a PO will not be considered for payment. Contractors are not to begin work or ship any product on any verbal communication from the County. The County will not be liable for payment for any work or product with the issuance of a verbal communication.

The Scope of Work shall remain in effect from the NTP date to completion of the project. The Parties agree that the County will not pay or otherwise compensate the Contractor for any Services, materials, equipment, devices, or components thereof outside of the Scope of Work

and/or beyond the term of this Contract, unless specifically authorized in writing as evidenced by an amendment pursuant to *ARTICLE #106 – CONTRACT AMENDMENTS AND MODIFICATION*, a time extension letter, or as otherwise authorized by the County.

B. Invoice/Payment

1.0 APPLICATIONS FOR PAYMENT

CONTRACTOR shall submit Applications for Payment in accordance with the Conditions of the Contract. Applications for Payment will be reviewed by ENGINEER as provided in the Conditions of the Contract.

2.0 PROGRESS AND FINAL PAYMENTS

OWNER will make progress payments on account of the Contract Price on the basis of CONTRACTOR's Applications for Payment as recommended by ENGINEER, monthly during construction as provided below. All progress payments will be on the basis of the progress of the Work measured by the schedule of values provided for in the Conditions of the Contract.

Prior to Substantial Completion, progress payments will be in an amount equal to 95 percent of the value of the Work completed and 95 percent of the value of materials and equipment not incorporated in the Work but delivered and suitably stored, less, in each case, the aggregate of payments previously made.

Upon Substantial Completion, OWNER will pay an amount sufficient to increase total payments to CONTRACTOR to 99 percent of the Contract Price, less retainages as ENGINEER shall determine, in accordance with Paragraph 15.01. of the Conditions of the Contract.

Upon final inspection and acceptance of the Work, in accordance with Paragraph 15.06. of the Conditions of the Contract, OWNER will pay the remainder of the Contract Price as recommended by ENGINEER.

3.0 Contractor shall invoice the County via email each month solely to accountspayable@hallcounty.org and only after the County inspects and accepts the Services provided. Receipt of the Services does not constitute acceptance. Invoice amounts shall not exceed the Contractor's pricing set forth in Exhibit C – Cost Proposal Bid Form.

Each properly prepared invoice must be sent in accordance with the instructions listed on the PO. Each invoice shall include the Contractor's current "Remit to" address, a description of the Services provided, the invoice amount, the Contract number, and the associated PO number issued. Standard payment terms are net 30 days (N30) in arrears from the date the invoice is accepted, following delivery of the Services. The County does not pay for services not yet received but only in arrears.

The Contractor shall be solely responsible for paying all costs, expenses, and charges it incurs in connection with its performance under the Contract.

C. Unsatisfactory Performance/Delay of Payment

1. If the County determines that the quality of the Services provided are deficient, unacceptable, or unsatisfactory the County's Project Manager identified in *ARTICLE #103 – NOTICES* shall issue a written Notice to Cure to Contractor. Contractor agrees that upon receipt of the written Notice to Cure it shall make every effort to correct the deficiency(ies) within the timeframe prescribed therein. If the Contractor fails to timely correct the deficiency(ies), the County reserves the right to delay or deny payment pursuant to this *ARTICLE* or terminate the Contract pursuant to *ARTICLE #108 – TERMINATION PROVISIONS*.
 2. **Delay of Payment Due to Contractor's Failure.** If the County determines that the Contractor has failed to perform or deliver any Services as required by the Contract, the Contractor shall not be entitled to any compensation under the Contract until such Services are delivered and accepted. In this event, the County may withhold that portion of the Contractor's compensation, which represents payment for Services that were not delivered. To the extent that the Contractor's failure to perform or deliver in a timely manner causes the County to incur costs, the County may deduct the amount of such incurred costs as liquidated damages from any amounts payable to Contractor. The County's authority to deduct such incurred costs shall not in any way affect the County's authority to terminate the Contract.
- D. **Set-Off Against Sums Owed by the Contractor.** If the Contractor owes the County any sum under the terms of this Contract, pursuant to any judgment or pursuant to any law, the County may set off the sum owed by the Contractor against any sum owed to the Contractor, in the County's sole discretion.
- E. **Final Payment.** Contractor shall issue an invoice for final payment to the County no later than thirty (30) days following the expiration or termination date of the Contract.
- F. The Contractor must not factor or assign payments to another entity or a financial institution. The County will only pay the Party with whom it is contracted. The County will not under any circumstances pay a third party.

ARTICLE #123 – PERFORMANCE AND PAYMENT BONDS

(Required for construction, renovation, and repair projects)

The Contractor must furnish to the County both a performance and payment bond, both equal to one hundred percent (100%) of the Contract's total award dollar amount. The County will only issue a Notice to Proceed after the bonds are received. Only surety companies licensed to do business in the State of Georgia are acceptable. The Contractor is required to provide new bonds at the issuance of each renewal option term(s) or extension(s) that follow.

The Contractor must provide all required bonding instruments to the County prior to the commencement of any work. The County will consider any work done prior to the receipt of bonding instruments as null and void and thus not eligible for compensation.

ARTICLE #124 – RETAINAGE (Required for construction, renovation, and repair projects)

The County will retain and withhold funds from compensation in compliance with Georgia law. The County may hold up to five percent (5%) retainage throughout the entire project and will release said retainage at the point of completion and final acceptance by the County.

ARTICLE #125 – VENUE AND GOVERNING LAW

The Parties agree that this Contract shall be interpreted, construed, and enforced in accordance with the laws of the State of Georgia. Should either party bring a legal suit to enforce the terms of this Contract, including suit in equity, the Parties agree and consent to file any such suit in the Superior Court of Hall County, Georgia.

ARTICLE #126 – NOTICE OF INTENT TO LITIGATE

Contractor hereby agrees not to file any civil action of disputes or claims relating to the Contract except after first giving thirty (30) days written notice to the County of the claim and the intent to initiate a civil action.

ARTICLE #127 – GEORGIA SECURITY AND IMMIGRATION COMPLIANCE ACT (E-Verify)

- A. By signing this Contract, the Contractor certifies that prior to and throughout the performance of all applicable work under this Contract it will remain in full compliance with all federal and state immigration laws including, but not limited to, 8 U.S.C. § 1324a and the Georgia Security and Immigration Compliance Act (O.C.G.A. §13-10-90 et seq.), as amended by the Illegal Immigration Reform and Enforcement Act of 2011 regarding the verification of employment eligibility of employees under the Immigration Reform and Control Act of 1986. Contractor will ensure that only persons who are citizens or nationals of the United States or non-citizens authorized under federal immigration laws are employed to perform services under this Contract or any subcontract or sub-subcontract hereunder.
- B. Contractor further certifies its compliance with the aforementioned federal and state immigration laws set forth by signing a sworn affidavit, the Georgia Security and Immigration Compliance Act Affidavit (herein known as *Exhibit E – E-Verify Affidavit*), notarized by an Official Notary Public and incorporated herein by reference, and obtaining the same affidavit(s) from any subcontractor providing services pursuant to this Contract.

ARTICLE #128 – ORDER OF PRECEDENCE

In the event of any inconsistency, ambiguity, or conflict among the specific provisions of the Contract and the Contractor's response, the order of precedence shall be as follows:

1. Any amendments to the Contract, including all exhibits thereto.
2. The Contract itself, including all exhibits thereto.
3. Attachments appended to the Contract.
4. All other Contract attachments appended to the Contract.

ARTICLE #129 – CONTRACT EXHIBITS AND ATTACHMENTS

The Parties mutually acknowledge that all exhibits and attachments listed below made a part of this Contract, as though expressly written in the solicitation documents and the Bidder's response, are herein incorporated into this Contract by reference.

ARTICLE #130 – SALES TAX EXEMPTION STATUS

The County is exempt from State of Georgia and Local Sales and Use Tax. The Bidder understands and acknowledges that they are responsible for any sales and use tax they may incur. The Bidder will not charge the County any sales and use tax as a separate line item. The Contractor may request a copy of the County's Georgia Sales and Use Tax Exemption Certificate.

ARTICLE #131 – HOLD HARMLESS AGREEMENT

The Contractor hereby agrees to indemnify, hold free and harmless Hall County Government, County Commissioners, its agents, servants, employees, officers, directors, elected officials, or any other person(s) against any loss or expense. This includes attorney fees because of any liability imposed by law upon the County, except in cases of the County's sole negligence, sustained by any person(s) on account of bodily injury or property damage arising out of or in the consequence of this Contract.

ARTICLE #132 – NOT A JOINT VENTURE

The County shall not be bound by any terms and conditions included in any Contractor packaging, invoice, catalog, brochure, technical data sheet, on-line representation, warranties or service level agreement, or other document which attempts to impose any condition in variance with or in the addition to the terms and conditions contained herein.

ARTICLE #133 – CONTRACT TERMS AND CONDITIONS

1. All purchases must comply with the Official Code of Hall County Sections 3.10.010 – 3.10.190.
2. If any conflict or ambiguity arises between the terms and conditions herein and the Official Code of Hall County, the latter will govern.
3. The terms and conditions set forth herein shall supersede and govern over all Contractor's terms and conditions or service level agreements.
4. The County retains the right to "red line" sections of the Contractor's terms and conditions if such are in conflict with the best interest of the County.
5. Acceptance of a Purchase Order ("PO") and delivery of goods or services serves as the Supplier's full and complete acceptance of the County's terms and conditions.
6. The terms "supplier", "vendor", "bidder", "offeror", "Contractor", "designer", "distributor", "dealer" or "manufacturer" or otherwise purveyor or source of supply or performance of service shall mean one and the same, herein denoted as "supplier" for goods and "contractor" for services.
7. The terms "goods", "materials", "commodities", "components", "drawings", "drafts", "renderings", "plans" (physical or digital), software, SaaS, capital asset equipment, vehicles, heavy earth-moving or other equipment (purchased or leased), or other such deliverables are herein denoted as "goods" and shall mean one and the same.
8. "Services" shall mean all services, either financial, advisory, consultative, labor, staff augmentation, construction, rehabilitation, restoration, repair, support or maintenance, communication, telephony, internet, TV or streaming, pest control, grounds maintenance, custodial and janitorial, street or paved surfaces cleaning, drain cleaning, or otherwise where services are offered for consideration.
9. The Supplier shall transfer and deliver all goods or services described on the respective PO for the consideration set forth herein.
10. The Supplier shall only deliver goods and services as described on the respective PO and within the Scope of Work and the Supplier's bid response.
11. The County holds no obligation to pay for goods delivered or services rendered unless specified on a written PO or a Change Order of such.
12. The Supplier shall not construe any verbal consent to purchase goods or services as valid.
13. The County does not accept substitutions of services or goods that do not comply with the Scope of Work or specifications set forth in the PO, Contract, or Agreement, unless mutually agreed in writing by both Parties.
14. The County does not accept automatic contract renewals except for monthly subscription services.
15. The County does not pay deposits towards goods ordered. Exceptions exist for custom made items such as window treatments, floor coverings, pre-mixed paints and stains, fabrication, decoration, or otherwise custom designed products specifically for the County.

16. The County will accept backorders only if goods are out of stock and with prior written notice. Suppliers shall ship all quantities that it has in stock and hold orders for backorders.
17. The County participates in cooperative purchasing agreements, State of Georgia Statewide Contracts, and other state and local intergovernmental agreements, memoranda of understanding and other such agreements.
18. In all cases, the jurisdiction shall be the State of Georgia, County of Hall, for arbitration or other legalities.
19. Deliveries go to the ship-to addresses listed on the PO and within the time specified. The Supplier must follow instructions if multiple ship-to addresses exist on the PO.
20. The County shall have the right to inspect all goods or services at the time and place of delivery. The risk of loss of goods shall pass to the County upon completion and final acceptance of the project delivery.
21. Title to the goods shall remain with the Supplier until acceptance by the County. Receipt of goods or services does not constitute acceptance.
22. The Supplier warrants that goods are merchantable, and the Supplier has a legal right to deliver the goods and services and as described herein.
23. Contractor agrees not to assign, in full or in part, this Contract to another party without the County's expressed written consent. Any attempted assignment or delegation shall void and make ineffectual this Contract for all intents and purposes.
24. The County is exempt from Federal Excise Tax and Georgia Sales and Use Tax.
25. This issuance of a PO shall not violate the Code of Ethics and Conflicts of Interest for Public Officers and Employees for Government Service set forth in the 2020 Section 45-1020 *et seq.* of the Official Code of Georgia Annotated and the Official Code of Hall County Section 3.10.070 governing Ethics.
26. All goods and services supplied pursuant to a PO shall, unless otherwise stated, conform exactly to all the descriptions, specifications, exhibits, and attachments contained in the bid solicitation upon which a PO is based, and all the terms, conditions, and specifications of the bid solicitation are incorporated herein by reference and made a part hereof.
27. All media production, recordings, videos, photography, artwork, plates, engravings, and other printed or digital media materials paid for in full by the County are considered County property and shall be delivered to the County upon request.
28. If a PO has an attached Contract or Agreement, the terms and conditions of the latter shall govern in the event of any conflict with these terms and conditions.
29. The Supplier may be suspended, terminated, or debarred if it is determined that the Supplier has made false certification(s) or has violated such certification(s) by failure to carry out the requirements herein. Thus, the Supplier certifies that it and its subcontractors have not been debarred, suspended, or declared ineligible by any agency of the County, State of Georgia, or as defined in the Federal Acquisition Regulation (FAR) 48 C.F.R. Ch. 1 Subpart 9.4.
30. The Supplier certifies that it is not currently engaged in an active or pending lawsuit or other grievance, injunction, or levy against the County.
31. Goods are Free-On-Board (F.O.B.) destination and freight. Shipping and delivery shall be pre-paid and added to the invoice as a separate line item. The Supplier shall charge the County the exact amount of freight, delivery, handling, and insurance charges the Supplier incurs.
32. The County does not pay late fees nor interest charges.
33. The County is not bound to any minimum or maximum quantity or dollar amount set by the Supplier.
34. In the event there is a discrepancy between the unit price and extended price, the unit price shall govern.

IN WITNESS WHEREOF, said Parties have hereunto affixed their signatures and seals on the day, month, and year below. Bidder must print their company's full legal company name as it appears on their W-9 form below:

Print Company's Full Legal Name Below:

W.L. Griffin Company, LLC

By: [Signature]

Print Name: Westly Griffin

Title: owner

Sworn to and subscribed before me this

25th Day of October, 2024.

Notary Public: [Signature]

Notary commission expires: 10/24/28
[Locus Sigilli – Seal or Stamp]

HALL COUNTY, GEORGIA

By: _____
Richard Higgins, Chairman
Hall County Board of Commissioners

Date: _____

Attestation: _____
Board of Commissioners Clerk

APPROVED AS TO FORM

[Signature]
Nathaniel R. Anderson,
Senior Assistant County Attorney

EXHIBIT C – BID FORM REVISED 10-11-2024

Section 004113.16 – BID FORM

HALL COUNTY, GEORGIA

POND FORK BASIN 1 SEWER IMPROVEMENTS (Revised Bid Form – October 11th 2024)

Item No.	Description	Unit	Estimated Quantity	Bid Unit Price	Bid Amount
1	Mobilization, Bonds and Insurance	LS	1	\$ 338,695. ²⁶	\$ 338,695. ²⁶
2	Lift Station Complete (concrete, pumps, piping valve, odor control, generator, electrical and instrumentation, etc.)	LS	1	\$ 2,013,443. ⁸⁸	\$ 2,013,443. ⁸⁸
3	12-inch HDPE Force Main	LF	12,416	\$ 171. ⁶²	\$ 2,130,833. ⁹²
4	12-inch DI Force Main in steel casing installed by Jack and Bore (DIRT)	LF	184	\$ 1,543. ¹⁹	\$ 283,946. ⁹⁶
4A	12-inch DI Force Main in steel casing installed by Jack and Bore (ROCK ADDER)	LF	184	\$ 800. ⁰⁰	\$ 147,200. ⁰⁰
4B	12-inch HDPE Force Main by Horizontal Directional Drill (DIRT)	LF	500	\$ 245. ⁶²	\$ 122,810. ⁰⁰
4C	12-inch HDPE Force Main by Horizontal Directional Drill (ROCK ADDER)	LF	500	\$ 600. ⁰⁰	\$ 300,000. ⁰⁰
5	DI Fittings	TON	3	\$ 39,300. ⁰⁰	\$ 117,900. ⁰⁰
6	12" Plug Valve w/ Valve box	EA	4	\$ 10,743. ⁵³	\$ 42,974. ¹²
7	4-ft dia. Manhole with odor control	EA	1	\$ 23,002. ⁸⁰	\$ 23,002. ⁸⁰
8	4-ft dia. Manhole Metering Manhole	EA	1	\$ 40,349. ⁰¹	\$ 40,349. ⁰¹
9	Air Release Valve and Manhole	EA	15	\$ 20,206. ⁶⁸	\$ 303,100. ²⁰
10	8-inch SDR26 PVC Gravity Sewer (0-6 feet)	LF	1,009	\$ 123. ¹⁸	\$ 124,288. ⁶²
11	8-inch SDR26 PVC Gravity Sewer (6-10 feet)	LF	1,904	\$ 133. ¹⁸	\$ 253,574. ⁷²
12	8-inch SDR26 PVC Gravity Sewer (10-14 feet)	LF	1,327	\$ 143. ¹⁸	\$ 189,999. ⁸⁶
13	8-inch P401 DIP Gravity Sewer (14-18 feet)	LF	579	\$ 218. ⁰⁶	\$ 126,256. ⁷⁴
14	8-inch RJ DI Gravity Sewer in steel casing installed by Jack and Bore (DIRT)	LF	471	\$ 953. ⁶⁷	\$ 449,178. ⁵⁷
14A	8-inch RJ DI Gravity Sewer in steel casing installed by Jack and Bore (ROCK ADDER)	LF	471	\$ 500. ⁰⁰	\$ 235,500. ⁰⁰
15	4-ft dia. Manhole (0-6 feet)	EA	1	\$ 5,367. ⁶⁷	\$ 5,367. ⁶⁷
16	4-ft dia. Manhole (6-10 feet)	EA	14	\$ 7,474. ⁵⁵	\$ 104,643. ⁷⁰

EXHIBIT C – BID FORM REVISED 10-11-2024

Item No.	Description	Unit	Estimated Quantity	Bid Unit Price	Bid Amount
17	4-ft dia. Manhole (10-14 feet)	EA	3	\$ 9,671.82	\$ 29,015.46
18	4-ft dia. Manhole (14-18 feet)	EA	3	\$ 11,660.60	\$ 34,981.80
19	4-ft dia. Drop Manhole (10-14 feet)	EA	1	\$ 17,428.20	\$ 17,428.20
20	4-ft dia. Drop Manhole (14-18 feet)	EA	4	\$ 20,954.72	\$ 83,818.88
21	4-ft dia. Drop Manhole (22-26 feet)	EA	1	\$ 26,952.18	\$ 26,952.18
22	Rock Contingency Allowance	CY	2,400	\$ 85.00	\$ 204,000.00
23	Clearing and Grubbing	AC	4	\$ 30,000.00	\$ 120,000.00
24	2" Water Line complete with Tapping Valve and Sleeve	EA	1	\$ 5,875.00	\$ 5,875.00
25	1" Water Line complete with appertences	LF	1,690	\$ 31.20	\$ 52,728.00
26	6-inch sch 80 PVC electrical conduit with pull boxes (materials supplied)	LF	3,735	\$ 47.79	\$ 178,445.65
27	Dorsey Peek Road culvert replacement complete (4-18-inch RCPs, headwall, rip rap, etc.)	LF	64	\$ 1,811.25	\$ 115,920.00
28	Dorsey Peek Road resurfacing (concrete)	SF	12,044	\$ 10.10	\$ 121,644.40
29	Bituminous Concrete Pavement Removal and Replacement	SY	2,730	\$ 115.51	\$ 315,342.30
30	Concrete Driveway Removal and Replacement	SY	964	\$ 94.23	\$ 90,837.72
31	Remove and Replace existing Driveway Culverts	LF	225	\$ 176.25	\$ 39,656.25
32	Rip Rap on Filter Fabric	SY	125	\$ 176.25	\$ 22,031.25
33	Temporary Silt Fence	LF	35,000	\$ 3.69	\$ 129,150.00
34	Sedimentation and Erosion Control	LS	1	\$ 301,373.75	\$ 301,373.75
35	Maintenance of Erosion and Sediment Control Devices	LS	1	\$ 60,000.00	\$ 60,000.00
36	Concrete Block Retaining Walls (0'-5' Height)	LF	230	\$ 288.79	\$ 66,421.70
37	Pipe Trench Rock Blasting & Removal	CY	2,342	\$ 75.00	\$ 175,650.00
38	Blast Monitoring	LS	1	\$ 50,000.00	\$ 50,000.00
39	Traffic Control	LS	1	\$ 72,750.00	\$ 72,750.00
40	Record Drawings	LS	1	\$ 15,000.00	\$ 15,000.00

EXHIBIT C – BID FORM REVISED 10-11-2024

Item No.	Description	Unit	Estimated Quantity	Bid Unit Price	Bid Amount
41	10-ft Maintenance/Access Road	SY	4,860	\$ 35.44	\$ 172,238.40
42	Tie to existing Gainesville Influent Manhole	EA	1	\$ 21,750.00	\$ 21,750.00
Ninemillion, eight hundred Seventy-Six thousand, One hundred twenty-Six dollars & ninety-Seven cents					\$ 9,876,126.97

The undersigned agrees that extra work, if any, will be performed and will be paid for in accordance with Article 11 of the Conditions of the Contract.

Amounts shall be shown in both words and figures, where indicated. In case of discrepancy, the amount shown in words will govern.

The above prices shall include all labor, materials, bailing, shoring, removal, overhead, profit, insurance and incidentals required to complete the Work.

The names and residences of all persons and parties interested in the foregoing Bid as principals are as follows:

(Give first and last names in full. In the case of a corporation, see Article 8.3 of the Instructions to Bidders, in the case of a limited liability company [LLC], see Article 8.4 of the Instructions to Bidders, in the case of a partnership, see Article 8.5 of the Instructions to Bidders.)

LLC- "S" corp
WESTLY Griffin

The undersigned hereby certifies that he/she is able to furnish labor that can work in harmony with all other elements of labor employed or to be employed on the work.

The undersigned hereby certifies under the penalties of perjury that this bid is in all respects bona fide, fair and made without collusion or fraud with any other person. As used in this section, the word "person" shall mean any natural person, joint venture, partnership, corporation, or other business or legal entity.

84-3626593
 Social Security Number
 or Federal Identification
 Number

W.L. Griffin Company, LLC
 Signature of Individual or
 Corporate Name

By: [Signature]
 Corporate Officer (if applicable) WESTLY Griffin-Owner

Notice of acceptance should be mailed, faxed, or delivered to the following:

W.L. Griffin Company, LLC
 (Name)

EXHIBIT C – BID FORM REVISED 10-11-2024

By: WESTLY Griffin, owner
(Title)

134 Hickory Flat Road
(Business Address)

Gillsville, GA 30543
(City and State)

Date 10/24/24



If the Bidder is a corporation, indicate State of incorporation under signature, and affix corporate seal; if a partnership, give full names and residential addresses, if different from business address.

END OF SECTION 004113.16



AGENDA ITEM

Sheriff's Office

REPORT TO: Work Session (11/12/24)

REPORT TO: Voting Meeting (11/14/24)

ITEM NO: 168/2024

SUBJECT: Approve the ratification of the application and award for the 2024 State Homeland Security Program grant for the Sheriff's Office EOD K9 Team to purchase supplies, veterinary care, and nutritional needs in the amount of \$3,000.00 and appoint the Grants Manager as the Program Designee and authorize the Chairman to execute all related award documents. No match is required.

Meetings:

Work Session Date: 11/12/24

Voting Meeting Date: 11/14/24

Executive Summary:

Presenter: CKE

Recommendation:
Approval

Purpose of Request:

Approve the ratification of the application and award for the 2024 State Homeland Security Program grant for the Sheriff's Office EOD K9 Team to purchase supplies, veterinary care, and nutritional needs in the amount of \$3,000.00 and appoint the Grants Manager as the Program Designee and authorize the Chairman to execute all related award documents. No match is required.

History:

Hall County has received K9 Homeland Security Grant funding since 2010 for the bomb detection dogs program. This funding is used for dog food, dog medical costs, and training equipment for the program's four dogs.

Facts and Issues:

This grant provides funding by the U.S. Department of Homeland Security through the Georgia Emergency Management Agency to help Hall County build and enhance capabilities to prevent, protect against, respond to, and recover from terrorist attacks, major disasters and other emergencies.

Options:

Funding Requested \$ 0.00

Are funds within current budget? No

Source of Funds

Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?

No

Has it been reviewed by the County Attorney?

Yes

Is there a deadline for this item?

Approvals:

Grants	Submit	Approve	Grants
PS	SC	SC	SG
Budget	Finance	Attorney	Administration
EW	WG	WLI	CR
Clerk			
JR			

Attachments:

2024 K9 Grant Application



**HALL COUNTY BOARD OF COMMISSIONERS
FINANCIAL SUPPLEMENT REPORT**

AGENDA ITEM 168/2024

Funds Requested: \$ 0.00

Request Budgeted: No

Proposed Source of Funding:

Budget Transfer Requested:

No

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
2024	250-MULTIPLE GRANT FUND	3310-SHERIFF'S OPERATIONS	331150-FEDERAL'S OPERATING INDIRECT	\$-3,000.00
2024	250-MULTIPLE GRANT FUND	3310-SHERIFF'S OPERATIONS	531600-SMALL FURNITURE & EQUIPMENT	\$3,000.00

Budget Transfer Items:

Additional Information/Comments:

Contact for Questions: CKE

Phone: 770 531-7090

Application - Hall County - K9 Explosive Ordinance

Routing in Progress: Program Manager Review (Step 2 of 7)

Application Summary

This form outlines all project details, including Scope of Work, all costs, and location worksheets.

Title: Hall County - K9 Explosive Ordinance

Total Project Cost: \$12,000.00

Eligible Amount: \$12,000.00

Cost Summary: Training \$12,000.00
Note: these values will only update after the form is saved.

Funding Sources: Federal - \$12,000.00
State - \$0.00
Local - \$0.00

FEMA Obligation Data: Federal Number - < no value >
[Edit](#)

Grant

2024 State Homeland Security Program
State Homeland Security Program
Start Date: October 1, 2024
Closed: September 30, 2026
Work Deadline: September 30, 2026
CFDA Number: 97.067

Applicant

Hall (county)
Hall County
UEI:
FIPS: 139-99139-00
FEIN #: 58-6000836
Vendor # (Applicant): 0000014610
DUNS #: 078124617 Type: County Government
Physical: 470 Crescent Drive
Gainesville, GA, 30501
Mailing: PO Box 907730
Gainesville, GA, 30501

Workflow Summary

Current Step: 2) Program Manager Review
Description: Initial Review by the Program Manager

Recipients: HSGP Program Manager (Full Access (State))

Last Advanced: Mar 26, 2024 at 2:07 PM by Sommer Green


Last Note Added: Mar 26, 2024 at 2:07 PM by Sommer Green


Submission: Mar 26, 2024 at 2:07 PM by Sommer Green


Introduction

Summary Information

Grant:	2024 State Homeland Security Program
Project Discipline Type:	Explosive Ordnance Disposal w/K9 Partner(General ND Application - standardND/)
Title:	<input type="text" value="Hall County - K9 Explosive Ordinance"/> Used to help identify the Project. Ex: "Jurisdiction - Project Name".
Total Project Investment Amount:	<input type="text" value="12,000.00"/>
Project Capabilities Type:	<input type="text" value="Sustaining Existing Capabilities"/>
Project Jurisdiction Description:	<input type="text" value="Hall County"/>
Does the project require an MOU to a State Agency?	<input type="text" value="No"/>

Primary Contact: 
[Edit](#)
Email Address: sgreen@hallcounty.org
Phone: 770-297-5503

Alternate Contact: 
[Edit](#)
Email Address: kedwards@hallcounty.org
Phone: 770-531-7090

Authorized Contact: 
[Edit](#)
Email Address: rhiggins@hallcounty.org
Phone: 770-535-8288

Financial Contact:
[Edit](#)
Email Address: sgreen@hallcounty.org
Phone: 770-297-5503

This application contains
Work Activity and Costs in the
following areas:

Training

Hold Ctrl key to select multiple areas.

Federal Funding Accountability and Transparency Act Certification (FFATA)

You shall report the names and total compensation of each of the five most highly compensated executives for the preceding completed fiscal year, if:

- a. in the sub-grantee's preceding fiscal year, the sub-grantee received
 - i. 80 percent or more of its annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and
 - ii. \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts), and Federal financial assistance subject to the Transparency Act (and subawards); and
- b. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)

Are all of the above
statements true?

No

Project Details

Summarize the proposed project, including its purpose and how it aligns with the State's funding priorities for this Grant:

Explosive Ordnance Detection K-9 Program teams are used for the detection of commercial, military, and homemade explosives. K9 sweeps are completed locally and regionally for various concert venues, road races, parades, and special events, including Presidential details. This is in alignment with DHS/FEMA's national priority of Safety and Security. Core capabilities include physical protective measures and screening, search, and detection.

The Hall County Sheriff's Office EOD K-9 Team was formed in 2002 with one K9 team. The Sheriff's Office now has four EOD K9 teams and is responsible for providing an EOD response to law enforcement agencies in unincorporated Hall County; the city limits of Gainesville, Oakwood, Flowery Branch, and Braselton; GEMA; and provide mutual aid for neighboring jurisdiction throughout northeast Georgia that make a request. Hall County has two heavy traffic interstates (I985 and Ga. 365), Lake Lanier and the foothills of the Appalachian Mountains. The estimated population is 215,000 residents (250,000+ with daily visitors). This number drastically increases in the summer months with an average of 8-10 million visitors to Lake Lanier. Hall County has a major rail station, airport, federal courthouse, 2 county courthouse, and 4 municipal courtrooms, 11 postal facilities, 3 colleges, 3 water treatment facilities, 11 nursing homes, 20 daycares and 37 public schools. Hall County is home to largest hospital system in northeast Georgia with two hospitals, one located on the north side of the county and one on the south side.

The Hall County Sheriff's Office EOD K9 Team is seeking a total of \$12,000 for all four K9 teams. The funds will provide veterinary care for an annual physical and emergency care, specialty K9 nutrition needs, and purchase supplies related to K9 response and team training.

The SHSP supports state, local, tribal, and territorial preparedness activities that address high priority preparedness gaps across all core capabilities that support terrorism preparedness.

Will the funds being applied for supplant other funding for this project?

No

Example: SPLOST or other local funds already planned for use to do this project

Primary Core Capability to be addressed by this Project:

Common - Threats and Hazard Identification

Estimate the amount of funding you are requesting that will be used to strengthen the selected Primary Core Capability:

\$ 12,000.00

Secondary Core Capability to be addressed by this Project:

Common - Risk and Disaster Resilience Assessment

Estimate the amount of funding you are requesting that will be used to strengthen the selected Secondary Core Capability:

\$ 12,000.00

How much of the funding in the proposed project can be associated with Law Enforcement Terrorism Prevention Activities (LETPA)?

\$ 12,000.00

This could include activities and equipment with a nexus to terrorism that are focused on information sharing and analysis; target hardening; threat recognition; terrorism interdiction; fusion center operation; or training/exercises associated with these activities.

Briefly explain how this project will support LETPA:

Hall County's Explosive Ordinance Detection K9 Program teams conduct sweeps and detect commercial, military, and homemade explosives at local and region events such as courthouses, schools, concert venues, road races, parades, and special events, including Presidential details.

Risk Assessment

Agency Tax Status?

Appropriated Division of the Town

Agency Fiscal Year:

July - June

For example: July-June or Jan-Dec

Legal name of the entity to which the FTIN was assigned:

Hall County, Georgia

Does the Physical Address on file match your address as listed on SAM.gov?

No

Address Line 1:

2875 Browns Bridge Road

Address Line 2:

City:

Gainesville

State:

GA - Georgia

Zip Code:

30504

Is the Mailing Address on file correct?

Yes

PO Box 907730 Gainesville Georgia 30501

Has your organization been audited in the past 12 months?

Yes, by an outside audit firm

Is your organization required to have a single audit conducted in accordance with the Single Audit Act (sub recipient expends \$750,000 or more in federal assistance during its fiscal year)?

Yes

Has the A-133 single audit been submitted to primary pass through Party?

Yes

Who was the audit sent to?

Georgia Department of State Audits

What date was the audit sent?

Dec 29, 2023

Did the organization have significant audit findings from your last single audit regarding program non-compliance?

No

If the single audit has not yet been conducted, when will this be completed?

Dec 27, 2024

What type of accounting system do you use?

Manual

Does your organization have written policies and procedures for checks and balances of all fiscal transactions?

Yes

Does your organization maintain for inspection all the books, documents, payroll papers, accounting records and grant files pertaining to sub grant agreements and contracts for a period of three years after the close of the sub-grant?

Yes

Is the Unique Entity Identifier (UEI) on file for your organization correct?

Yes

UEI:

Costs

Cost Line Items

- Cost line items should be listed in the order of descending priority, with the most important item first, then second most important item next, and so on.
- Costs must be rounded to the nearest whole dollar amount.
- For Equipment items costing \$5,000 or more each it is required to provide a Tangible Property Report. If applicable, please attach to this application prior to submission.

Classification	Description	Qty	Price	Total
Area				
<input type="text" value="Training"/>				
Type				
<input type="text" value="Animal & Plants (A&P)"/>	<input type="text" value="16AC-04-VETL Equipment and Supplies, Large Animal Veterinary Care"/>	<input type="text" value="4"/>	\$ <input type="text" value="3,000.00"/>	\$12,000.00
AEL Code (List)				
<input type="text"/>				
Application Total				\$12,000.00
Grand Total				\$12,000.00

Funding Sources

Method: By Percent By Amount Funding Source / Other Agency

Estimated Federal Share: % \$12,000.00

Total Allocated: % \$12,000.00

Training Work Plan

Provide up to four major milestones and their associated completion dates that will be required to complete the project.

Remove this Objective

Start Date:

Oct 1, 2024

End Date:

Sep 30, 2025

Objective:

To support ongoing necessary training and caregiving for K9 teams to provide and EOD response to law enforcement agencies in unincorporated Hall County; the city limits of Gainesville, Oakwood, Flowery Branch, and Braselton.

Justification:

Provide critical veterinary care to include annual physicals, emergency care, specialty K9 nutrition needs to Hall County's four (4) K9 teams. K9 teams must be healthy, fed, and ready to work at all times to serve their residents properly.

Action Steps

List Action Steps to be taken to achieve each Objective

Action Step	Start Date	End Date
Physicals, feed, and training purchase. Allocation of \$3000 per team.	Oct 1, 2024	Jun 30, 2025

Add an Objective

EHP Review

Projects that are not classroom training and are not simply (portable) equipment purchases will require an Environmental and Historic Preservation (EHP) Review to be done before work begins. If you wish to review the EHP screening form or program requirements, they can be found at the FEMA EHP site by clicking [here](#).

EHP Review Required:

No



AGENDA ITEM

Sheriff's Office

REPORT TO: Work Session (11/12/24)

REPORT TO: Voting Meeting (11/14/24)

ITEM NO: 167/2024

SUBJECT: Approve the ratification of the application and award for the 2024 State Homeland Security grant for the Sheriff's Office SWAT Team to purchase necessary equipment in the amount of \$28,815.00, and appoint the Grants Manager as the Program Designee and authorize the Chairman to execute all related award documents. No match is required.

Meetings:

Work Session Date: 11/12/24

Voting Meeting Date: 11/14/24

Executive Summary:

Presenter: CKE

Recommendation:

Approval

Purpose of Request:

Approve the ratification of the application and award for the 2024 State Homeland Security grant for the Sheriff's Office SWAT Team to purchase necessary equipment in the amount of \$28,815.00, and appoint the Grants Manager as the Program Designee and authorize the Chairman to execute all related award documents. No match is required.

History:

Hall County has received the Homeland Security Grant funding since 2010.

Facts and Issues:

The Homeland Security Grant Program supports the core capabilities across the five mission areas of Prevention, Protection, Mitigation, Response and Recovery based on allowable costs. The purpose of the grant is to provide funds to eligible entities to support state, local, tribal and territorial efforts to prevent terrorism and other catastrophic events and to prepare the Nation for the threats and hazards that pose the greatest risk to the security of the United States. The equipment will enhance the ability to perform night operations.

Options:

Funding Requested

\$ 0.00

Are funds within current budget? No
Source of Funds
Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.? No
Has it been reviewed by the County Attorney? Yes
Is there a deadline for this item?

Approvals:

Grants	Submit	Approve	Grants
PS	SC	SC	SG
Budget	Finance	Attorney	Administration
EW	WG	WLI	CR
Clerk			
JR			

Attachments:

2024 Hall County SWAT Application



**HALL COUNTY BOARD OF COMMISSIONERS
FINANCIAL SUPPLEMENT REPORT**

AGENDA ITEM 167/2024

Funds Requested: \$ 0.00

Request Budgeted: No

Proposed Source of Funding:

Budget Transfer Requested:

No

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
2024	250-MULTIPLE GRANT FUND	3310-SHERIFF'S OPERATIONS	531600-SMALL FURNITURE & EQUIPMENT	\$28,815.00
2024	250-MULTIPLE GRANT FUND	3310-SHERIFF'S OPERATIONS	331150-FEDERAL OPERATING INDIRECT	-\$28,815.00

Budget Transfer Items:

Additional Information/Comments:

Contact for Questions: CKE

Phone: 770 531-7090

Application - Hall County -SWAT 2024

Routing in Progress: Program Manager Review (Step 2 of 7)

Application Summary

This form outlines all project details, including Scope of Work, all costs, and location worksheets.

Title: Hall County -SWAT 2024

Total Project Cost: \$28,815.00

Eligible Amount: \$28,815.00

Cost Summary: Equipment \$28,815.00
Note: these values will only update after the form is saved.

Funding Sources: Federal - \$28,815.00
State - \$0.00
Local - \$0.00

FEMA Obligation Data: Federal Number - < no value >
[Edit](#)

Grant

2024 State Homeland Security Program
State Homeland Security Program
Start Date: October 1, 2024
Closed: September 30, 2026
Work Deadline: September 30, 2026
CFDA Number: 97.067

Applicant

Hall (county)
Hall County
UEI:
FIPS: 139-99139-00
FEIN #: 58-6000836
Vendor # (Applicant): 0000014610
DUNS #: 078124617 Type: County Government
Physical: 470 Crescent Drive
Gainesville, GA, 30501
Mailing: PO Box 907730
Gainesville, GA, 30501

Workflow Summary

Current Step: 2) Program Manager Review
Description: Initial Review by the Program Manager

Recipients: HSGP Program Manager (Full Access (State))

Last Advanced: Mar 27, 2024 at 12:02 PM by Sommer Green




Last Note Added: Mar 27, 2024 at 12:02 PM by Sommer Green

Submission: Mar 27, 2024 at 12:02 PM by Sommer Green

Introduction

Summary Information

Grant:	2024 State Homeland Security Program
Project Discipline Type:	Special Weapons and Tactics(General ND Application - standardND/)
Title:	<input type="text" value="Hall County -SWAT 2024"/> Used to help identify the Project. Ex: "Jurisdiction - Project Name".
Total Project Investment Amount:	<input type="text" value="28,815.00"/>
Project Capabilities Type:	<input type="text" value="Sustaining Existing Capabilities"/>
Project Jurisdiction Description:	<input type="text" value="Hall County"/>
Does the project require an MOU to a State Agency?	<input type="text" value="No"/>

Primary Contact: 	<input type="text" value="Sommer Green - Grants Manager"/> Edit Email Address: sgreen@hallcounty.org Phone: 770-297-5503
Alternate Contact: 	<input type="text" value="Kelley Edwards - Captain"/> Edit Email Address: kedwards@hallcounty.org Phone: 770-531-7090
Authorized Contact: 	<input type="text" value="Richard Higgins - Chairman Hall County Board of Commissioners"/> Edit Email Address: rhiggins@hallcounty.org Phone: 770-535-8288
Financial Contact:	<input type="text" value="Taylor Samples - Assistant Finance Director"/> Edit Email Address: tsamples@hallcounty.org Phone: 770-531-4940

This application contains
Work Activity and Costs in the
following areas:

Equipment

Hold Ctrl key to select multiple areas.

Federal Funding Accountability and Transparency Act Certification (FFATA)

You shall report the names and total compensation of each of the five most highly compensated executives for the preceding completed fiscal year, if:

- a. in the sub-grantee's preceding fiscal year, the sub-grantee received
 - i. 80 percent or more of its annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and
 - ii. \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts), and Federal financial assistance subject to the Transparency Act (and subawards); and
- b. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)

Are all of the above
statements true?

No

Project Details

Summarize the proposed project, including its purpose and how it aligns with the State's funding priorities for this Grant:

The Hall County Sheriff's Office SWAT Team is seeking \$28,815 in equipment that will assist in Preventing, Mitigating, Responding to, and Recovery of acts of domestic terrorism. The Hall County Sheriff's Office SWAT Team is responsible for providing a tactical response to law enforcement agencies in unincorporated Hall County; the city limits of Gainesville, Oakwood, Flowery Branch, and Braselton, as well as provide mutual aid for neighboring cities & counties, or any jurisdiction throughout northeast Georgia that makes a request. The County has two heavy traffic interstates (I985 and Ga. 365), Lake Lanier and the foothills of the Appalachian Mountains. The estimated population is 215,000 residents (250,000+ with daily visitors). This number drastically increases in the summer months with an average of 8-10 million visitors to Lake Lanier. There is a high volume of commuters traveling into Hall County every day with venues that are vulnerable to a domestic terrorism attack in the Hall County Sheriff's Office jurisdiction (or surrounding jurisdictions) are more than 300 manufacturing and processing facilities, and 49 locations of international companies representing 19 countries. Hall County has a major rail station, airport, federal courthouse, 2 county courthouses, and 4 municipal courtrooms, 11 postal facilities, 3 colleges, 3 water treatment facilities, 11 nursing homes, 20 daycares and 37 public schools. Hall County is home to largest hospital system in northeast Georgia with two hospitals, one located on the north side of the county and one on the south side.

Funds will be used as follows:

Purchase of one Infrared Laser Zoom Spotlight attachment for Matrice 300 drone \$6,000

Purchase of six USNV PVS-14A Gen 3, Full Spec, OMNI VIII monocular \$22,815

This equipment would greatly improve our ability to perform night operations and assist us in our efforts of preventing, mitigating, responding to, and recovery of acts of domestic terrorism to our jurisdiction and the jurisdictions we respond to as mutual aid.

The SHSP supports state, local, tribal, and territorial preparedness activities that address high priority preparedness gaps across all core capabilities that support terrorism preparedness.

No

Will the funds being applied for supplant other funding for this project?

Example: SPLOST or other local funds already planned for use to do this project

Primary Core Capability to be addressed by this Project:

Common - Threats and Hazard Identification

Estimate the amount of funding you are requesting that will be used to strengthen the selected Primary Core Capability:

\$ 28,815.00

Secondary Core Capability to be addressed by this Project:

Common - Screening, Search and Detection

Estimate the amount of funding you are requesting that will be used to strengthen the selected Secondary Core Capability:

\$ 28,815.00

How much of the funding in the proposed project can be associated with Law Enforcement Terrorism Prevention Activities (LETPA)?

\$ 28,815.00

This could include activities and equipment with a nexus to terrorism that are focused on information sharing and analysis; target hardening; threat recognition; terrorism interdiction; fusion center operation; or training/exercises associated with these activities.

Briefly explain how this project will support LETPA:

Breaching tools will support LETPA by provide local law officers with tools to assist them in forcing suspects to surrender to law enforcement. Having the tools will allow law enforcement to see dangers as well as people in dark spaces and at night and when they hide or think they can hide from the law officers.

Risk Assessment

Agency Tax Status?

Appropriated Division of the Town

Agency Fiscal Year:

July - June

For example: July-June or Jan-Dec

Legal name of the entity to which the FTIN was assigned:

Hall County, Georgia

Does the Physical Address on file match your address as listed on SAM.gov?

No

Address Line 1:

2875 Browns Bridge Road

Address Line 2:

City:

Gainesville

State:

GA - Georgia

Zip Code:

30504

Is the Mailing Address on file correct?

No

Address Line 1:

P.O. Drawer 1435

Address Line 2:

City:

Gainesville

State:

GA - Georgia

Zip Code:

30503

Has your organization been audited in the past 12 months?

Yes, by an outside audit firm

Is your organization required to have a single audit conducted in accordance with the Single Audit Act (sub recipient expends \$750,000 or more in federal assistance during its fiscal year)?

Yes

Has the A-133 single audit been submitted to primary pass through Party?

Yes

Who was the audit sent to?

Georgia Department of State Audits

What date was the audit sent?

Dec 29, 2023

Did the organization have significant audit findings from your last single audit regarding program non-compliance?

No

If the single audit has not yet been conducted, when will this be completed?

Dec 27, 2024

What type of accounting system do you use?

Manual

Does your organization have written policies and procedures for checks and balances of all fiscal transactions?

Yes

Does your organization maintain for inspection all the books, documents, payroll papers, accounting records and grant files pertaining to sub grant agreements and contracts for a period of three years after the close of the sub-grant?

Yes

Is the Unique Entity Identifier (UEI) on file for your organization correct?

Yes

UEI:

Costs

Cost Line Items

- Cost line items should be listed in the order of descending priority, with the most important item first, then second most important item next, and so on.
- Costs must be rounded to the nearest whole dollar amount.
- For Equipment items costing \$5,000 or more each it is required to provide a Tangible Property Report. If applicable, please attach to this application prior to submission.

Classification	Description	Qty	Price	Total
Area				
Equipment				
Type				
Detection Equipment (DET)	Infrared Laser Zoom Spotlight attachment for Matrice 300 drone	1	\$ 6,000.00	\$6,000.00
AEL Code (List)				
Area				
Equipment				
Type				
Detection Equipment (DET)	USNV PVS-14A Gen 3, Full Spec, OMNI VIII monocular	6	\$ 3,802.50	\$22,815.00
AEL Code (List)				
Application Total				\$28,815.00
Grand Total				\$28,815.00

Funding Sources

Method: By Percent By Amount Funding Source / Other Agency

Estimated Federal Share: % \$28,815.00

Total Allocated: % \$28,815.00

Equipment Work Plan

Provide up to four major milestones and their associated completion dates that will be required to complete the project.

Remove this Objective

Start Date:

Oct 1, 2024

End Date:

Sep 30, 2025

Objective:

The objective of this project is to improve the detection devices for Hall County SWAT team. This equipment will assist in preventing, mitigating, responding to, and recovering the of acts of domestic terrorism.

Justification:

The Hall County Sheriff s Office SWAT Team is responsible for providing a tactical response to law enforcement agencies in unincorporated Hall County; the city limits of Gainesville, Oakwood, Flowery Branch, and Braselton, as well as provide mutual aid for neighboring cities & counties, or any jurisdiction throughout northeast Georgia that makes a request.

Action Steps

List Action Steps to be taken to achieve each Objective

Action Step	Start Date	End Date
Purchase equipment following federal and local purchasing policies	Oct 31, 2024	Dec 31, 2024
Training on equipment use	Jan 1, 2025	Jul 31, 2025

Add an Objective

EHP Review

Projects that are not classroom training and are not simply (portable) equipment purchases will require an Environmental and Historic Preservation (EHP) Review to be done before work begins. If you wish to review the EHP screening form or program requirements, they can be found at the FEMA EHP site by clicking [here](#).

EHP Review Required:

No



AGENDA ITEM

Treatment Services

REPORT TO: Work Session (11/12/24)

REPORT TO: Voting Meeting (11/14/24)

ITEM NO: 555/2024

SUBJECT: Approve the ratification of the application of the Criminal Justice Coordinating Council's (CJCC) Accountability Court Funding FY 2025 Enhancement and Innovation Grant for Treatment Services to provide additional substance use, mental health and ancillary services to program participants in the amount of \$65,015.24, and if awarded, appoint the Grants Manager as the Program Designee and authorize the Chairman to execute all related application and award documents. An in-kind match of \$9,752.28 is required.

Meetings:

Work Session Date: 11/12/24

Voting Meeting Date: 11/14/24

Executive Summary:

Presenter: HH
Recommendation: Approval.

Purpose of Request: Approve the ratification of the application of the Criminal Justice Coordinating Council's (CJCC) Accountability Court Funding FY 2025 Enhancement and Innovation Grant for Treatment Services to provide additional substance use, mental health and ancillary services to program participants in the amount of \$65,015.24, and if awarded, appoint the Grants Manager as the Program Designee and authorize the Chairman to execute all related application and award documents. An in-kind match of \$9,752.28 is required.

History: This will be Hall County Treatment Services Department's fourth year applying for the additional funding.

Facts and Issues:

Options:

Treatment Services is seeking grant funding through the Enhancement and Innovation Grant to fund a full-time case manager to manage a caseload of over 100 participants enrolled in sober living environments and recovery residences. This request includes one new position in position control upon grant award. Additionally, we will work with our local RCO, J's Place, to expand our current peer services to participants in an effort to promote long-term recovery from substance use.

Funding Requested \$ 9,752.28
Are funds within current budget? Yes
Source of Funds General Fund
Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.? No
Has it been reviewed by the County Attorney? Yes
Is there a deadline for this item?

Approvals:

Submit	Approve	Grants	Budget
BW	JS	SG	JM
Finance	Attorney	Administration	Clerk
TS	WLI	CR	JR

Attachments:

Financial Supplement
 Enhancement and Innovation Narrative
 FY25 Enhancement and Innovation Solicitation



**HALL COUNTY BOARD OF COMMISSIONERS
FINANCIAL SUPPLEMENT REPORT**

AGENDA ITEM 555/2024

Funds Requested: \$ 9,752.28

Request Budgeted: Yes

Proposed Source of Funding:

Budget Transfer Requested:

General Fund

No

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
2025	250-MULTIPLE GRANT FUND	2161-DRUG COURT	511100-SALARIES	\$42,262.96
2025	250-MULTIPLE GRANT FUND	2161-DRUG COURT	521000-PROFESSIONAL SERVICES	\$13,000.00
2025	100-GENERAL FUND	2160-TREATMENT SERVICES	511100-SALARIES	\$9,752.28
2025	250-MULTIPLE GRANT FUND	2161-DRUG COURT	334110-STATE€OPERATING DIRECT	\$-55,262.96

Budget Transfer Items:

Additional Information/Comments:

The period of performance is January 1, 2025 - June 30, 2025.

Contact for Questions: HH

Phone: 7707185710

Accountability Court Funding Program FY '25 Enhancement and Innovation Grant Proposal

Department: Treatment Services

Program to be served by grant: Hall County Drug Court, Hall County H.E.L.P. Program and Veterans Treatment Court, Hall County DUI Court, Hall County Family Treatment Court, and Hall County Parental Accountability Court

Grant Solicitation Release Date: September 3, 2024

Grant Application Deadline: September 27, 2024

Total Budget Request: \$55,262.96

Match Requirement: 15% cash match total (based on CJCC calculation) \$9,752.28

Project Total: \$65,015.24

Project Description

To better utilize resources across all our accountability court programs, our agency has recently added multiple tracks to our mental health court program and restructured treatment programming for our drug court, mental health court, and family treatment court program. This massive overhaul of treatment programming allows for more shared resources among our treatment providers and allows our providers to facilitate over 65 treatment groups per week. By sharing resources across programs, we serve more participants than any other judicial circuit in the state of Georgia. Collectively, we served over 800 participants in our circuit in 2023 and our current census for Hall County programs total over 500 participants.

We are fortunate in the Northeastern Judicial Circuit to live in a recovery-friendly community that is full of resources for our staff and participants. We can provide services for participants who utilize sober living environments and have established positive relationships with local residential programs to help support our participants in their recovery journeys. Our relationship with local sober living environments enables us to enroll more participants because we can secure stable housing for them upon intake into the program. Depending on the structure provided and ASAM Level of Care, some participants utilize sober living housing, and some participants utilize structured residential recovery programs. Currently, approximately 30% of our Drug Court participants and 20% of our Mental Health Court participants live in a recovery residence or sober housing program totaling over 100 participants.

We are seeking funding for a full-time case manager position to coordinate services and be the direct point of contact for Drug Court and HELP Court participants in who live in a recovery residence or sober living program. With nearly 100 participants living in these recovery environments, it requires a lot of communication and coordination among all our coordinators and case managers to coordinate care. By having one full-time case manager position dedicated to managing communication with these programs, we can continue to streamline our services. We would also utilize this position to assist with residential and sober living referrals for pending intakes. On average, Drug Court and HELP Court manage approximately 25-30 referrals weekly, several of which require supportive housing.

In reviewing the case manager positions across our two largest programs – Hall County HELP Program and Hall County Drug Court, our case managers manage an average caseload of 75 participants. By

adding a case manager position solely dedicated to managing participants in recovery residences, we can lower the average caseload of our case managers down to 55 participants. Our existing case managers spend a great deal of time helping participants fill out program applications and complete phone interviews, as well as manage progress updates, court attendance, drug screening, and general communication with recovery residence and sober living staff. By creating a specialized caseload for participants in supportive housing, these participants will have a primary point of contact with a case manager who focuses solely on their unique needs and requirements.

We are also seeking funding to provide peer support to be shared among all our accountability court participants. In the last Enhancement and Innovation grant application, we received funds to enhance peer support services across the agency, and it has been a huge success with our participants. In this application, we wish to expand our peer support services even further. We are seeking to expand our MOU with our local RCO, J's Place Recovery to fund CARES peer support specialists to all programs to help promote long-term recovery from substance use. These peer support individuals will assist our courts with recovery coaching, aftercare planning, case management, support services within our community, and assist us with establishing and maintaining an active alumni group.

Needs Statement

In July of this year, our mental health court and drug court completed the largest restructure of tracks and treatment programming in the history of the agency. As a result, we reduced the redundancy of offering duplicate treatment groups across programs. Our treatment providers are now able to offer a more diverse menu of treatment options than ever before, thus streamlining treatment across the agency rather than separating out treatment by program. We have also streamlined our referral and intake process by at least 4 hours per week by adding the new "Co-occurring Track" to mental health court and establishing a combined referral meeting for both drug court and mental health court.

In the Northeastern Judicial Circuit, we make great efforts to open our accountability court doors to all referrals who meet legal and clinical eligibility criteria. We often accept referrals who start our treatment programs in a recovery residence or sober living environment, and we monitor their progress in those programs until they can live independently. We have strong relationships with these providers and are actively involved in the case management of these participants throughout their time in our program. We believe that having a dedicated case manager to manage all participants who reside in a sober living environment or recovery residence will drastically improve our services. This would allow us to have one single point of contact for all our partners and will more effectively streamline communication between the accountability courts and our community partners.

All our accountability court programs could greatly benefit from additional services of certified peer recovery specialists to encourage long-term community recovery support services. By partnering with our local RCO, we will be able to provide enhanced services to our participants and help them build connections with individuals who have a shared lived-experience and who can help them navigate struggles in their recovery journey. For these services, we would request funding for 20 hours of peer recovery services per week, provided by the RCO. Peer services would include aftercare planning, recovery coaching, facilitate peer-lead groups, and coordinating alumni support services.

Project Goals

1. Accommodate case management needs of participants residing in recovery residences and sober living environments. By hiring another full-time case manager, we will be able to serve approximately 100 participants across HELP and Drug Court.
2. Successfully incorporate peer services into wider operation of all our accountability court programs. Having the ability to connect our participants to peer services will increase the likelihood of long-term recovery support and reduce recidivism. Our long-term vision for peer services is to partner with our RCO to devote a full-time peer recovery coach to work with our programs for operational sustainability.

Project Activities and Services

Funding will pay for a full-time case manager position under the Hall County Drug Court program to monitor participants in sober living environments and recovery residences. This position will monitor participants meeting these criteria across both Drug Court and Mental Health Court and further streamline our operations by having one point of contact for our community partners. We are requesting a total of \$42,262.96 which will cover salary and fringe benefits for 6 months.

Funding will support access to peer recovery resources for our accountability participants for approximately 20 hours per week as agreed with our local RCO. Funding will pay for pharmacogenetic testing for eligible participants to develop appropriate medication and treatment plans thus reducing relapse and recidivism rates at the onset of program enrollment. These projects provide a direct cost-savings to our county and allows for more immediate access to treatment to participants. We are requesting funding totaling \$13,000 which will cover 20 hours of services per week at \$25.00 per hour for 26 weeks.

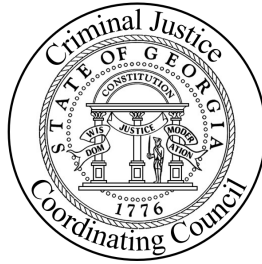
Resources Needed

This grant will allow us to establish an additional full-time case manager for the Hall County Drug Court Program and help us provide immediate case management services all participants in HELP Court and Drug Court who reside in recovery residences and sober living environments.

Additionally, funding is needing to strategically incorporate and integrate peer services into the fabric of our accountability court programs.

*We will use salary for a county funded position as match for this grant. Ethan Ryan, Lab Technician (Dept. 163).

BRIAN P. KEMP
GOVERNOR



JAY NEAL
DIRECTOR

At the direction of the Funding Committee under the Council of Accountability Court Judges (CACJ) the Criminal Justice Coordinating Council (CJCC) is pleased to announce that it is seeking applications for **competitive funding** for qualified existing Accountability Courts in the State of Georgia.

State of Georgia
Accountability Court Funding Program FY'25 Enhancement
and Innovation Proposal Solicitation Packet

Eligibility

Applicants are limited to existing Accountability Courts. Adult Felony Drug Court, Adult Mental Health Court, and Veterans Treatment Court submissions are limited to one application per circuit, per court type. State and Juvenile Court submissions are limited to one application per county, per court type (i.e., DUI, Family Dependency Treatment, Juvenile Treatment Court).

Deadline

Applications are due by 5:00 p.m. on Friday, September 27, 2024

Available Funding

The limited amount available for distribution has been determined by the legislature during the 2024 session. **There is a 15% cash match requirement.**

For **existing courts** applying for this grant period, **grant requests will be prioritized for courts that can demonstrate that funds would be used to enhance operations or to implement innovative accountability court practices. Requests for enhancement funds must show the court's ability to increase or improve the quality, value, or extent of current operations. Innovation proposals must introduce creative strategies that will advance the court.**

Award Period

January 1, 2025 through June 30, 2025

Release Date: September 3, 2024

THIS GRANT IS *NOT* INTENDED TO FUND YOUR PROGRAM 100%.

State of Georgia **Accountability Court Funding Program** **FY'25 Enhancement and Innovation Solicitation Packet**

SECTION I: OVERVIEW AND INSTRUCTIONS

Criminal Justice Coordinating Council

The Criminal Justice Coordinating Council (CJCC) is designated by the Governor of Georgia as the State Administering Agency for criminal justice and victims' assistance programs. Created by the General Assembly (O.C.G.A. § 35-6A-2), the Council is comprised of twenty-seven members representing various components of the criminal justice system.

Overview of the State of Georgia's Accountability Court Funding Program

The Council of Accountability Court of Judge (CACJ) was created in 2015 by the Georgia Legislature and by Governor Nathan Deal to provide courts with the critical funding necessary to support the growth of Accountability Courts in Georgia to reduce the prison population.

How to Apply

Interested applicants should review the FY'25 Enhancement and Innovation Solicitation Packet in its entirety, and submit the completed application, including the requested information and all required attachments, using the link on the Council's website at cjcc.georgia.gov on or before 5 p.m., September 27, 2024. **The applicable form for existing is the only acceptable formats for submitting the narratives and budget for this funding year. It is recommended that applicants allow adequate time to complete the application. Applications must be submitted using the required format; scanned or handwritten copies of the application will not be accepted.** Any application that does not adequately answer all applicable questions will be considered incomplete and will not be reviewed for funding.

Match Requirement (15% CASH match)

Applicants must identify the source of the 15 percent non-state portion of the total project costs and how they will use match funds. Match is restricted to the same uses of funds as allowed for the state funds. Applicants may satisfy this match requirement with cash only (no in-kind services).

Match Waiver: The CACJ may waive the match requirement upon a determination of fiscal hardship. **To be considered for a waiver of match, a letter of request signed by the Authorized Representative or Program Judge must be submitted with the grant application defining the fiscal hardship.** Fiscal hardship is defined in terms related to reductions in overall budgets, furloughs, or reductions in force of staff or other similar documented actions by the local governing authority which have resulted in severe budget reductions. A match waiver request must be submitted as a separate attachment to the application and titled as the “*Match Waiver.*”

NOTE: You do NOT need to match every item you are requesting but must supply a 15% match in the overall budget request. The match must be from one of the allowable categories.

The formula for calculating the match is: Requested Grant Amount multiplied by 15 = then divided by 85 will give you your total match

Required Match Example: 15 percent match requirement: for a state award amount of \$100,000, match would be calculated as follows:

$$\text{State Award} \times 15/85 = \text{Match Ex. } \$100,000 \times 15/85 = \$17,647$$

$$\text{To verify take state award} + \text{match} \times 15\% \text{ Ex. } 117,647 \times 15\% = 17,647$$

SECTION II: SOLICITATION PROCESS

Please read and understand the Certification for Accountability Court Funding attachment before completing the application. All accountability courts shall attend training and submit a proposed budget/narrative for all funds requested through this grant.

Existing Courts

Complete all sections of the application, unless noted otherwise.

Application Review

Applications will be reviewed and assessed by the CACJ Funding Committee members and its designated representatives who will consider the following:

1. Past compliance with all financial and programmatic reporting requirements.
2. Overall quality and completeness of the application.
3. Demonstration of clear, measurable, and appropriate standards.

4. Demonstration of need including geographic location, local demographics, local statistics, other financial resources, etc.:
5. Adequate correlation between the cost of the project and the objective(s) to be achieved; and
6. Sharing resources among each accountability court within the circuit is strongly encouraged. All applications within each circuit will be reviewed together.

Only complete applications received by the deadline will be reviewed. **When an application is received by CJCC, there is no commitment on the part of the CACJ Funding Committee to fund an application or to fund it at the amount requested.** All areas of the budget are subject to review and approval. Decisions related to these budget areas are based on both eligibility and reasonableness. The CACJ Funding Committee has full discretion to determine the reasonableness of budget items based on both objective and subjective decision-making tools. See "Restrictions on Use of Funds" subsection below to determine whether budget items requested are allowable prior to submitting your budget.

Applications for funding will undergo several reviews. At any point during these reviews, a decision not to fund a project or any part thereof may be made. These decisions are within the complete discretion of the CACJ Funding Committee.

Funding Decisions

All funding decisions related to CJCC applications received in response to this solicitation are made by the CACJ Funding Committee and are based on the availability of funding. The Council will inform the applicants of funding decisions through grant awards. Applicants should not make assumptions regarding funding decisions until they have received official written notification of awards or denials signed by the CJCC Council Director.

Once an award is made, the CACJ in conjunction with CJCC, maintains discretion to determine that a grantee is not compliant with applicable policies, and upon such a determination may terminate further funding and require reimbursement of grant funds to the CACJ.

Restrictions on Use of Funds

For this grant period, grant funds will not be allowed to be used for: out of state training, any part of a salary or pay supplements for state or county paid employees, office space, utilities, furniture (existing courts only), incentives, monthly cell phone charges, case management software (including maintenance and upgrades), vehicles, weapons, office supplies (existing courts only), construction projects and grant administrative overhead.

Supplantation

Funds must be used to supplement existing funds for program activities and cannot replace or supplant funds that have been appropriated for the same purpose.

Generally, supplanting occurs when a local government or program reduces local or other available funds for an activity specifically because state funds are available (or expected to be available) to fund that same activity. When supplanting is not permitted, any State grant funds may not replace any local, or other available funds that have been appropriated or allocated for the same purpose. In those instances when a question of supplanting arises, the applicant or grantee will be required to substantiate that the reduction in non-state resources occurred for reasons other than the receipt or expected receipt of state funds.

SECTION III: POST-AWARD REQUIREMENTS

Grant Acceptance

Grantees wishing to accept FY'25 funding must submit signed Acceptance Letters and Special Conditions to the CJCC Office, so it is *received* no later than 5 p.m., December 31, 2024. CACJ Funding Committee will assume your court rejects its FY'25 award if these acceptance documents are not received by this submission deadline.

Special Conditions

At the time of the grant award, the CACJ Funding Committee will assign special conditions, as deemed appropriate for the program. The special conditions will outline the grantee's responsibilities, as well as state regulations that must be followed, as a condition of accepting the grant award for the approved program. The special conditions will be included in the award packet and must be reviewed, signed, and returned to CJCC by 5 p.m., December 31, 2024 (see above).

One half of all awarded funding must be requested in that quarter's SER each reporting period. This means that the expenditure must be paid by your local funding agency and CJCC reimbursement has been requested within that reporting period. Any unused funds each quarter end will be retained by the CJCC to be managed by the CACJ.

This is a reimbursement grant. If awarded funds, your court will be required to submit check stubs and copies of invoices to CJCC for reimbursement on a quarterly basis.

Training is made available to each court that accepts grant funding. Please see www.gaaccountabilitycourts.org for the training dates and required attendees. Expenses for training will be reimbursed by the CACJ Funding Committee.

Reporting Requirements

Recipients of this FY'25 Enhancement and Innovation Grant Award will be required to complete and submit SER and comply with CACJ Reporting Requirements no later than 15 days after each quarter end. Failure to submit reports in a timely fashion could result in a 10% penalty that will be based on the initial grant award. Subgrantees are given a 10-day grace before any action is taken. Please note that the CACJ Program Report has been replaced with an electronic report submission process generated by the state approved case

management systems during FY'25.

SER (Sub-grant Expenditure Requests): Reimbursement requests for expenses incurred during the grant period on either a monthly or quarterly basis. To request reimbursement, the recipient must submit a financial report within fifteen days of the month's end date, to their designated grant specialist.

SECTION IV: Project Narrative

All applicants must complete a project narrative describing the proposed project. The following elements are required in the project narrative.

- **Project description:** Provide a description of the project including the agency's name, agency type, and year founded. Include the geographic area targeted, estimated number of individuals who will be served during the grant period, and relevant characteristics of the target population for the Accountability Court funded project. Applicants must demonstrate how they are currently interacting with Accountability Courts.
- **Needs statement:** Provide a statement of the specific problem(s)/gap(s) the project will address. Include data that supports this claim. Only use data that is verifiable and relevant to the target population. For example, do not use statewide data for a local problem statement and do not use national data for a statewide problem statement.
- **Project goals:** State the goals of the proposed project. Explain how the project goals will meet the needs of the project's target population and/or impact the proposed service area. For example, surveillance service providers should state an estimate of the number of participants that will be observed during the grant year and the anticipated outcomes. Outcomes are defined as changes in attitudes, knowledge, skills, behaviors, and conditions. Goals must be specific, measurable, action-oriented, reasonable, and time-sensitive having performance indicators. Please prepare to explain in the evaluation plan section.
- **Project activities and services:** Describe the Accountability Court-funded project's service delivery plan. In other words, explain how the agency will achieve project goals. Outline who will conduct the activities and/or provide services, what the activities and services are, a timeline for accomplishing the activities, where services will be delivered, and why the activities and services are needed to achieve the stated goals. Please also explain how the plan for project activities and services will meet the target population's needs as described in the needs statement.
- **Resources needed:** In this section, please clearly explain the resources needed to conduct, enhance, and/or expand the project activities and services necessary to achieve the project's goals. For example, if the proposed project will also be supported by an Accountability Court grant and/or county funding, then explain how these grant funds will enhance these resources and enable the project to be conducted.