

AGENDA
CITY COUNCIL REGULAR MEETING AND WORK SESSION
G.L. Gilleland Council Chambers on 2nd Floor
Monday, February 19, 2024
5:00 P.M.

1. Call to Order
2. Roll Call
3. Invocation and Pledge
4. Announcements
5. Approval of the Agenda
6. Public Input
7. Consent Agenda
 - a. Approve Minutes
 - Regular Meeting held February 5, 2024
8. Employee Recognition

PUBLIC HEARING

9. Ordinance No. 01-2024: An Ordinance Of The City Of Dawsonville, Georgia To Enact Impact Fees To Provide Funding For Local Roads, Parks And Recreation, And Other Benefits To The Public; To Provide For Exemptions; To Provide For The Accounting And Expenditure Of Fees; To Provide For The Means Of Appeal; To Provide For Severability; To Provide For An Effective Date; And For Other Purposes. First Public Hearing and First Reading: February 5, 2024; Second Public Hearing, Second Reading and Consideration to Adopt: February 19, 2024.

WORK SESSION

10. Presentation by TSW: Comprehensive Downtown Strategic Plan
11. Dawson County Multi-Jurisdictional Hazard Mitigation Plan

BUSINESS

12. Opioid Claim: ENDO Bankruptcy

STAFF REPORTS

13. Bob Bolz, City Manager
14. Robin Gazaway, Finance Director

MAYOR AND COUNCIL REPORTS

EXECUTIVE SESSION, IF NEEDED: Pending or Potential Litigation, Real Estate Acquisition and/or Personnel

RESERVED FOR POTENTIAL ACTION ON EXECUTIVE SESSION ITEMS, IF NEEDED

ADJOURNMENT

The next scheduled City Council meeting is Monday, March 4, 2024

Those persons with disabilities who require reasonable accommodations in order to allow them to observe and/or participate in this meeting or who have questions regarding the accessibility of the meeting, should contact the Clerk at Dawsonville City Hall at 706-265-3256 at least two (2) business days prior to the meeting.



DAWSONVILLE CITY COUNCIL
EXECUTIVE SUMMARY FOR
AGENDA ITEM # 7

SUBJECT: CONSENT AGENDA

CITY COUNCIL MEETING DATE: 02/19/2024

PURPOSE FOR REQUEST:

**CONSIDERATION AND APPROVAL OF ITEMS BELOW; SEE ATTACHED
SUPPORTING DOCUMENTS**

- a. Approve Minutes
 - Regular Meeting held February 5, 2024
-



DAWSONVILLE CITY COUNCIL EXECUTIVE SUMMARY FOR AGENDA ITEM # 7a

SUBJECT: APPROVE MINUTES

CITY COUNCIL MEETING DATE: 02/19/2024

BUDGET INFORMATION: GL ACCOUNT # NA

☐ Funds Available from: Annual Budget Capital Budget Other

☐ Budget Amendment Request from Reserve: Enterprise Fund General Fund

PURPOSE FOR REQUEST:

TO APPROVE THE MINUTES FROM:

- **REGULAR MEETING HELD FEBRUARY 5, 2024**

HISTORY/ FACTS / ISSUES:

OPTIONS:

AMEND OR APPROVE AS PRESENTED

RECOMMENDED SAMPLE MOTION:

REQUESTED BY: Beverly Banister, City Clerk

MINUTES
CITY COUNCIL SPECIAL CALLED MEETING
G.L. Gilleland Council Chambers on 2nd Floor
Monday, February 5, 2024
5:00 P.M.

1. **CALL TO ORDER:** Mayor Walden called the meeting to order at 5:00 pm.
2. **ROLL CALL:** Present were Councilmember William Illg, Councilmember Sandy Sawyer, Councilmember Mark French, Councilmember Caleb Phillips, City Attorney Kevin Tallant, City Manager Bob Bolz, Deputy City Clerk Tracy Smith, Public Works Director Trampas Hansard, Utility Director Jacob Barr, Downtown Development Director Amanda Edmondson and Finance Director Robin Gazaway. Clay Moss was in attendance for Planning and Zoning.
3. **INVOCATION AND PLEDGE:** Invocation and pledge were led by Councilmember Sawyer.
4. **ANNOUNCEMENTS:** None
5. **APPROVAL OF THE AGENDA:** Motion to approve the agenda as presented made by M. French; second by W. Illg. Vote carried unanimously in favor.
6. **PUBLIC INPUT:** None
7. **CONSENT AGENDA:** Motion to approve the consent agenda for the following items (a) made by W. Illg; second by C. Phillips. Vote carried unanimously in favor.
 - a. Approve Minutes
 - Special Called Meeting held January 17, 2024
 - Executive Session held January 17, 2024

PUBLIC HEARING

8. **ORDINANCE NO. 01-2024:** An Ordinance Of The City Of Dawsonville, Georgia To Enact Impact Fees To Provide Funding For Local Roads, Parks And Recreation, And Other Benefits To The Public; To Provide For Exemptions; To Provide For The Accounting And Expenditure Of Fees; To Provide For The Means Of Appeal; To Provide For Severability; To Provide For An Effective Date; And For Other Purposes. First Public Hearing and First Reading: February 5, 2024; Second Public Hearing, Second Reading and Consideration to Adopt: February 19, 2024.

Motion to open the public hearing made by M. French; second by C. Phillips. Vote carried unanimously in favor. City Attorney Kevin Tallant presented the Impact Fee Ordinance.

The following citizen spoke in favor of the ordinance:

- Adam Whitmire, 829 Walnut River Trl, Hoschton, GA - He owns several tracts of land in the City in which he is trying to develop. He reported that his project has suffered delays due to the moratorium and the unknown factor of whether or not the City will require impact fees and their amounts. He stated he is in favor of impact fees but not extending the moratorium so he can move forward with development.

No one spoke in opposition to the ordinance.

Motion to close the public hearing made by M. French; second by W. Illg. Vote carried unanimously in favor.

BUSINESS

9. **CONSIDERATION OF BID #24-RFB-005: 50'S GARAGE STORE FRONT:** Presented by Robin Gazaway. Her recommendation was to go with the higher bid because the lower bid was not sufficient for the bid package.

Motion to accept the bid for Bid #24-RFB-005 from Windsor Pine in the amount of \$107,280.00 to be paid out of the OneGeorgia Special Purpose Grant Fund made by M. French; second by W. Illg. Vote carried unanimously in favor.
10. **CONSIDERATION OF BID #24-RFB-006: AUDIO AND VIDEO UPGRADES:** Presented by Robin Gazaway who recommends accepting the lowest bid.

MINUTES
CITY COUNCIL SPECIAL CALLED MEETING
G.L. Gilleland Council Chambers on 2nd Floor
Monday, February 5, 2024
5:00 P.M.

Motion to accept the bid for Bid #24-RFB-006 from The W.H. Platts Co. in the amount of \$62,358.98 to be paid out of the OneGeorgia Special Purpose Grant Fund made by C. Phillips; second by W. Illg. Councilmember French asked if the decision needs to be made at this meeting. Ms. Gazaway responded no; however, it would enable the work to start once the final approval is received for the grant funding. Vote carried unanimously in favor.

11. **RESOLUTION NO. R2024-01: GEORGIA STATE PATROL POST #37:** Motion to approve Resolution No. R2024-01 made by C. Phillips; second by M. French. Vote carried unanimously in favor. (Exhibit "A")
12. **ROAD AND RIGHT OF WAY DEDICATION REQUEST: SWEETWATER PRESERVE SUBDIVISION:** Motion to approve the acceptance of the dedication request for the Sweetwater Preserve Subdivision roads consisting of Reeves Court, Morrow Place, Shepard Drive, Wheeler Place and Milner Drive and the right of ways made by C. Phillips; second by S. Sawyer. Vote carried unanimously in favor. (Exhibit "B")

MAYOR AND COUNCIL REPORTS:

Mayor Walden expressed his appreciation for the meetings he has had with several HOA's and thanked them for their time and would encourage any other HOA's to contact him.

ADJOURNMENT

At 5:17 pm a motion to adjourn the meeting was made by M. French; second by C. Phillips. Vote carried unanimously in favor.

Approved this 19th day of February 2024

By: CITY OF DAWSONVILLE

John Walden, Mayor

Caleb Phillips, Councilmember Post 1

William Illg, Councilmember Post 2

Sandra Sawyer, Councilmember Post 3

Mark French, Councilmember Post 4

Attest: _____
Beverly A. Banister, City Clerk

RESOLUTION R2024-01

**A RESOLUTION OF THE CITY OF DAWSONVILLE REGARDING
GEORGIA STATE PATROL POST #37**

WHEREAS, the Georgia State Patrol, a state agency, provides public health, safety, and welfare services within the corporate limits of the City of Dawsonville; and,

WHEREAS, in order to effectively carry out their duties, obligations, and services, the Georgia State Patrol officers require the use of properly maintained specialty equipment, and,

WHEREAS, many Georgia State Patrol officers that service the City of Dawsonville have resorted to expending personal funds to purchase said specialty equipment; and,

WHEREAS, the Mayor and City Council of the City of Dawsonville, Georgia, are charged with the protection and maintenance of the public health, safety, and welfare of those within the corporate limits of the City of Dawsonville; and,

WHEREAS, the services rendered by the Georgia State Patrol are a substantial benefit to the City of Dawsonville; and,

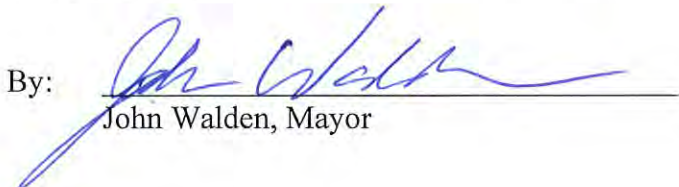
WHEREAS, the Mayor and City Council wish to assist officers and the Georgia State Patrol in effectively carrying out their duties to provide for the public health, safety, and welfare of the citizens of the City of Dawsonville.

NOW, THEREFORE, BE IT RESOLVED by the governing authority of the City of Dawsonville, Georgia, that the City of Dawsonville shall provide Frisk Gloves, AC to DC Power Inverters and Battery Powered Drills for a total cost not to exceed Three Thousand and Eight Hundred dollars (\$3,800.00) to the Georgia State Patrol and its officers that service the corporate limits of the City of Dawsonville, in recognition of the substantial benefit that said officers provide to the Citizens of the City of Dawsonville, and in an effort to assist said officers in effectively carrying out their duties in providing for the public health, safety, and welfare of the citizens of the City of Dawsonville.

RESOLVED this 5th day of February 2024.

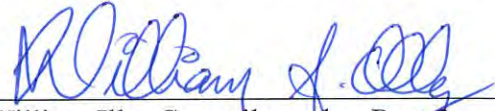
**MAYOR AND DAWSONVILLE CITY
COUNCIL**

By:


John Walden, Mayor



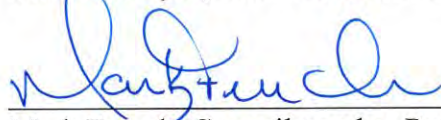
Caleb Phillips, Councilmember Post 1



William Illg, Councilmember Post 2

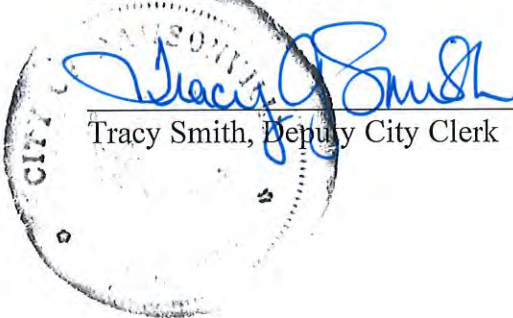


Sandra Sawyer, Councilmember Post 3



Mark French, Councilmember Post 4

ATTESTED TO BY:



Tracy Smith, Deputy City Clerk

Filed 02/12/2024 11:43AM
Bk 01676 Pg 0490-0511
Deed Doc: RWD
Georgia Transfer Tax Paid : \$0.00
0422024000243
Penalty: \$0.00 Interest: \$0.00
Participants: 3645440314
JUSTIN POWER, Clerk of Superior
Court
DAWSON County, Georgia

Upon recording return to:
City of Dawsonville
Planning & Zoning Department
415 Highway 53E, Suite 100
Dawsonville, Georgia 30534

**STATE OF GEORGIA
COUNTY OF DAWSON**

RIGHT-OF-WAY WARRANTY DEED
City of Dawsonville, Georgia

THIS INDENTURE, made this 15th day of November, 2023 between **STARLIGHT HOMES GEORGIA L.L.C.**, a Delaware limited liability company (hereinafter called "Grantor") and **CITY OF DAWSONVILLE**, a political subdivision of the State of Georgia (hereinafter called "Grantee").

WITNESSETH, that Grantor, for and in consideration of **TEN AND NO/100 DOLLARS (\$10.00) AND OTHER GOOD AND VALUABLE CONSIDERATION**, in hand paid at and before the sealing and delivery of these presents, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold, and conveyed, and by these presents does grant, bargain, sell and convey unto Grantee, all that tract or parcel of land more particularly described as follows:

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lots 511 and 512 of the 4th District, 1st Section, City of Dawsonville, Dawson County, Georgia, being a portion of the Sweetwater Preserve subdivision (hereafter collectively and individually referred to as the "Roads") being shown and designated as such on that certain Final Plat of Sweetwater Preserve, dated October 16, 2019 and prepared by Gunnin Land Surveying, as recorded in Plat Book 85, Pages 116-118, Records of Clerk, Superior Court, Dawson County, Georgia, more particularly described as follows:

SEE EXHIBIT "A"

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 Grantee, forever, in fee simple. Grantor shall warrant and forever defend the right, title and interest in and to said property unto Grantee, its successors and assigns, against the claims of all persons whomsoever. Where the context

Exhibit "B"

requires or permits, "Grantor" and "Grantee" shall include their respective heirs, successors and assigns.



[SIGNATURE ON FOLLOWING PAGE]

IN WITNESS WHEREOF, Grantor has caused this deed to be signed, sealed and delivered by its duly authorized representative as of the day and year first above written.

GRANTOR: **STARLIGHT HOMES GEORGIA**
L.L.C., a Delaware limited liability
company

By:  (SEAL)
Name: Gregory D. Hasty
Title: VP of Land Development

Signed, sealed, and delivered
in the presence of:


WITNESS

NOTARY PUBLIC

[AFFIX NOTARY SEAL]

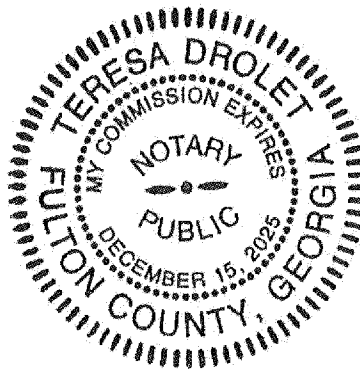
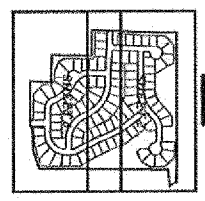
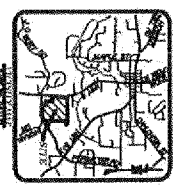


Exhibit "A"
Property Description

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lots 511 and 512 of the 4th District, 1st Section, City of Dawsonville, Dawson County, Georgia, being designated as **Reeves Court (Public 50' R/W), Morrow Place (Public 50' R/W), Shepard Drive (Public 50' R/W), Wheeler Place (Public 50' R/W) and Milner Drive (Public 60' R/W)** on that certain **Final Plat of Sweetwater Preserve**, prepared by Gunnin Land Surveying, containing the seal of Albert W. Gramling, Jr., Georgia Registered Land Surveyor No. 2983, dated October 16, 2019, and recorded June 8, 2020 in Plat Book 85, Pages 116-118, Dawson County, Georgia land records, reference to said plat of survey and the record thereof being hereby made for a more complete description.

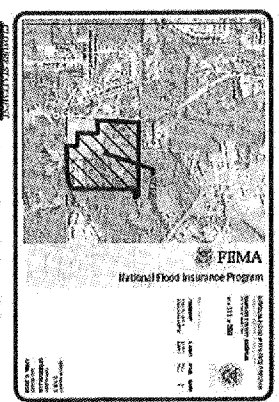
THESE PLATS ARE THE PROPERTY OF THE SURVEYOR AND ARE NOT TO BE REPRODUCED OR COPIED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF THE SURVEYOR.



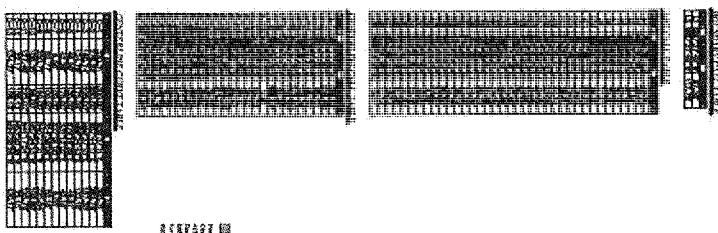
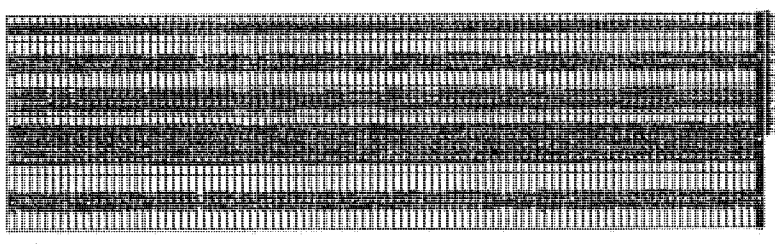
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EXHIBIT A



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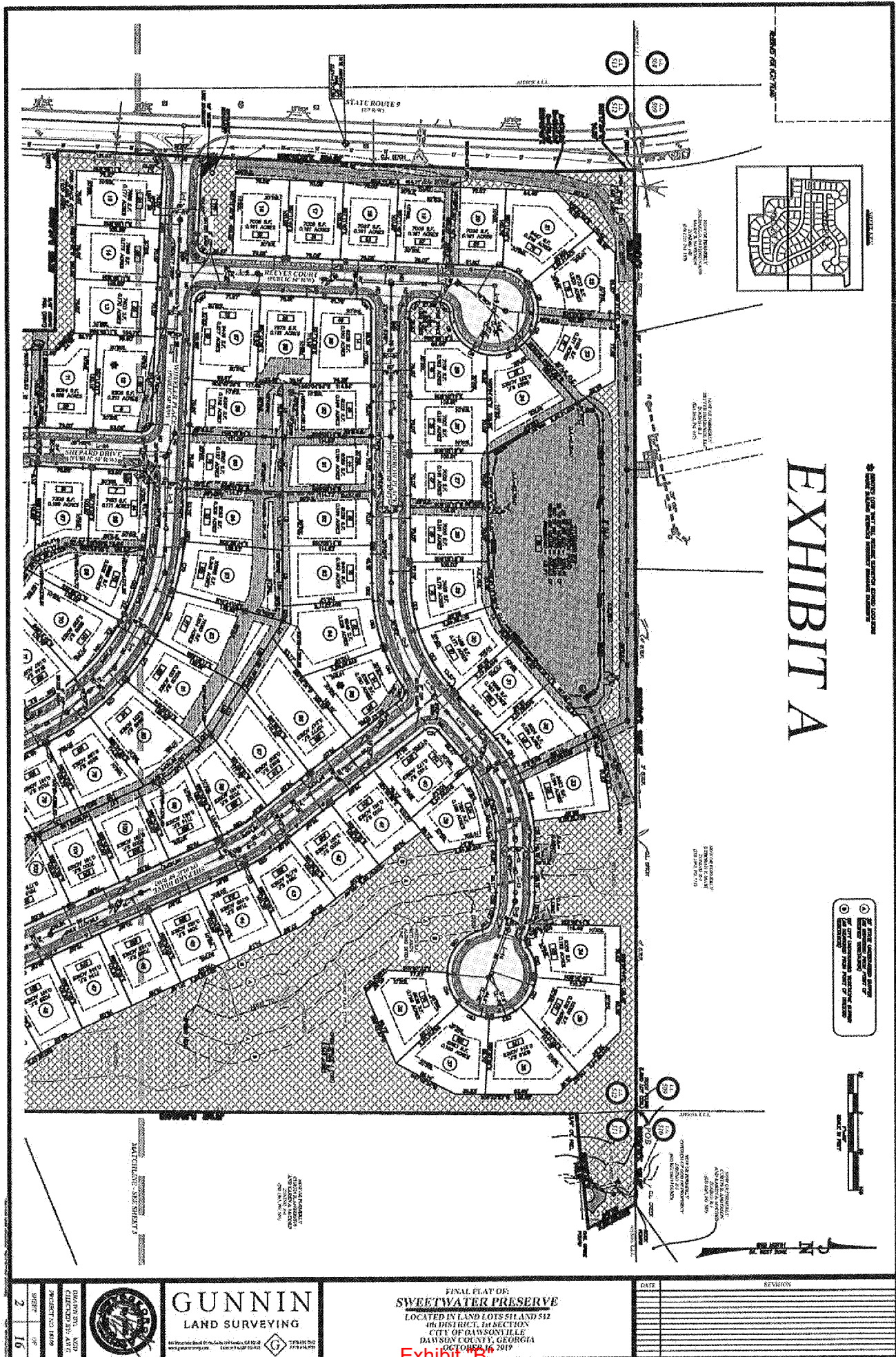


EXHIBIT A

THE LINE CALL TABLE

LINE	BEARING	DISTANCE
1	S89°24'16"E	121.07'
2	S26°46'28"E	68.54'
3	S84°09'13"W	149.11'
4	S00°31'05"W	875.21'
5	S00°29'58"W	268.58'
6	S88°48'18"W	112.24'
7	S75°15'31"W	68.74'
8	S87°33'49"W	205.34'
9	N07°48'42"E	50.00'
10	N02°43'35"E	50.00'

RIGHT-OF-WAY
CALL TABLE

LINE	BEARING	DISTANCE
1	S00°15'42"W	14.40'
2	S89°57'53"W	80.00'
3	N00°15'42"E	115.68'
4	N89°44'18"W	76.24'
5	N00°04'07"W	52.50'
6	N87°31'52"W	36.83'
7	N02°43'55"E	136.40'
8	N07°48'10"E	77.00'
9	S87°32'25"E	101.07'
10	N02°43'38"E	375.45'
11	S02°43'38"W	27.05'
12	N89°54'48"E	150.83'
13	N88°09'13"E	84.93'
14	S89°54'48"E	40.78'
15	S89°54'36"E	26.18'
16	S89°28'17"E	26.18'
17	S89°28'17"E	26.18'
18	N89°54'28"W	26.18'
19	N89°54'48"W	40.78'
20	S49°09'15"W	35.47'
21	S49°09'09"E	24.17'
22	S24°16'54"E	374.07'
23	S29°45'16"E	76.46'
24	S00°28'59"W	58.55'
25	N89°24'18"W	57.83'
26	S00°15'42"W	101.04'
27	N25°04'07"W	52.50'
28	N57°31'39"W	78.63'
29	N02°43'55"E	135.13'
30	S57°12'25"E	61.71'
31	S26°01'57"E	48.75'
32	S89°28'37"E	64.90'
33	N89°44'18"W	215.89'
34	N87°12'25"W	294.73'
35	N02°43'55"E	203.73'
36	S89°54'48"E	354.33'
37	S38°07'09"E	246.34'
38	S24°16'54"E	314.07'
39	S29°45'16"E	76.46'
40	N89°28'38"W	64.70'
41	N26°01'57"W	48.75'

RIGHT-OF-WAY CURVE TABLE

CURVE	ARC LENGTH	RADIUS	CHORD BEARING	CHORD LENGTH
C1	18.85'	12.00'	N44°24'18"W	18.97'
C2	136.57'	121.00'	N51°24'13"W	129.44'
C3	113.34'	200.00'	N41°18'05"W	111.83'
C4	16.44'	12.00'	S43°12'57"W	15.19'
C5	178.05'	57.51'	N47°20'17"W	114.98'
C6	14.51'	12.00'	N06°43'40"E	13.64'
C7	89.85'	143.82'	N13°54'08"W	88.96'
C8	18.84'	12.00'	N47°14'15"W	16.98'
C9	23.55'	15.00'	S47°47'57"W	21.21'
C10	18.85'	12.00'	S42°12'03"E	16.97'
C11	18.85'	12.00'	N47°47'57"E	16.97'
C12	265.99'	57.50'	S43°27'03"E	84.76'
C13	18.07'	12.00'	S43°55'56"W	15.41'
C14	19.42'	12.00'	S43°33'34"E	17.37'
C15	142.86'	200.00'	N85°37'15"E	139.86'
C16	143.82'	200.00'	N85°34'52"E	138.82'
C17	59.20'	160.00'	S73°18'44"E	58.87'
C18	12.11'	12.00'	N42°18'41"E	11.81'
C19	235.83'	57.50'	S24°57'02"W	61.98'
C20	40.86'	14.00'	N40°09'58"W	13.41'
C21	108.94'	110.00'	N40°19'38"W	40.48'
C22	108.94'	150.00'	S68°34'53"W	104.69'
C23	18.28'	12.00'	S05°31'03"W	16.38'
C24	49.30'	200.00'	S21°12'02"E	48.19'
C25	7.16'	75.00'	S21°01'05"E	7.16'
C26	65.97'	126.00'	S14°38'09"E	63.27'
C27	289.85'	180.00'	S45°22'21"W	261.12'
C28	16.93'	12.35'	S40°08'09"W	15.84'
C29	80.14'	71.00'	N57°24'13"W	75.95'
C30	141.64'	250.00'	N41°17'53"W	139.75'
C31	131.36'	131.13'	N28°57'04"W	125.83'
C32	18.86'	12.00'	N47°45'45"E	18.98'
C33	293.62'	275.00'	S56°57'11"E	279.87'
C34	304.35'	275.00'	S57°44'17"E	289.06'
C35	19.85'	12.00'	S42°51'18"E	17.53'
C36	202.31'	135.00'	S47°19'51"W	183.90'
C37	18.85'	12.00'	N42°12'25"W	16.97'
C38	18.28'	12.00'	N46°26'28"E	16.57'
C39	142.70'	250.00'	N73°44'05"E	140.78'
C40	17.70'	12.00'	S80°22'07"E	16.14'
C41	36.23'	150.00'	S31°12'02"E	36.14'
C42	11.94'	125.00'	S27°01'08"E	11.94'
C43	31.13'	75.00'	S17°51'45"E	30.97'
C44	20.22'	12.00'	S42°17'39"W	17.97'
C45	249.02'	325.00'	N57°44'17"W	236.50'
C46	347.00'	325.00'	N58°57'11"W	330.75'

RIGHT-OF-WAY EXHIBIT FOR:
SWEETWATER PRESERVE

LOCATED IN LAND LOTS 511 & 512
4th DISTRICT, 1st SECTION
CITY OF DAWSONVILLE
DAWSON COUNTY, GEORGIA
DECEMBER 13, 2023

GUNNIN
LAND SURVEYING

107 Mountain Brook Drive, Suite 104, Cumming, GA 30015
www.gunninlandsurveying.com License No. LST 001032



T571.880.2502
F579.693.4731

DRAWN BY: KGD

CHECKED BY: AWG

PROJECT NO. 18109

SHEET

2

OF

2

**INDEMNITY & UNDERTAKING AGREEMENT
(GAP)**

WHEREAS, The City of Dawsonville ("City") is to take title to the roads and right of way (the "Dedication") as stated in the Title Certificate (attached hereto as Exhibit "A") from Starlight Homes Georgia L.L.C. ("Starlight");

AND WHEREAS, the City has raised as title exceptions on certain defects or other matters, hereinafter referred to as the "Exception", more particularly described as follows:

Any defect, lien, encumbrance, adverse claim or other matter that appears for the first time in the Public Records or is created, attaches or is disclosed between the Effective Date of the Title Certificate attached hereto as "Exhibit A" and the date of Dedication.

NOW THEREFORE, in consideration of the issuance of the Dedication, to the extent permitted by law, the undersigned, hereby covenants and agrees with the City:

1. to forever fully protect, defend and save the City harmless from and against the Exception, in and from any and all actual loss, costs, damages, attorney's fees, and expenses of every kind and nature which it may suffer, expend or incur, or by reason, or in consequence of the Dedication on account, or in consequence, or growing out of the Exception only, or on account of the assertion or enforcement or attempted assertion or enforcement thereof or of any rights existing or hereafter arising, or which may at any time be claimed to exist under, or by reason, or in consequence, or growing out of the Exception;
2. to pay, discharge, satisfy or remove the Exception and, when the Exception appears as a matter of public record, to clear the record by recording or filing of releases, assignments, deeds or other appropriate instruments, or by the procurement of a final court order or judgment entered by a court of competent jurisdiction quieting the title of the insured, or declaring the Exception to be null and void and of no force and effect, on or before 30 DAYS AFTER RECEIPT OF DEMAND FROM THE CITY; and
3. that each and every provision herein shall extend and be in force concerning the Dedication.


The undersigned agrees that this Agreement is not intended to give any benefits, rights, privileges, actions or remedies to any person or party, other than the City, as a third-party beneficiary or otherwise under any theory of law.

The undersigned hereby agrees that in lieu of an original written signature the facsimile or the electronically transmitted signature on this document will constitute a valid original signature to this document and can be relied upon for enhancement purposes.

[Remainder of page intentionally left blank; Signature page to follow]

IN WITNESS WHEREOF, the parties have executed this agreement this 5th day of February 2024, ~~2023~~

STARLIGHT HOMES GEORGIA L.L.C.,
a Delaware limited liability company

By:  (SEAL)
Name: Gregory D. Hasty
Title: VP of Land Development

CITY OF DAWSONVILLE, a political
Subdivision of the State of Georgia


By: 
Name: John Walden
Title: Mayor

Exhibit "A"

Title Certificate

[INSERTED ON FOLLOWING PAGE]

Exhibit "B"

EXHIBIT "A"

LIMITED CERTIFICATE OF TITLE

by
PIEDMONT LAW GROUP
of Garcia & Benkert LLC
100 Crescent Centre Parkway
Suite 300
Tucker, Georgia 30084
404/460-4466

October 25, 2023

City of Dawsonville
415 Hwy 53 East
Suite 100
Dawsonville, GA 30534

RE: Starlight Homes Georgia L.L.C. – Limited Certificate of Title for City of Dawsonville; Property located in Land Lots 511 and 512 of the 14th District, Dawson County, Georgia,
Our File No. 33640.00

Dear Sir or Madam:

This is to certify that we have examined the record of title to the real estate described in Exhibit A attached to this certificate and incorporated herein by this reference and made a part hereof (the "Property") subsequent to the date of April 26, 2019, and we find the fee simple title to the Property to be vested in **Starlight Homes Georgia L.L.C., a Delaware limited liability company**, by virtue of (i) Limited Warranty Deed between Fall Leaf Residential, LLC, a Georgia limited liability company, and Starlight Homes Georgia L.L.C., a Delaware limited liability company, dated April 25, 2019, filed for record April 26, 2019, recorded in Deed Book 1343, page 33, Dawson County, Georgia Records; and (ii) Quitclaim Deed between Fall Leaf Residential, LLC, a Georgia limited liability company, and Starlight Homes Georgia L.L.C., a Delaware limited liability company, dated April 25, 2019, filed for record April 26, 2019, recorded in Deed Book 1343, page 37, aforesaid records; subject to those objections and exceptions as follows:

1. All taxes for the year 2024 and subsequent years, not yet due and payable, and any additional taxes for the current year or any prior years resulting from a reassessment, amendment or re-billing of city or county taxes subsequent to the Effective Date.
 - (a) Note: For informational purposes, taxes are not being billed for the internal streets within Sweetwater Preserve subdivision. No taxes are being billed under Starlight Homes Georgia L.L.C. for any property within this subdivision subsequent to 2021.
2. Declaration of Protective Covenants, Conditions, Restrictions and Easements for Sweetwater Preserve by Starlight Homes Georgia L.L.C., as Declarant, dated August 20,

2019, filed for record August 28, 2019, recorded in Deed Book 1363, page 543, Dawson County, Georgia Records; as affected by that certain Termination of Rights of Declarant Under the Declaration of Protective Covenants, Conditions, Restrictions and Easements for Sweetwater Preserve by Starlight Homes Georgia L.L.C., as Declarant, dated March 26, 2021, filed for record April 6, 2021, recorded in Deed Book 1485, page 330, aforesaid records; as affected by that certain Quitclaim Deed by and between Starlight Homes Georgia L.L.C. and Sweetwater Preserve Community Association, Inc., dated March 26, 2021, filed for record April 6, 2021, recorded in Deed Book 1485, page 333, aforesaid records; as affected by that certain Entry Feature and Landscaping Easement Agreement by and between David Henry Hitch and Vickie Mae Hitch and Sweetwater Preserve Community Association, Inc., dated September 9, 2020, filed for record April 30, 2021, recorded in Deed Book 1492, page 627, aforesaid records; as affected by that certain Amendment to the Declaration of Protective Covenants, Conditions, Restrictions and Easements for Sweetwater Preserve and Bylaws of Sweetwater Preserve Community Association, Inc. by the Sweetwater Preserve Community Association, Inc., dated May 13, 2022, filed for record May 17, 2022, recorded in Deed Book 1578, page 47, aforesaid records.

3. Underground Easement by Starlight Homes Georgia LLC to Georgia Power Company, dated August 28, 2019, filed for record October 11, 2019, recorded in Deed Book 1372, page 264, aforesaid records.
4. Stormwater Management/BMP Maintenance Agreement by and between Starlight Homes Georgia, LLC and the City of Dawsonville, dated December 19, 2019, filed for record December 19, 2019, recorded in Deed Book 1383, page 447, aforesaid records.
5. Facts and matters shown on that certain Final Plat of Sweetwater Reserve by Gunnin Land Surveying, dated October 16, 2019, filed for record February 6, 2020, recorded in Plat Book 85, Pages 66-81, aforesaid records; as affected by that certain Final Plat of Sweetwater Preserve by Gunnin Land Surveying, last revised June 3, 2020, filed for record June 8, 2020, recorded in Plat Book 85, page 116, aforesaid records.
6. All matters appearing of record prior to April 26, 2019.
7. All matters shown as exceptions in Schedule B of that certain First American Title Insurance Company Owner's Policy No. 5011413-0179834e, dated April 26, 2019.

AS A MATTER OF INFORMATION, the following exceptions are listed in the above-referenced policy:

- i. Easement from Mrs. Katie Lee Tatum to Georgia Power Company, dated August 10, 1966, filed August 23, 1966, recorded in Deed Book 5, page 321, Dawson County, Georgia Records.
- ii. Right of Way Deed from Mrs. Katie Lee Tatum to Dawson County, dated July 16, 1974, filed September 17, 1974, recorded in Deed Book 29, page 747, aforesaid records.

- iii. All matters shown on recorded plat filed June 28, 1983 in Plat Book 13, page 229, aforesaid records.
- iv. Easement from Ivan J. Anderson to Georgia Power Company, dated September 27, 1956, filed September 29, 1956, recorded in Deed Book Y, page 21, aforesaid records.

All questions with reference to the following are expressly excepted from this certificate, and this opinion is limited to the names of married women as they appear in the chain of title and as furnished to examining counsel:


- (a) All matters of record subsequent to the date of this certificate;
- (b) Matters affecting the title which are not of record, or which, if they are of record, are not indexed in such a manner that a reasonably prudent search would have revealed them to the examiner;
- (c) Such state of facts as would be disclosed by a competent civil engineer's accurate survey of the Property (it is always advisable that a survey be made in order to determine if there are encroachments, overhangs, overlaps, that the improvements are within the boundaries of subject Property, and that the lines and corners of the Property are clearly marked);
- (d) Encroachments, except such as in our opinion do not materially affect the value of the Property;
- (e) Title to that portion of the Property within the bounds of any public road;
- (f) The riparian rights of abutting owners on any stream running through the Property;
- (g) Adverse claims of tenants in possession;
- (h) All zoning laws, ordinances or regulations, municipal or county, and all governmental regulations of the use and occupancy of the Property described, including the regulations or condemnation of the land or any building or structure thereon;
- (i) Taxes not due and payable at the date of this certificate, and those being due at all future times;
- (j) Unrecorded claims of lien for labor or material furnished for the improvement of the Property;
- (k) Street improvement liens which have not been properly placed of record;
- (l) Past due water and sewer service bills;
- (m) Bills for utilities used in connection with the premises and any impediments to the transfer of accounts for said utilities to a new owner or occupant of the property;
- (n) Pay-as-you-enter water or sewer lines, which while not technically liens, will be payable upon connection with such lines; and
- (o) Notwithstanding anything to the contrary contained in the legal description of the Property described herein, no certification is afforded as to the exact amount of acreage contained in the Property.

This Limited Certificate of Title is based upon First American Title Insurance Company Owner's Policy No. 5011413-0179834e, dated April 26, 2019, and no certification is given to matters appearing of record prior to said date.

The date through which this certificate of title is effective is October 10, 2023 at 5:00 o'clock p.m..

PIEDMONT LAW GROUP
of Garcia & Benkert LLC

By:


Isabel M. Garcia,
For the Firm

IMG/ing

4865-4489-3202, v. 1

EXHIBIT "A"
PROPERTY DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lots 511 and 512 of the 4th District, 1st Section, City of Dawsonville, Dawson County, Georgia, being designated as **Reeves Court (Public 50' R/W)**, **Morrow Place (Public 50' R/W)**, **Shepard Drive (Public 50' R/W)**, **Wheeler Place (Public 50' R/W)** and **Milner Drive (Public 60' R/W)** on that certain **Final Plat of Sweetwater Preserve**, prepared by Gunnin Land Surveying, containing the seal of Albert W. Gramling, Jr., Georgia Registered Land Surveyor No. 2983, dated October 16, 2019, and recorded June 8, 2020 in Plat Book 85, Pages 116-118, Dawson County, Georgia land records, reference to said plat of survey and the record thereof being hereby made for a more complete description.



November 15, 2023

City of Dawsonville
 Planning & Zoning Department
 415 Highway 53E, Suite 100
 Dawsonville, Georgia 30534

Re: ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lots 511 and 512 of the 4th District, 1st Section, City of Dawsonville, Dawson County, Georgia, being designated as Reeves Court (Public 50' R/W), Morrow Place (Public 50' R/W), Shepard Drive (Public 50' R/W), Wheeler Place (Public 50' R/W) and Milner Drive (Public 60' R/W) on that certain **Final Plat of Sweetwater Preserve**, prepared by Gunnin Land Surveying, containing the seal of Albert W. Gramling, Jr., Georgia Registered Land Surveyor No. 2983, dated October 16, 2019.

Dear Sir or Madame:

In consideration of a fee to be paid, this is to certify that I have examined the properly indexed deed records of Dawson County, Georgia as of October 10, 2023, and we find marketable, fee simple title to the above captioned property is vested in Starlight Homes Georgia L.L.C., a Delaware limited liability company by virtue of: (i) that certain Limited Warranty Deed between Fall Leaf Residential, LLC, a Georgia limited liability company, and Starlight Homes Georgia L.L.C., a Delaware limited liability company, dated April 25, 2019, filed for record April 26, 2019, recorded in Deed Book 1343, page 33, Dawson County, Georgia Records; and (ii) that certain Quitclaim Deed between Fall Leaf Residential, LLC, a Georgia limited liability company, and Starlight Homes Georgia L.L.C., a Delaware limited liability company, dated April 25, 2019, filed for record April 26, 2019, recorded in Deed Book 1343, page 37, aforesaid records, subject to the following exceptions to-wit:

1. All taxes for the year 2024 and subsequent years, not yet due and payable, and any additional taxes for the current year or any prior years resulting from a reassessment, amendment or re-billing of city or county taxes subsequent to the Effective Date.
2. Declaration of Protective Covenants, Conditions, Restrictions and Easements for Sweetwater Preserve by Starlight Homes Georgia L.L.C., as Declarant, dated August 20, 2019, filed for record August 28, 2019, recorded in Deed Book 1363, page 543, Dawson County, Georgia Records; as affected by that certain Termination of Rights of Declarant Under the Declaration of Protective Covenants, Conditions, Restrictions and Easements for Sweetwater Preserve by Starlight Homes Georgia L.L.C., as Declarant, dated March 26, 2021, filed for record April 6, 2021, recorded in Deed Book 1485, page 330, aforesaid

Dorough & Dorough, LLC
 Suite 650, 160 Clairemont Avenue
 Decatur, Georgia 30030

telephone: 404-687-9977
 facsimile: 404-687-0011
 www.dorough.com

City of Dawsonville
 Planning & Zoning Department
 November 15, 2023
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records; as affected by that certain Quitclaim Deed by and between Starlight Homes Georgia L.L.C. and Sweetwater Preserve Community Association, Inc., dated March 26, 2021, filed for record April 6, 2021, recorded in Deed Book 1485, page 333, aforesaid records; as affected by that certain Entry Feature and Landscaping Easement Agreement by and between David Henry Hitch and Vickie Mae Hitch and Sweetwater Preserve Community Association, Inc., dated September 9, 2020, filed for record April 30, 2021, recorded in Deed Book 1492, page 627, aforesaid records; as affected by that certain Amendment to the Declaration of Protective Covenants, Conditions, Restrictions and Easements for Sweetwater Preserve and Bylaws of Sweetwater Preserve Community Association, Inc. by the Sweetwater Preserve Community Association, Inc., dated May 13, 2022, filed for record May 17, 2022, recorded in Deed Book 1578, page 47, aforesaid records.

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7. All matters shown as exceptions in Schedule B of that certain First American Title Insurance Company Owner's Policy No. 5011413-0179834e, dated April 26, 2019.

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- ii. Right of Way Deed from Mrs. Katie Lee Tatum to Dawson County, dated July 16, 1974, filed September 17, 1974, recorded in Deed Book 29, page 747, aforesaid records.
- iii. All matters shown on recorded plat filed June 28, 1983 in Plat Book 13, page 229, aforesaid records.
- iv. Easement from Ivan J. Anderson to Georgia Power Company, dated September 27, 1956, filed September 29, 1956, recorded in Deed Book Y, page 21, aforesaid records.

All questions with reference to the following are expressly excepted from this certificate, and this opinion is limited to the names of married women as they appear in the chain of title and as furnished to examining counsel:

- (a) All matters of record subsequent to the date of this certificate;
- (b) Matters affecting the title which are not of record, or which, if they are of record, are not indexed in such a manner that a reasonably prudent search would have revealed them to the examiner;
- (c) Such state of facts as would be disclosed by a competent civil engineer's accurate survey of the Property (it is always advisable that a survey be made in order to determine if there are encroachments, overhangs, overlaps, that the improvements are within the boundaries of subject Property, and that the lines and corners of the Property are clearly marked);
- (d) Encroachments, except such as in our opinion do not materially affect the value of the Property;
- (e) Title to that portion of the Property within the bounds of any public road;
- (f) The riparian rights of abutting owners on any stream running through the Property;
- (g) Adverse claims of tenants in possession;
- (h) All zoning laws, ordinances or regulations, municipal or county, and all governmental regulations of the use and occupancy of the Property described, including the regulations or condemnation of the land or any building or structure thereon;
- (i) Taxes not due and payable at the date of this certificate, and those being due at all future times;
- (j) Unrecorded claims of lien for labor or material furnished for the improvement of the Property;
- (k) Street improvement liens which have not been properly placed of record;
- (l) Past due water and sewer service bills;
- (m) Bills for utilities used in connection with the premises and any impediments to the transfer of accounts for said utilities to a new owner or occupant of the property;

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- (n) Pay-as-you-enter water or sewer lines, which while not technically liens, will be payable upon connection with such lines; and
- (o) Notwithstanding anything to the contrary contained in the legal description of the Property described herein, no certification is afforded as to the exact amount of acreage contained in the Property.

This certificate is effective as of 5:00 p.m. on October 10, 2023, and is restricted to the sole use of the addressees herein and is strictly limited to matters set forth in the period of time certified.

Sincerely,

Lisa A. Crawford

MANAGER WRITTEN CONSENT
OF
STARLIGHT HOMES GEORGIA L.L.C.
IN LIEU OF A MEETING

The undersigned Manager of **STARLIGHT HOMES GEORGIA L.L.C.** (the "Company"), hereby consents to the adoption of the following resolution by written consent.

WHEREAS, pursuant to Section 7.11 of the Operating Agreement of the Company, the Managers of the Company have the authority to designate officers of the Company, with such authority and to perform such duties as the Managers may, from time to time, delegate to them;

WHEREAS, pursuant to Section 7.3 of the Operating Agreement of the Company the Member has authorized each Manager to make such designations by themselves and without the necessity of any other approval or authorization;

WHEREAS, Greg Hasty serves as the Director of Land Development for a Company affiliate, Ashton Atlanta Residential, L.L.C ("Ashton Atlanta"); and

WHEREAS, in order to facilitate the operations of the Company, the undersigned Manager wishes to confer on and ratify the respective authority of Mr. Hasty to sign contracts and other business documents entered into by the Company in the ordinary course of business, including the purchase, sale, conveyance, lease or other encumbrance of real property.

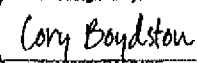
NOW, THEREFORE, BE IT RESOLVED as follows:

So long as Mr. Hasty is employed by Ashton Atlanta, Mr. Hasty shall be an Authorized Representative of the Company with full power and authority to sign contracts, plats and other business documents on behalf of the Company necessary for the ordinary course operations of the Company.

FURTHER RESOLVED, that all actions previously taken by Mr. Hasty in the name or on behalf of the Company consistent with the authorization and appointment contemplated by the foregoing resolutions are hereby adopted, ratified, confirmed, authorized and approved.

IN WITNESS WHEREOF, the undersigned Manager of the Company has executed this written consent as of the date specified below.

Date: 12/21/2022

DocuSigned by:

Cory Boydston
Manager



DAWSONVILLE CITY COUNCIL EXECUTIVE SUMMARY FOR AGENDA ITEM # 8

SUBJECT: EMPLOYEE RECOGNITION

CITY COUNCIL MEETING DATE: 02/19/2024

BUDGET INFORMATION: GL ACCOUNT # _____

☐ Funds Available from: _____ Annual Budget _____ Capital Budget Other _____

☐ Budget Amendment Request from Reserve: _____ Enterprise Fund _____ General Fund

PURPOSE FOR REQUEST:

TO RECOGNIZE AND PRESENT EMPLOYEE RECOGNITION

HISTORY/ FACTS / ISSUES:

OPTIONS:

RECOMMENDED SAMPLE MOTION:

REQUESTED BY: Bob Bolz, City Manager



DAWSONVILLE CITY COUNCIL EXECUTIVE SUMMARY FOR AGENDA ITEM # 9

SUBJECT: ORDINANCE NO. 01-2024: IMPACT FEES

CITY COUNCIL MEETING DATE: 02/19/2024

BUDGET INFORMATION: GL ACCOUNT # _____

☐ Funds Available from: _____ Annual Budget _____ Capital Budget Other _____

☐ Budget Amendment Request from Reserve: _____ Enterprise Fund _____ General Fund

PURPOSE FOR REQUEST:

PUBLIC HEARING, SECOND READING AND CONSIDERATION TO ADOPT

ORDINANCE NO. 01-2024: AN ORDINANCE OF THE CITY OF DAWSONVILLE, GEORGIA TO ENACT IMPACT FEES TO PROVIDE FUNDING FOR LOCAL ROADS, PARKS AND RECREATION, AND OTHER BENEFITS TO THE PUBLIC; TO PROVIDE FOR EXEMPTIONS; TO PROVIDE FOR THE ACCOUNTING AND EXPENDITURE OF FEES; TO PROVIDE FOR THE MEANS OF APPEAL; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

FIRST PUBLIC HEARING AND FIRST READING: FEBRUARY 5, 2024

SECOND PUBLIC HEARING, SECOND READING AND CONSIDERATION TO ADOPT: FEBRUARY 19, 2024

HISTORY/ FACTS / ISSUES:

- **IMPACT FEE STUDY COMPLETED BY GMRC AND RECOMMENDATIONS MADE TO COUNCIL**
- **COUNCIL DIRECTED CITY ATTORNEY TO PREPARE AN IMPACT FEE ORDINANCE FOR CONSIDERATION**
- **MORATORIUM ON BUILDING PERMITS EXPIRES FEBRUARY 19, 2024**

OPTIONS:

RECOMMENDED SAMPLE MOTION:

REQUESTED BY: Kevin Tallant, City Attorney

Subject Matter: Impact Fee Ordinance
First Reading and Public Hearing: 02/05/2024
Second Reading and Public Hearing: 02/19/2024
Date of Adoption: _____

ORDINANCE NO. 01-2024

AN ORDINANCE OF THE CITY OF DAWSONVILLE, GEORGIA TO ENACT IMPACT FEES TO PROVIDE FUNDING FOR LOCAL ROADS, PARKS AND RECREATION, AND OTHER BENEFITS TO THE PUBLIC; TO PROVIDE FOR EXEMPTIONS; TO PROVIDE FOR THE ACCOUNTING AND EXPENDITURE OF FEES; TO PROVIDE FOR THE MEANS OF APPEAL; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

WHEREAS the City of Dawsonville has the authority under Article IX, Section II, Paragraph IV of the Georgia Constitution to adopt plans and exercise zoning powers; and

WHEREAS the Georgia General Assembly has found that “an equitable program for planning and financing public facilities needed to serve new growth and development is necessary in order to promote and accommodate orderly growth and development and to protect the public health, safety, and general welfare of the citizens of the State of Georgia” pursuant to O.C.G.A. § 36-71-1; and

WHEREAS the City is authorized under O.C.G.A. § 36-71-3 to impose development impact fees as a condition of development approval; and

WHEREAS this Ordinance has been prepared and considered in accordance with the Georgia Developmental Impact Fee Act, O.C.G.A. § 36-71-1 *et seq.*; and

WHEREAS, appropriate notice and hearing on the ordinance contained herein have been carried out according to general and local law;

AND WHEREAS the City finds that development impact fees are necessary in the City in order to support the orderly growth and development herein and to support the planning and financing of public facilities.

NOW THEREFORE, premises considered, it is hereby ordained by the Council of the City of Dawsonville as follows:

1. Article V Impact Fees of Chapter 11 Taxation of the City of Dawsonville Code of Ordinances is hereby enacted and shall be the text attached hereto as Exhibit A;
2. If any section, provision or clause of any part of this ordinance shall be declared invalid or unconstitutional, or if the provisions of any part of this ordinance 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 portions of this ordinance not so held to be invalid, or the application of this ordinance to other circumstances not so held to be invalid. It is hereby declared as the intent that this ordinance would have been adopted

had such invalid portion not been included herein.

3. All laws and parts of laws in conflict with this enactment are hereby repealed.
4. This ordinance shall be effective the day following its passage by the Council of the City of Dawsonville.

[EXECUTION ON FOLLOWING PAGE]

DRAFT

Adopted and Ordained this _____ day of _____, 2024.

CITY OF DAWSONVILLE, GEORGIA

John Walden, Mayor

Caleb Phillips, Councilmember Post 1

William Illg, Councilmember Post 2

Sandra Sawyer, Councilmember Post 3

Mark French, Councilmember Post 4

Attest: _____
Beverly A. Banister, City Clerk

EXHIBIT A

Article V- IMPACT FEES

Sec. 11-111. - Short title, authority and applicability.

- (a) This chapter shall be known and may be cited as the “The City of Dawsonville Impact Fee Ordinance.”
- (b) The Georgia Legislature, through the enactment of the Georgia Development Impact Fee Act, Georgia Code Title 36-71-1 through 36-71-13, has authorized the City of Dawsonville (the “City”) to enact development impact fees for road, parks, library and public safety facilities.
- (c) This chapter shall apply throughout the incorporated limits of the City of Dawsonville.

Sec. 11-112. - Intent and purposes.

- (a) This chapter is intended to assist in the implementation of The City of Dawsonville Comprehensive Plan pursuant to the Georgia Planning Act of 1989.
- (b) The purpose of this chapter is to regulate the use and development of land so as to assure that new development bears a proportionate share of the cost of capital expenditures necessary to provide roads, parks, libraries and public safety improvements in the City.
- (c) This chapter is intended to comply fully with each and every relevant provision of the Georgia Development Impact Fee Act, Georgia Code Title 36-71-1 through 36-71-13, and shall be interpreted and implemented to so comply.
- (d) Nothing herein shall be deemed to prevent or prohibit private development agreements between property owners or developers and the City.

Sec. 11-113. - Rules of construction.

- (a) The provisions of this chapter shall be liberally construed so as to effectively carry out its purpose to promote and protect the health, safety, morals, convenience, order, prosperity, and the general welfare of the City.
- (b) For the purposes of administration and enforcement of this chapter, unless otherwise stated in this chapter, the following rules of construction shall apply to the text of this chapter:
 - (1) In case of any difference of meaning or implication between the text of this chapter and any caption, illustration, summary table, or illustrative table, the text shall control.
 - (2) The word “shall” is always mandatory and not discretionary; the word “may” is permissive.
 - (3) Words used in the present tense shall include the future; and words used in the singular number shall include the plural, and the plural the singular, unless the context clearly indicates the contrary.

- (4) The phrase “used for” includes “arranged for”, “designed for”, “maintained for”, or “occupied for”.
- (5) The word “person” includes an individual, a corporation, a partnership, an incorporated association, or any other similar entity.
- (6) Unless the context clearly indicates the contrary, where a regulation involves two or more items, conditions, provisions, or events connected by the conjunction “and”, “or” or “either...or”, the conjunction shall be interpreted as follows:
 - a. “And” indicates that all the connected terms, conditions, provisions or events shall apply.
 - b. “Or” indicates that the connected items, conditions, provisions or events may apply singly or in any combination.
 - c. “Either...or” indicates that the connected items, conditions, provisions or events shall apply singly but not in combination.
- (7) The word “includes” shall not limit a term to the specific example but is intended to extend its meaning to all other instances or circumstances of like kind or character.

Sec. 11-114. - Definitions.

Affordable housing means a dwelling unit offered for sale or rent to low-income persons or very-low-income persons and which monthly rent or monthly mortgage payments, including taxes and insurance, do not exceed thirty (30) per cent of that amount which represents the percentage of the median adjusted gross income for low-income persons and very-low-income persons in the statistical applicable area for the City of Dawsonville, Georgia.

Applicant is a person applying for the issuance of a building permit.

Building permit is the approval issued by the City of Dawsonville that authorizes the construction or permanent placement of a building, dwelling or other structure on a site.

Capital equipment and/or facility is land, buildings and other improvements that increase the service capacity of a public facility and have an expected use life of ten years or more.

City means the City of Dawsonville, Georgia, and all components and officials thereof.

Capital improvement includes land acquisition, site improvements, and capital equipment for road, park, library and public safety facilities, but excludes maintenance and operation.

Commencement of Construction: shall mean the pouring of a foundation.

Comprehensive plan means the duly adopted City of Dawsonville Comprehensive Plan.

Developer means any person or legal entity undertaking development.

Development means any construction or expansion of a building, structure, or use, any change in use of a building or structure, or any change in the use of land, any of which creates additional demand for public facilities.

Development approval means any written authorization from the City which authorizes the commencement of construction.

Development impact fee means a payment of money imposed upon development as a condition of development approval to pay for a proportionate share of the cost of system improvements needed to serve new growth and development.

Encumber means to legally obligate by contract or otherwise commit to use by appropriation or other official act of the City.

Feepayer means that person who pays a development impact fee or his/her successor in interest.

Impact fee administrator means the official designated by the Mayor and City Council to carry out the administration of this chapter.

Impact fee study means the *Impact Fee Study for the City of Dawsonville, Georgia*, prepared by Duncan Associates in 2018, or a subsequent similar study that calculates the maximum impact fees that may be imposed by the City, consistent with the Georgia Development Impact Fee Act.

Industrial means an establishment primarily engaged in the fabrication, assembly or processing of goods. Typical uses include manufacturing plants, industrial parks, research and development centers, welding shops, wholesale bakeries, dry cleaning plants, and bottling works.

Low-income or very-low-income persons means one or more natural persons, the total adjusted gross household income of which does not exceed 50% of the median adjusted gross income for households within the statistical area for the City of Dawsonville, Georgia, as reported by the U.S. Department of Housing and Urban Development or its governmental successor in function.

Mobile home park means a parcel of land where space is rented for occupancy by mobile homes and/or recreational vehicles.

Multi-family means a building with more than one dwelling unit, including duplexes, townhouses, apartments and residential condominiums.

Nonresidential floor area means both the enclosed and open areas of a building. Enclosed area refers to the total area of all floors of a building as measured to the exterior walls and including halls, stairways, elevator shafts, porches and balconies, but excluding enclosed parking and loading areas. Open areas are decks or walkways not covered by a roof and which are used for some business-related purpose, excluding areas used for vehicle parking.

Office means a building not located in a shopping center and exclusively containing establishments providing executive, management, administrative or professional services, and which may include ancillary services for office workers, such as a restaurant, coffee shop, newspaper or candy stand, or childcare facilities. Typical uses include banks, financial institutions, real estate, insurance, property management, investment, employment, travel, advertising, secretarial, data processing, telephone answering, telephone marketing, music, radio and television recording and broadcasting studios; professional or consulting services in the fields of law, architecture, design, engineering, accounting and similar professions; interior decorating consulting services; medical and dental offices and clinics, including veterinarian clinics; and business offices of private companies, utility companies, trade associations, unions and nonprofit organizations.

Present value means the current value of past, present, or future payments, contributions or dedications of goods, services, materials, construction, or money.

Public facilities means road facilities, park facilities, library facilities, or public safety

facilities, which are defined as follows.

Road facilities means any public street within the city, including State and Federal highways.

Park facilities means a City-owned park providing active recreational opportunities to the public, but excluding greenways and open space preserves.

Library facilities means a City-owned facility offering browsing and lending to the public of printed material, audio and video recordings, and internet access and related information services.

Public safety facilities means land, buildings or equipment used for fire protection, suppression and rescue used by the City or Dawson County's fire department, and emergency communications equipment used for the County E-911 system.

Private park and/or recreational facility is an area which is not owned by or dedicated to any governmental entity and is an area designed and equipped for sports and leisure activities but does not include areas not readily accessible by the public for such activities.

Project means a particular development on an identified parcel of land.

Project improvements means site improvements and facilities that are planned and designed to provide service for a particular development project and that are necessary for the use and convenience of the occupants or users of the project and are not system improvements. The character of the improvement shall control a determination of whether an improvement is a project improvement or system improvement and the physical location of the improvement on site or off site shall not be considered determinative of whether an improvement is a project improvement or a system improvement. If an improvement or facility provides or will provide more than incidental service or facilities capacity to persons other than users or occupants of a particular project, the improvement or facility is a system improvement and shall not be considered a project improvement. No improvement or facility included in a plan for public facilities approved by the governing body of the City shall be considered a project improvement.

Proportionate share means that portion of the cost of system improvements which is reasonably related to the service demands and needs of the project.

Public/institutional means a governmental, quasi-public, or institutional use, not located in a shopping center. Typical uses include elementary, secondary or higher educational establishments, day care centers, hospitals, mental institutions, nursing homes, fire stations, city halls, county court houses, civic centers, convention centers, sports arenas, post offices, jails, libraries, museums, places of religious worship, military bases, airports, bus stations, fraternal lodges, parks, and playgrounds.

Retail/commercial means establishments engaged in the selling or rental of goods, services or entertainment to the general public. Such uses include, but are not limited to, amusement parks, automobile sales and service, bowling alleys, barber shops, building material and lumber stores, car washes, convenience stores, dance studios, discount stores, funeral homes, furniture stores, health clubs, golf courses and driving ranges, hardware and paint stores, home improvement stores, marinas, miniature golf courses, movie theaters, pharmacies, photocopy and reproduction shops, restaurants, shopping centers, supermarkets, tire stores and vocational or technical schools. Any land use within a shopping center shall be considered a retail/commercial use.

Service area means a geographic area defined by the City in which a defined set of public facilities provide service to development within the area.

Shopping center means a group of retail and/or other commercial establishments that is

planned, developed, owned and managed as a single property, with common on-site parking provided.

Single-family detached means one dwelling unit, including a manufactured or mobile home, located on a separate lot and not attached to any other dwelling unit.

System improvement costs means capital improvement costs incurred to provide additional public facilities capacity needed to serve growth and development for planning, design and construction, land acquisition, land improvement, design and engineering related thereto, including the cost of constructing or reconstructing system improvements or facility expansions, including but not limited to the construction contract price, surveying and engineering fees, related land acquisition costs (including land purchases, court awards and costs, attorneys' fees, and expert witness fees), and expenses incurred for qualified staff or any qualified engineer, planner, architect, landscape architect, or financial consultant for preparing or updating the capital improvement element, and administrative costs, provided that such administrative costs shall not exceed three percent of the total amount of development impact fee receipts. Projected interest charges and other finance costs may be included if the development impact fees are to be used for the payment of principal and interest on bonds, notes, or other financial obligations issued by or on behalf of the municipality to finance the capital improvements element but such costs do not include routine and periodic maintenance expenditures, personnel training, and other operating costs.

Road system improvement costs means costs related to capacity-expanding capital improvements to the arterial road system, including improvements to pedestrian facilities, bikeways and trails within arterial road rights-of-way, undertaken to accommodate and which will substantially benefit additional vehicular, pedestrian and bicycle traffic resulting from new development. These improvements include, but are not limited to, construction of new through lanes, construction of curbs, gutters, medians and shoulders, widening of existing roads, construction of new drainage facilities in conjunction with new road construction, purchase and installation of traffic signals, including new and upgraded signalization, relocating utilities to accommodate new road construction, construction and reconstruction of intersections, acceleration and deceleration lanes, interchanges, sidewalks, bikeways, and trails.

Park system improvement costs means capital improvement costs related to the acquisition of additional park land, development of new park facilities, and expansion and improvement of existing park facilities, undertaken to accommodate the additional recreational demands resulting from new residential development.

Library system improvement costs means capital improvement costs related to the acquisition and construction of new library facilities, as well as the expansion and improvement of existing library facilities, undertaken to accommodate the additional demands for library services resulting from new residential development.

Public safety system improvement costs means capital improvement costs related to the acquisition and construction of new public safety facilities, as well as the expansion and improvement of existing public safety facilities and equipment, undertaken to accommodate the additional demands for public safety services resulting from new development.

System improvements means capital improvements that are public facilities and are designed to provide service to the community at large, in contrast to "project improvements."

Warehouse means an establishment primarily engaged in the display, storage and sale of goods to other firms for resale, or activities involving significant movement and storage of products or

equipment, or leasing of dead storage space. Typical uses include wholesale distributors, storage warehouses, moving and storage firms, trucking and shipping operations, mail processing centers, mini-warehouse, and self-storage facilities.

Sec. 11-115. - Administrative organization and responsibility.

- (a) *Impact fee administrator.* The impact fee administrator is hereby authorized to interpret and implement all provisions of this chapter and the appropriate ordinances of the City and to carry out the general administration of all impact fees enacted by the City. The impact fee administrator shall have the responsibility to carry out the following:
- (1) When no equivalent type of land use is present in the fee schedule in section 11-117(a), the definitions in section 11-114, or the list of uses in section 11-128, and the proposed use is not a previously determined miscellaneous land use per section 11-117(c), the impact fee administrator shall establish a fee applicable to the most nearly equivalent type of land use on the fee schedule.
 - (2) When requested, the impact fee administrator shall interpret the impact fee schedules as they may apply to a particular development using the procedures described in the appropriate impact fee ordinance and in this chapter.
 - (3) When requested, the impact fee administrator shall certify the impact fees applicable to a particular development using the procedures described in the appropriate impact fee ordinance and in this chapter.
 - (4) With respect to an individual fee determination, the impact fee administrator shall:
 - a. Conduct a preapplication meeting with the applicant and representatives of appropriate departments of the City;
 - b. Review the individual fee determination study for sufficiency, methodology, technical accuracy and findings; and
 - c. Establish the amount of the impact fee as a result of the independent study based on the procedures described in the ordinance and in this chapter.
 - (5) The impact fee administrator shall determine exemptions from a requirement to pay an impact fee.
 - (6) The impact fee administrator shall determine the availability of and the amount of any refund of impact fees.
 - (7) The impact fee administrator shall calculate additional impact fees due in the event of change of use, redevelopment, or modifications of an existing use.
- (b) *Other departments.* Other departments and offices of the City shall provide advice, information, or other such services upon the request of the impact fee administrator.
- (c) *City attorney.* The impact fee administrator shall refer all legal matters regarding the administration of this chapter and the relevant impact fee ordinances to the city attorney.

Sec. 11-116. - Imposition of impact fees.

- (a) *Feepayer.* Any person who, after the effective date of the appropriate impact fee ordinance, seeks to develop land by applying to the City for any of the following permits shall be required to pay an impact fee in the manner and amount set forth in the relevant ordinance and in this chapter:
- (1) The issuance or extension of a building permit, or
 - (2) The issuance or extension of a permit that would allow the construction or installation of a structure, including a mobile home and/or temporary structure, or
 - (3) The issuance or extension of a permit that would allow the installation or placement of a recreational vehicle.
- (b) *Payment due.*
- (1) *General.* Impact fees shall be paid prior to the issuance of a permit for any activity requiring payment of an impact fee. All payment shall be made in the following manner:
 - a. Payment by approved credit card, personal or business check, cashier's check, or money order payable to the City;
 - b. All payments are to be made at offices of the City of Dawsonville, Department of Planning and Zoning.
 - (2) *Invalid payment.* In the event the payment of impact fees subsequently proves to be invalid due to insufficient funds, improper execution, or for any other reason, then the following actions shall be taken:
 - a. The impact fee administrator shall, within 30 days of detection of such a deficiency, notify the feepayer, the contractor, and the property owner by certified mail that, to the last known address:
 1. An impact fee amount is due by valid payment immediately upon receipt of said notice;
 2. Permits, inspections or certificates will not be issued until the amount is paid and, if not paid within 30 days, the impact fee administrator shall have authority to instruct the City of Dawsonville Department of Planning and Zoning to stop all construction on the site of said building or construction until the payment is received.
 - b. No further building permits, construction permits, inspections or certificate of use and occupancy (C.O.) shall be issued by the City until the required impact fee is paid.
 - c. The amount due shall be the amount of the impact fees plus the amount charged by the bank for the dishonored payment plus a service charge as established by the City
 - (3) *Credit in lieu of payment.* In the event the feepayer has received approval from the impact fee administrator for credits for construction or dedication of land pursuant to section 11-123 and the credits are provided before completion of the improvements, the feepayer must comply with all requirements as a condition of receiving such credits. Otherwise, full payment of the impact fee due will be required.

(c) *Determination of fee.*

- (1) *General.* The amount of the impact fee shall be determined by the impact fee administrator, who shall receive assistance from other departments when necessary and appropriate. The impact fee administrator shall determine the amount of the fees due, whether the method of determination is based on the fee schedule contained in the appropriate impact fee ordinance or by independent fee determination study. The calculation of exemptions, refunds, and credits, and the determination of the net impact fees due shall also be the responsibility of the impact fee administrator with the assistance of appropriate City departments.
- (2) *Credits.* In lieu of monetary payment, up to 100 percent of impact fees due may be paid by the use of credits, as provided in section 11-123. However, road credits may be used only for the payment of road impact fees, park credits may be used only for the payment of park impact fees, library credits may be used only for the payment of library impact fees, and public safety credits may only be used for the payment of public safety impact fees.

(d) *Expiration of building permits.*

- (1) If a permit expires, is revoked, or is voluntarily surrendered and is, therefore, voided and no construction or improvement of land has commenced, then the feepayer shall be entitled to a refund, without interest, of 95 percent of the impact fees which were paid as a condition for its issuance. The City shall retain five percent of the fees to offset the costs of collection and refund. The feepayer must submit an application for such a refund to the impact fee administrator within 30 days of the expiration of the permit. In the case of an expired permit which was obtained in whole or in part by the use of credits, only that portion not paid by credits may be refunded, and it is from this part that the five percent administrative fee shall be deducted.
- (2) If a refund has been received by the feepayer, the feepayer must pay the appropriate impact fee if he/she reapplies for a permit. Conversely, if a permit expires and no refund has been issued, a feepayer will not have to pay the fee again if he/she reapplies for the permit on the same lot, parcel or tract unless the use or size of the structure has changed and then the amount due would be the change in the amount of the fee based upon the new structure as contrasted with the original.
- (3) A credit for previous payment of an impact fee must be requested by the feepayer. Any exemption or credit not so requested at the time of reapplication shall be deemed waived by the feepayer.
- (4) A refund of the impact fee shall not be granted if the permit expires and construction has commenced. In this case, the feepayer will not have to pay an impact fee if he/she reapplies for a permit for the same type and size of structure. In case of reapplication, the provisions of section 11-117(g) for change of use shall apply.
- (5) The feepayer shall be responsible for requesting any credits or refunds pursuant to the terms of this chapter. The City will not be responsible for notifying the developer of a right to a refund or credit due to an expired permit. Upon receipt of such request, refunds and credits will be determined in accordance with section 11-122 and section 11-123.

Sec. 11-117. - Determination of fees based on fee schedules.

- (a) *Payment from schedule.* At the option of the feepayer, the amount of the fees can be determined from the schedule of fees listed below, utilizing section 11-129, Impact Fee Calculation Form. Impact fees for nonresidential development shall be converted to a fee per square foot by dividing the fee per 1,000 square feet by 1,000. Any impact fee for a development application shall be rounded to the nearest dollar.
- (1) *Fee schedule applicable on effective date.* The following fee schedule shall apply to new development for which a building permit is issued on or after the effective date of this ordinance amendment.

Land Use Type	Unit	Parks	Total
Single-Family Detached	Dwelling	\$1,700.00	\$1,700.00
Multi-Family	Dwelling	\$1,700.00	\$1,700.00
Retail/Commercial	1,000 sq. ft.	---	---
Office	1,000 sq. ft.	---	---
Industrial/Warehouse	1,000 sq. ft.	---	---
Public/Institutional	1,000 sq. ft.	---	---

- (b) *Automatic adjustment.* The impact fee schedule shown in subsection (a) above shall be adjusted by the impact fee administrator in April of each calendar year. Unless otherwise directed by the Mayor and Council, any adjustments to the impact fee made pursuant to this section shall be effective the first Monday in October of each calendar year.
- (1) The base for computing any adjustment is the January Consumer Price Index - All Urban Consumers for the United States, published by the United States Department of Labor, Bureau of Labor Statistics.
- (2) If the index is changed so that the base year is different, the index shall be converted in accordance with the conversion factor published by the United States Department of Labor, Bureau of Labor Statistics. If the index is discontinued or revised, such other government index or computation with which it is replaced shall be used in order to obtain substantially the same result as would be obtained if the index had not been discontinued or revised.
- (3) The current inflation-adjusted fee schedule shall be available at the Department of Planning and Zoning.
- (c) *Determination of land use type.* If the type of development activity is not specified in the fee schedules, and is not already on a list of miscellaneous land use types maintained by the impact fee administrator, the impact fee administrator shall apply the fee of the most nearly equivalent type of land use on the fee schedules. The impact fee administrator shall be guided

in the selection of a comparable land use type by the definitions in section 11-114, the list of land uses in section 11-128, the City of Dawsonville Comprehensive Plan and the land development regulations of the City. In the event that the classification of a particular use of land into the classification established by the ordinance is unclear, the North American Industry Classification System, United States, latest edition, shall be used as the final authority. The impact fee administrator shall maintain a list of the fees determined administratively for miscellaneous land use types.

- (d) *Interpretation of fee schedules.* Individuals may request an interpretation of the impact fee schedules as they may apply to their developments. If the individual requests, the impact fee administrator shall certify the impact fees due for that development and said certification shall establish the applicable impact fees for such development for a period of 180 days from the date thereof. If the feepayer disagrees with the interpretation of the impact fee schedules, the feepayer may prepare an individual fee determination study in accordance with this chapter and the relevant impact fee ordinance.
- (e) *Mixed use development.* If a development includes both residential and nonresidential uses, the impact fees are to be assessed for each use based on the fee schedule and the results added together.
- (f) *Mixed use structures.* If a structure includes both residential and nonresidential uses, the impact fees are to be assessed for each use individually based on the relevant fee schedule and the results added together.
- (g) *Shell permit.* Builders may apply for a building permit to construct the “shell” of a building. Tenant finish permits are issued later to finish construction of the interior of the structure. The impact fee shall be paid prior to the issuance of the building permit for construction of the shell. The amount of the fee shall be based on the intended land use as described by the builder. If a builder applies for a “shell” permit and the intended land use is not known, the impact fees shall be assessed based on that land use which generates the greatest impact and is allowed under the existing zoning for the lot or parcel. If it is found during review of the application for a tenant finish permit that the actual land use differs from the intended land use as described by the builder, a determination shall be made as to whether or not an additional impact fee is due based on the procedures for change of use. If so, the additional impact fee shall be paid prior to the issuance of a new building permit for the completion of the shell. If it is determined that there has been an over-payment of impact fees, a refund would become available pursuant to section 11-122(e) of this chapter. If a shell permit was issued prior to the effective date of the appropriate impact fee ordinance and left unfinished, no impact fee shall be assessed for tenant finish permits. Subsequent change of use, redevelopment, or modification of the structure may be subject to an impact fee based on the procedures for change of use.
- (h) *Change of use.* In the case of a change of use, redevelopment, or modification of an existing use which requires the issuance of a building permit, the impact fee shall be based upon the net increase in the impact fees for the new use as compared to the previous use. The amount of the impact fees that is due as a result of the change in land use shall be determined at the time the feepayer applies for a building permit. The impact fees shall be paid prior to the issuance of a building permit for construction or remodeling. Previous land use shall be the lawful land use physically existing on the effective date of the ordinance or the current lawful land use. The feepayer shall furnish all documentation required by the impact fee administrator to determine the previous use. Should the change of use, redevelopment, or

modification result in a net decrease in the impact, no refunds or credits for impact fees previously paid shall be made. If the change of land use does not require the issuance of a building permit, there shall be no requirement to pay an impact fee.

- (i) *Accessory or auxiliary uses.* Generally, no fee shall be assessed for accessory or auxiliary land uses for residential developments, such as a clubhouse or tennis court in an apartment complex, unless it can be established by the impact fee administrator that the land use serves as an individual attraction. However, structures that meet the definition of a “dwelling” in the City of Dawsonville Building Code are not exempted as accessory or auxiliary uses.

Mobile homes. When a person applies for a permit that would authorize the installation of a mobile home, the feepayer may request a determination by the impact fee administrator as to whether or not a mobile home (or other dwelling unit) was legally in place on that lot, parcel, or space prior to the effective date of the ordinance. If so, no impact fee shall be assessed for installation of the mobile home. An exemption will be granted if it can be documented that an impact fee has been paid previously for a mobile home on that same lot, parcel, or space. Documentation to be used by the impact fee administrator may include utility bills for the period of time in question or tax records.

- (j) *House moves and mobile home moves.* Impact fees shall be assessed for structures or mobile homes moved from one location to another unless the structure or unit being moved is a replacement of an equivalent use at the new location. If the structure or mobile home so moved is replaced by an equivalent use at the old location, no impact fee shall be due for the replacement use. In every case, the burden of proving past payment of impact fees, exemption, or equivalency of use rests with the feepayer.
- (k) *Recreational vehicles (RV's).* Reference to “recreational vehicles” refers to the recreational vehicle site which has been permitted by an applicable development approval. The development of an RV site, not the issuance of a permit, is the relevant regulatory issue for this chapter and the administration of the impact fee. Recreational vehicle development approval should contain a condition of approval providing for payment of the impact fee. The impact fee shall be paid according to this condition of approval and the following provisions:
 - (1) No impact fees shall be assessed for “move in” of a recreational vehicle in an RV park developed prior to the effective date of the ordinance or that has paid an impact fee.
 - (2) RV's located outside of RV parks shall be treated as mobile homes. RV owners who apply for a permit, et cetera, shall pay the impact fees at the same rate as a mobile home and are entitled to the same exemptions as mobile home owners.
- (l) *Model homes.* Model homes on residentially zoned land shall be charged residential impact fees. Model homes on land zoned for nonresidential use shall be charged nonresidential impact fees.

Sec. 11-118. – Exemptions and Waivers.

- (a) *Must be claimed by feepayer.* An exemption must be claimed by the feepayer at the time of application for a building permit. Any exemption not so claimed shall be deemed waived by the feepayer.
- (b) *Total exemptions.*

- (1) *Exemption list.* The following shall be exempted from payment of all impact fees:
 - a. Alteration of an existing building or use of land where the existing use of the property is not changed and there is no additional heated area in residential structures or enclosed or open area in commercial structures.
 - b. The construction of residential accessory or auxiliary buildings or structures which will not be occupied by residents.
 - c. The replacement of a lawfully permitted building, mobile home, recreational vehicle, trailer or structure with a new unit, building or structure of the same type, use and size. If the existing unit, building, or structure is torn down, destroyed by fire or other natural disaster, or otherwise eliminated or moved off the site, or if the original structure is converted to a utility building, garage, or other nonresidential or noncommercial use, the replacement structure will be exempt from the payment of impact fees. The permit applicant shall document such replacement.
 - d. An amendment to a development approval provided that the amended development approval does not increase the impact of the development.
 - e. A permit which is reasonably not expected to result in any additional residents, visitors, building occupants, customers or employees within the City.
- (2) *Applicant's duty.* In applying for the above-mentioned exemptions, it shall be the applicant's responsibility to furnish, as required by the impact fee administrator, all materials and information necessary to validate the exemption including, but not limited to, the following:
 - a. Current opinion of title or title insurance;
 - b. Old and new construction plans;
 - c. Official certificate of occupancy and use records;
 - d. Statements from owner stating past and proposed land use;
 - e. Utility bills or receipts; and
 - f. Tax records.
- (c) *Exemption based on error or misrepresentation.* Exemptions from payment of an impact fee based on error or misrepresentation shall be subject to the provisions for invalid payments found in section 11-116(b)(2).
- (d) *Exemptions for vested permit applications.* Applicants for vested permits must meet the following requirements in order to obtain and maintain an exemption from the payment of some or all impact fees:
 - (1) *Complete application for permit allowing construction of a building, mobile home installation or recreational vehicle installation.* The applicant must submit to the impact fee administrator a completed application form with all necessary attachments, forms, and plans to meet the following requirements:
 - a. Applications for residential building permits must meet all of the requirements of the items listed on the "Impact Fee Calculation Form," section 11-129.
 - b. Applications for permits for mobile home installation must meet all of the requirements of the items identified on the "Impact Fee Calculation Form," section

11-129.

- c. Applications for permit for recreational vehicle installation must meet all of the requirements of the items identified on the “Impact Fee Calculation Form,” section 11-129.
 - d. Applications for nonresidential building permits must meet all of the items identified on the “Impact Fee Calculation Form,” section 11-129.
 - e. The application form must have been reviewed and assigned an application number by the Department of Planning and Zoning. In addition, the date and time stamped by the Department of Planning and Zoning on the application form must be prior to the effective date of the ordinance or ordinance amendment.
- (2) The applicant must pick-up the permit within 30 days of the date stamped on the application by the impact fee administrator.
 - (3) *Health department permit review.* If the applicant has experienced delays in health department permit review, then a receipt from the Dawson County Health Department documenting that the applicant has submitted to the Health Department both of the following applications on or prior to the effective date of the ordinance must be provided:
 - a. Percolation test (soil suitability test); and
 - b. Septic tank permit (application for on-site sewage disposal system permit).
 - (4) *Zoning issues.* In order for the applicant to pick-up a permit within the required 30 days, it will be necessary for the impact fee administrator to sign off on the application. If the impact fee administrator determines that a variance may be necessary and applying for one could cause the applicant to lose an impact fee exemption, the impact fee administrator may adjust the relevant time period for a time reasonably sufficient for the applicant to pursue a variance procedure.
 - (5) *Appeals.* Applicants whose requests for exemptions from impact fees are rejected may appeal the decision pursuant to section 11-123.
- (e) *Waivers.* The collection of impact fees may be waived for particular development projects that create extraordinary economic development or provide affordable housing, provided the following conditions are met.
- (1) *Affordable housing waivers.* Applications for affordable housing waivers must comply with the following.
 - a. Any person seeking an affordable housing exemption shall file with the City Administrator an application for exemption prior to the impact fee payment date for the proposed residential construction. The application for exemption shall contain the following:
 - i. The name and address of the owner;
 - ii. The legal description of the residential construction;
 - iii. The proposed selling price or the proposed rental price, as applicable; and
 - iv. Evidence that the residential construction shall be occupied by low income persons or very-low-income persons.

- b. For residential construction to receive an affordable housing waiver, it must meet all the restrictions of affordable housing as provided herein, and these restrictions must continue for a period of at least ten (10) years from the date of issuance of the building permit.
 - c. If the residential construction meets the requirements for an affordable housing waiver, and sufficient non-impact-fee funds have been appropriated by the Mayor and Council for this purpose and are available to pay the impact fees for the construction, the impact fee administrator shall transfer the funds into the appropriate impact fee accounts and issue the waiver. The waiver shall be presented in lieu of payment of the impact fees.
 - d. In the event the residential dwelling unit fails to meet the restrictions of affordable housing as provided herein at any time within the ten-year period following the issuance of the building permit such that the property no longer qualifies as affordable housing, the impact fees in effect at the time of the change in circumstances shall be immediately due.
- (2) *Economic development waivers/Publicly owned properties.* The Mayor and Council may waive impact fees for particular development projects that create extraordinary economic development and employment growth, pursuant to the following provisions.
- a. The Mayor and Council shall make a finding that the proposed development would create extraordinary economic development and employment growth.
 - b. The Mayor and Council shall appropriate sufficient non-impact fee revenue to pay for the waiver.
 - c. Once the above conditions are satisfied, the impact fee administrator shall transfer the funds into the appropriate impact fee accounts and issue the waiver. The waiver shall be presented in lieu of payment of the impact fees.
 - d. In addition to the above, the Mayor and Council may waive impact fees for development projects which are owned and operated by governmental entities, including but not limited to the City.

Sec. 11-119. - Individual fee determination.

- (a) *Option of the feepayer.* If a feepayer shall opt not to have impact fees determined according to the fee schedule in section 11-117(a), then the feepayer shall prepare and submit an individual fee determination in accordance with this section and the appropriate impact fee ordinance. The utilization of this option by the feepayer shall not exempt him/her from paying the impact fee prior to the issuance of a permit.
- (b) *Notice of intent by feepayer.* The feepayer shall inform the impact fee administrator of his/her intent to utilize an individual fee determination. The impact fee administrator shall then schedule a pre-application meeting with the applicant.
- (c) *Pre-application meeting.* Before beginning the individual fee determination study, the feepayer or his/her representative shall be given the opportunity to attend a pre-application meeting, upon the feepayer's request prior to the submission of an application, with the impact fee administrator and/or the impact fee administrator's appointee. The purpose of the

pre-application meeting is to discuss the procedures of the individual fee determination study, the methodology to be employed, and the standards to be met. Results, conclusions, and agreements reached at the pre-application meeting regarding methodology, required forms or documentation, or procedures, which may not constitute a waiver of ordinance provisions, shall be placed in writing by the impact fee administrator within 15 days. A copy of this memorandum shall be sent to the applicant. The agreements set out in the letter will expire in 30 days from the date of the pre-application meeting unless the applicant acknowledges receipt and acceptance of the agreements in writing, to the impact fee administrator, within those 30 days. The applicant waives the pre-application meeting if the applicant does not request a meeting before submitting his or her application. Any applicant who waives this pre-application meeting has waived his/her right to administratively raise methodological or procedural issues at a subsequent time.

(d) *Guidelines.*

- (1) The purpose of the individual determination study is to measure the impact of the development in question on the arterial road system, the park and recreation system, the library system, or the public safety system of the City to the extent impact fees are being collected for those uses at the time of impact fee calculation.
- (2) An individual determination study must address the expected impact of the development over the projected life of the structures within the development. Any claim that the use or occupancy of the structures within the development will be different from normal use or occupancy must be supported by deed restrictions, restrictive covenants or other appropriate documentation that will support the claim.
- (3) The individual fee determination study shall follow the methodologies and formats which are agreed upon during the pre-application meeting and be in accord with the methodology used in the supporting impact fee study. The methodology in the impact fee study multiplies the number of service units generated by the land use by the net cost per service unit. The individual fee determination study may only address the expected number of service units to be generated by the development, and shall use the net cost per service unit contained in the appropriate impact fee study. The service units are daily vehicle-miles of travel for the road impact fees, household residents for the park and library impact fees, and functional population for the public safety impact fees. In the event that the impact fees are adopted at a percentage less than 100% of the maximum fees calculated in the impact fee study, the individual fee determination study shall apply the same percentage at which the current fees are adopted.
 - a. A minimum of three sites for the land use in question should be selected. The selected sites should be single use sites and should, whenever possible, be located in the City.
 - b. The site inventory and sites proposed for the survey shall be reviewed by the impact fee administrator. The impact fee administrator must approve the sites to be surveyed prior to initiation of any survey.
- (4) The individual fee determination study shall be prepared and presented by professionals qualified in their respective fields. The methodology shall be consistent with best professional practice and support the central claim of the study. The study shall provide all necessary supporting documentation and information. Failure to adhere to best professional standards is a basis for rejection of the study. The applicant's submission

must certify that the study complies with best professional practices and this attestation shall be sealed where and when applicable.

- (5) The applicant shall submit the study to the impact fee administrator. This submission shall begin the 30-day clock referred to below.
- (6) The applicant shall provide the impact fee administrator with the name, address and telephone number of the property owner, the contractor and the applicant.

(e) *Recoupment of cost.*

- (1) The impact fee administrator may require applicants pursuing an individual fee determination to reimburse the City for reasonable non-staff personnel and associated expenses it incurs in order to adequately review and evaluate independent fee determinations.
- (2) The impact fee administrator shall notify applicants in writing if the City intends to obtain and seek recoupment for non-staff personnel and associated expenses that it deems necessary to properly evaluate the application.
- (3) Subsequent to notification, the impact fee administrator shall provide good faith estimates of the costs to be borne by the applicant.

(f) *Sufficiency determination.*

- (1) The impact fee administrator will review the individual fee determination study for sufficiency, methodology, technical accuracy and findings. The impact fee administrator shall have 30 days to review the study and to inform the applicant, in writing, of any deficiencies or defects in the study, or to find the study complete and competent. The notice of sufficiency or lack thereof shall be mailed to the applicant. In the event that this notice is not given within 30 days, the study shall be considered complete and competent.
- (2) Upon receipt of notice of deficiencies or defects in the study, the applicant may modify or supplement the study and resubmit a modified study. The applicant shall have 30 days to respond to said notice and/or resubmit a modified study to remedy defects or deficiencies identified in the notice. The impact fee administrator will consider the individual fee determination study to be inactive if the impact fee administrator does not receive a response from the applicant within 30 days of receipt of the above notice.
- (3) Upon receipt of a response or resubmittal of the study, the impact fee administrator shall have 30 days to review the resubmittal or response and notify the applicant of any further defects or deficiencies in the resubmittal. If the impact fee administrator finds deficiencies or defects in a resubmitted study, notice of such deficiencies or defects shall be provided as in subsection (1) above and subsequent responses from applicants shall be resubmitted as provided in subsection (2) above.

(g) *Determination of fee.*

- (1) The determination of the amount of the applicable impact fee shall be made by the impact fee administrator based on his/her review of a competent and sufficient independent determination study.
- (2) If an applicant requests, the impact fee administrator shall certify, as provided in the Georgia Development Impact Fee Act, O.C.G.A. § 36-71-4(h), the impact fees due for a development and said certification shall establish the applicable impact fees for such development for a period of 180 days from the date thereof.

- (h) *Effective date.* The effective date for impact fees assessed by an individual fee determined shall be the date at which the individual fee determination study is found to be sufficient, or 30 days after submission if there is no finding with respect to sufficiency.
- (i) *Notification of feepayer and appeal.* Within 30 days of the determination that the study is deemed competent and complete, the impact fee administrator shall notify the feepayer in writing of the acceptance, conditional acceptance, or rejection of the request. If the feepayer disagrees with the findings of the impact fee administrator, the feepayer may appeal the decision pursuant to section 11-124.
- (j) *Application for permit.* It shall be the responsibility of the feepayer, at the time of application for a building permit, to present the approved individually determined fee as approved by the impact fee administrator.

Sec. 11-120. - Trust funds.

- (a) *Trust funds established.* A trust fund is established for impact fees collected pursuant to this Article. In the event this Article is amended to impose impact fees other than for parks, the City shall establish separate trust funds for impact fees collected for each category of system improvements.
- (b) *Deposit of impact fees into trust funds.* All impact fees collected shall be properly identified and promptly transferred for deposit in the appropriate impact fee trust fund to be held in a separate interest-bearing account until expended or encumbered in accord with this chapter.

Sec. 11-121. - Use of impact fee funds.

- (a) Impact fees collected shall be used solely for the purpose system improvements for the type of public facility for which the fees were collected, and shall not be used for maintenance or operations.
- (b) Funds shall be used exclusively for acquisitions, expansions, or capital improvements within the service area from which the funds were collected. The service area is the incorporated limits of the City of Dawsonville.
- (c) In the event that bonds or similar debt instruments are issued for advanced provision of capital facilities for which impact fees may be expended, impact fees may be used to pay debt service on such bonds or similar debt instruments to the extent that the facilities provided are of the type described in subsections (a) and (b) above.
- (d) In the event a developer enters into an agreement with the City to construct, fund or contribute system improvements so that the amount of the credit created by such construction, funding or contribution is in excess of the impact fee otherwise due, the developer shall be reimbursed for such excess construction funding or contribution from development impact fees paid by other developments located in the service area which is benefited by such improvements if so provided in the agreement.
- (e) At least once each fiscal period the impact fee administrator shall present to the Mayor and Council a report describing the amount of impact fees collected, encumbered and used, and a proposed capital improvement program, which assigns funds, including any accrued interest,

from the several impact fee trust funds to specific improvement projects and related expenses. Monies, including any accrued interest, not assigned in any fiscal period shall be retained in the same impact fee trust funds until the next fiscal period except as provided by the refund provisions of section 11-122.

- (f) Impact fee funds may be used to provide refunds.
- (g) Funds in the impact fee trust accounts shall be considered expended on a first in, first out basis.

Sec. 11-122. - Refunds.

- (a) *Expiration, revocation, or surrender of permit.* In the event that a building permit or other development approval for which an impact fee was paid expires, is revoked or is surrendered without the commencement of construction, a feepayer or his/her successors in interest shall be entitled to a refund, without interest, equal to 95 percent of the impact fee paid. Five percent of the fee shall be retained by the City to offset the administrative costs of collection and refund. In the case of an expired permit or development approval which was obtained in whole or in part by the use of credits, only the portion not obtained by credit may be refunded.
- (b) *Denial of service.* Pursuant to O.C.G.A. § 36-71-9, in the event that road, park, library or public safety service or access to facilities under the jurisdiction of the City is denied after a road, park, library or public safety impact fee has been paid, the feepayer or his/her successors in interest shall be entitled to a refund of the applicable impact fee.
 - (1) Before issuance of the refund can be authorized, the feepayer or his/her successors in interest shall submit a written request for refund to the impact fee administrator. This request must be submitted within 180 days of the date of the denial of service or access.
 - (2) In applying for the refund, it shall be the applicant's responsibility to furnish, as required by the impact fee administrator, all materials and information necessary to validate proof of payment by the feepayer or his/her predecessor in interest, the date and amount paid, and the permit issued as a result of that payment. The impact fee administrator shall verify whether the impact fee is refundable and, if so, process the applicant's request.
 - (3) The refunded impact fee shall be returned to the applicant with a pro rata share of interest actually earned on the amount to be refunded.
- (c) *Trust accounts not expended.* Any funds within impact fee trust accounts not expended or encumbered by the end of the calendar quarter immediately following six years from the date the relevant impact fee was paid shall be considered refundable. Funds shall be deemed expended or encumbered when a contract or agreement obligating those funds is approved by the City.
 - (1) When funds have not been expended or encumbered within the appropriate period, the impact fee administrator shall provide written notice of an entitlement to a refund to the feepayer who paid the development impact fee at the last known address or to a successor in interest who has given notice of name and address to City of Dawsonville, Department of Planning and Zoning, of a transfer or assignment of the right or entitlement to a refund and who has provided a mailing address. Such notice shall also be published within 30 days after the expiration of the six-year period after the date that the development impact fees were collected and shall contain the heading "Notice of Entitlement to Development

Impact Fee Refund.”

- (2) Before issuance of the refund can be authorized pursuant to this section, the feepayer or his/her successor in interest shall submit a written request for refund to the impact fee administrator. This request must be submitted within one year of the time such refund becomes payable under this section or within one year of publication of the notice of entitlement to a refund, whichever is later. All rights to a refund shall be deemed waived if requests are not timely received.
 - (3) In applying for the refund, it shall be the applicant's responsibility to furnish, as required by the impact fee administrator, all materials and information necessary to validate proof of payment by the feepayer or his/her predecessor in interest, the date and amount paid, and the permit issued as a result of that payment. The impact fee administrator shall verify whether the impact fee is refundable and if so, process the applicant's request.
 - (4) Any impact fee to be refunded under this section shall be made to the feepayer with a pro rata share of interest actually earned on the unused or excess balance within 60 days of after it is determined that sufficient proof of claim for a refund has been made. Any trust fund balance not so refunded shall be transferred to the General Fund of the City of Dawsonville.
- (d) *Termination.* In the event that the imposition of an impact fee is terminated in a portion or in the whole of the City, the trust account balance(s) for that area shall be considered refundable upon application of the feepayer or his/her successor in interest. No refunds of fees will be provided for in the event the fees collected have been expended or encumbered or if a feepayer or his/her successor in interest does not request such a refund.
- (1) Within 30 days following the effective date of this termination, the impact fee administrator shall provide written notice of an entitlement to a refund to the feepayer who paid the development impact fee at the address shown on the application for a permit or to a successor in interest who has given notice to the City of Dawsonville, Department of Planning and Zoning, of a transfer or assignment of the right or entitlement to a refund and who has provided a mailing address. Such notice shall contain the heading “Notice of Entitlement to Development Impact Fee Refund.”
 - (2) Before issuance of the refund can be authorized pursuant to this section, the feepayer or his/her successor in interest shall submit a written request for refund to the impact fee administrator. This request must be submitted within one year of the time such refund becomes payable under this section or within one year of publication of the notice of entitlement to a refund, whichever is later. All rights to a refund shall be deemed waived if requests are not timely received.
 - (3) In applying for the refund, it shall be the applicant's responsibility to furnish, as required by the impact fee administrator, all materials and information necessary to validate proof of payment by the feepayer or his/her predecessor in interest, the date and amount paid, and the permit issued as a result of that payment. The impact fee administrator shall verify whether the impact fee is refundable and if so, process the applicant's request.
 - (4) Fees available for refund shall be prorated over those eligible applicants submitting proper application for refund. In no case shall the applicant receive a refund greater than the amount originally paid plus a pro rata share of interest actually earned on the impacts fees to be refunded. Any trust fund balance not so refunded shall be transferred to the General Fund of the City of Dawsonville.

Holders of impact fee credits shall be considered fee payers for purposes of refunds under this termination procedure.

- (e) *Overpayment.* A refund, without interest, will be made if it is determined by the impact fee administrator that an overpayment of impact fees has occurred.

Sec. 11-123. - Credits.

- (a) *General conditions.* Generally, an applicant may obtain credit for up to 100 percent of impact fees otherwise due or to become due by offering to dedicate land and/or construct improvements for City approved projects. To receive a credit, applicants must file an "Impact Fee Credit Application" as set forth in section 11-130 and provide required information and documentation as required by this section or as determined necessary by the impact fee administrator. Any claim for credit must be made no later than the time of application for an applicable permit. Any right to claim credits shall be deemed waived if not timely made.

- (1) Credits may be available for all required dedications of land or construction of capital improvements or all voluntary dedications of land or construction of capital improvements if such serves a public need as defined by the City of Dawsonville Capital Improvement Element of the City of Dawsonville Comprehensive Plan. Furthermore, credits will only be issued for the dedication of land or construction of a capital improvement if such meets the criteria, as defined in the Impact Fee Act, the City impact fee ordinances and this chapter.

Credits shall be issued on a pro rata basis against impact fees otherwise due or to become due for the development that prompted the City to require such dedications or that is subject to impact fees.

- (2) No credit shall be given for:
 - a. Improvements or land dedications that are not in the adopted capital improvement element of the City's comprehensive plan;
 - b. Improvements deemed to be project improvements pursuant to a City development or zoning approval, and pursuant to the City impact fee ordinances; or
 - c. Improvements which do not meet City or state design standards, whichever is applicable;
 - d. Improvements or land dedications for which compensation has previously been given by a governmental body;
 - e. Private recreational facilities, except as provided in section 11-123(c);
 - f. Private police protection or security services;
 - g. Private public safety or rescue services; or
 - h. Land dedication for or improvements of local or collector roads.
 - (3) The authority to determine credit lies exclusively with the City. In every case impact fee credits shall be calculated so as to be consistent with O.C.G.A. § 36-71-1 through 13.

- (b) *General documentation and procedures.*

- (1) *Application for credit in general.* An offer to make capital improvements or dedicate land in lieu of paying impact fees shall be made in an application filed with the impact fee administrator identifying the capital improvements and/or land dedications for which credits are requested.
 - a. The applicant shall specify the dollar amount of the credit requested. The credit claimed by the applicant as the basis for the credit requested shall be no more than fair market value as determined by the impact fee administrator. It is the obligation of the applicant to submit documentation to the satisfaction of the impact fee administrator that supports the amount of the credit requested and indicates the basis on which the amount requested was calculated.
 - b. An applicant claiming credit for eligible capital improvements and/or land dedication shall timely provide required information and documentation to the impact fee administrator during development review or prior to application for the issuance of building permits, as set out below.
- (2) *Application for credit for construction of capital improvements.* The applicant shall submit a project description in sufficient detail and with cost estimates prepared by qualified professionals, to allow the impact fee administrator to verify the cost estimates and make a credit determination. The application shall include:
 - a. Invoices or other appropriate documents delineating costs claimed as a basis for the requested credit, and
 - b. The method of attribution of any general costs to the improvement for which credit is requested. In no case shall the cost for design, engineering, contingencies and overhead constitute more than 15 percent of the credit granted.
- (3) *Application for credit for land dedication.*
 - a. The impact fee administrator shall coordinate and consult with the City attorney in reviewing an application for land dedication and determine what documentation is needed for accepting an offer of dedication of land.
 - b. The application shall include:
 1. A title opinion issued to the City certified by a licensed State of Georgia attorney and rendered within 60 days of submission thereof, the content of which is satisfactory to the City attorney and verifying that the proffered deed will convey unencumbered title to the appropriate entity;
 2. A certified copy of the most recent assessment of the property for tax purposes. The impact fee administrator may determine credit values based on 115 percent of the most recent tax assessment value; and
 3. Applicants may submit a property appraisal for consideration by the impact fee administrator, as prepared by a certified appraiser licensed to do business in the State of Georgia. In preparing the reports, appraisers shall value the land in the following manner:

If the dedication is made pursuant to a condition of zoning approval, is not a project improvement and the zoning condition does not specifically prescribe otherwise, the land shall be valued based upon the zoning of the land as it existed prior to the zoning approval which contains the condition of dedication; or

Otherwise, appraisers shall value the land at its then current zoning and without any enhanced value which could be attributed to improvements on adjacent lands.

(4) *Determination and issuance of credits.* If the City accepts such an offer, whether the acceptance is before or after the effective date of the appropriate impact fee ordinance, the credit shall be determined and provided in the following manner:

a. *Written determination and certification in general.* The impact fee administrator shall determine the credit for construction of capital improvement or land dedication in a certified written report. The impact fee administrator shall provide the applicant with a copy of the written report certifying the determination of the credit to be provided.

1. The credit determination shall be based upon the cost estimates and other documentation provided by the applicant; or if the impact fee administrator determines that such estimates or documentation submitted by the applicant are either unreliable or inaccurate, then upon alternative engineering criteria, construction cost estimates, or property appraisals through the use of the methodology described in the relevant ordinance.
2. The written determination shall include the following: Whether the credit is provided for park and recreation, library or public safety impact fees; the dollar amount of the credit; the reason for the credit; the legal description or other adequate description of the project or development to which the credit may be applied; and the terms upon which such credit will be issued, including compliance with the provisions of this chapter.

b. *Determination of credit for dedication of land or construction of capital improvement.*

The impact fee administrator shall determine credits for the dedication of land on the following values: 115 percent of the most recent assessed value for purposes of property taxation; or at the option of the applicant, by fair market value determined by the impact fee administrator, based on an appraisal accepted by the impact fee administrator.

The impact fee administrator shall determine credits for the construction of a capital improvement from the engineering criteria and/or construction cost estimates as provided by the applicant and accepted by the impact fee administrator.

c. *Issuance of credits.*

1. Once the impact fee administrator has made a credit determination, a certification of the determination shall be provided to the applicant. The applicant shall sign and date the certification and return the document to the impact fee administrator, which shall be binding on the applicant as to the terms and conditions of the credit.
2. *Land dedication.* Once the amount and terms of the credit are determined, credits will be provided when the following procedures have been satisfied:
 - i. The delivery of a fully executed deed or other appropriate conveyance document, as approved by the City attorney, to the City;
 - ii. Sufficient funds to pay all costs of transfer of title and taxes, including recording fees;

- iii. Payment of all property taxes due for the current year;
 - iv. Receipt of quit claim deeds or other documents sufficient to release all liens identified in the title certificate;
 - v. Receipt of all other appropriate documentation sufficient to ensure conveyance of clear title, free and clear of any encumbrances; and
 - vi. Acceptance of the dedication by the City Council.
- d. *Construction of capital improvements.* Credit for construction of capital improvements may be issued 1) after the completion of the approved project; 2) or before completion in accordance with the following conditions. All credits are conditioned upon compliance with all applicable and then current City, state and federal design, specifications, procedures, inspections, policies, laws and regulations.

Upon completion, credits will be issued when:

- 1. The project is substantially completed and accepted by the City; and
- 2. A maintenance bond, performance bond, warranty bond, letter of credit, maintenance agreement or other document as may be required is received by the City and approved by the City attorney.

Prior to completion, the applicant must comply with the following:

- 1. The feepayer shall submit to the impact fee administrator on appropriate forms a surety performance bond or an automatically renewable, irrevocable letter of credit for an amount equal to 100 percent of the full amount of the cost of construction. The performance bond or letter of credit shall be payable to the City and in a proper form, as reviewed and accepted by the City attorney;
 - 2. The performance bond shall be issued by a good and sufficient surety registered in and licensed to do business in the State of Georgia, for the purpose of securing faithful performance of the construction and to indemnify the City for any damages associated with failure to satisfactorily perform construction in lieu of impact fees; and shall be effective for one year after completion of the construction project;
 - 3. A letter of credit, pursuant to subsection 1. above, shall be automatically renewable unless notice of intent to cancel or not to renew is given to the impact fee administrator not later than 90 days prior to the renewal date;
 - 4. The impact fee administrator shall be entitled to declare default and collect the full amount of the letter of credit or take action on the performance bond in the event that
 - a. a notice to cancel or intent not to renew prior to completion of construction is received; or
 - b. the City determines that construction has not been performed within the terms of the agreement and this Code. If the costs incurred by the City to complete the construction exceed sums available under the letter of credit or performance bond, then the City reserves all available rights in law and equity to recover its damages.
- e. *Increased credits for construction of capital improvements.* In the event that actual construction costs for agreed upon improvements exceed estimates used in credit

determination, the feepayer may request in writing that the credit be increased to account for such additional costs. Feepayer shall provide the impact fee administrator with sufficient documentation to substantiate and justify such request. Any increase in credit shall be made at the discretion of the impact fee administrator if it is determined that an increase is justified.

- (5) *Transferability of credits.* Impact fee credits shall not be transferable from one project or development to another unless so provided for in a development impact fee agreement with the City.
- (6) *Withdrawal of offer by applicant.* Any person who offers land and/or improvements in exchange for credits may withdraw the offer of dedication at any time prior to the transfer of legal title to the land or improvements in question and pay the full impact fees required by the appropriate impact fee ordinance.
- (7) *Cancellation of credit.* Once used, credits shall be canceled and shall not be reestablished even if the permit for which they were used expires without commencing construction. Credits issued in lieu of payment of impact fees shall run with the land.
- (8) *Credit for private park or recreation facilities.* An applicant may apply for credit against park and recreation impact fees otherwise due for private park or recreation improvements by filing a "Parks and Recreation Application for Impact Fee Credit for Private Recreation Facilities," section 11-131. In no circumstance shall credit for private park or recreation facilities exceed 50 percent of the park and recreation impact fees otherwise due.
- (9) The private park or recreation facilities for which credit is sought must serve a public recreational need and, the private park or recreation facilities for which credit is sought must be consistent with the park and recreational provisions within the City's comprehensive plan.
- (10) An applicant wishing to receive credit for private recreational facilities shall submit a request to the impact fee administrator. This request must contain:

An inventory of the private park and recreation facilities for which credit is sought, including:

- a. The nature or use of the park or recreation area;
 - b. The size of the facilities and the equipment or apparatus available to the users;
 - c. The availability of the spaces or facilities to development residents or occupants and the availability of the spaces or facilities to the general public;
 - d. The public park or recreation purpose that is served by the private facility; and
 - e. The park and recreational provisions of the City's comprehensive plan that are furthered by the private facilities.
- (11) The impact fee administrator shall consult with the City's Director of Planning and Zoning and the City's Director of Recreation and Parks on the application for credit. After review, the impact fee administrator shall, within 30 days, notify the applicant of the results of the review. If the request for credit is granted, the impact fee administrator shall notify the applicant of the granting and provide a letter stating the percentage of the park and recreation impact fee that would be applicable to the subject development. The applicant must sign and date a duplicate copy of such letter or certificate indicating his/her agreement to the terms of the letter or certificate and return such signed document to the impact fee administrator before

credit will be given. If the applicant fails to sign, date, and return such document within 30 days of receipt, the impact fee administrator will consider the credit application to be inactive.

(12) The decision of the impact fee administrator may be appealed as set out in section 11-124.

Sec. 11-124. - Appeals.

(a) *Procedure.*

- (1) *Request for reconsideration.* If the applicant or feepayer is dissatisfied with a final decision from the impact fee administrator, deemed such by the impact fee administrator, an applicant, within 15 days of that final decision, may ask for reconsideration by the impact fee administrator by submitting a letter by overnight delivery or certified mail which explains the nature of the feepayer's disagreement with the decision of the impact fee administrator. On the basis of the feepayer's letter and the recommendation of the other departments, the impact fee administrator shall, within 15 days of the receipt for the request for reconsideration, provide a written determination with respect to the request for reconsideration to the applicant or feepayer.
- (2) *Appeal to the Mayor & Council.* All appeals from the impact fee administrator's determination shall be taken within 15 days of the impact fee administrator's decision on the request for reconsideration by submitting to the impact fee administrator by overnight delivery or certified mail a notice of appeal specifying the grounds therefor. The impact fee administrator shall transmit to the Mayor and Council all papers constituting the record upon which the action appealed from is taken. The Mayor and Council shall thereafter establish a reasonable date and time for a hearing on the appeal, give due notice thereof, and make a determination on the appeal within a reasonable period of time following the hearing. Any applicant or feepayer taking an appeal shall have the right to appear at the hearing, to present their arguments through documentation and/or oral presentation, and may be represented by counsel.
- (3) *Judicial remedy.* Nothing in this chapter or in the impact fees ordinances is intended to preclude any applicant who is dissatisfied with the determination of the Mayor and Council from seeking a judicial remedy pursuant to the applicable state statutes regarding appeal procedures.

(b) *Payment of impact fees pending appeal.*

- (1) The permit applied for will not be issued unless the impact fee as determined by the impact fee administrator is paid in full, regardless of an appeal by an applicant.
- (2) Any reduction of impact fees resulting from a successful appeal shall be by refund of any excess amount paid at the time of the issuance of the permit. No interest will be paid on a refund of any such overpayment.

Sec. 11-125. - Enforcement.

(a) *Misdemeanor.*

- (1) Knowingly furnishing false information on any matter relating to the administration of the impact fees ordinances to the impact fee administrator, or any designee, shall

constitute a violation thereof.

- (2) A violation of the impact fee ordinances shall be a misdemeanor punishable according to law. Staff of the City who are aware of such violations shall present their evidence to the City's code enforcement officer and/or the City of Dawsonville Police Department for investigation and possible issuance of a citation.
- (b) *Code enforcement.* In addition to the enforcement provision in subsection (a) above, those authorized to enforce City of Dawsonville codes and ordinances may be requested by the impact fee administrator and/or the City attorney to enforce specified provisions of the impact fee ordinances.
- (c) *Penalty provision.* A violation of this chapter shall be prosecuted in the same manner as misdemeanors are prosecuted and upon conviction, the violator shall be punishable according to law; however, in addition to or in lieu of any criminal prosecution the City of Dawsonville shall have the power to sue in civil court to enforce the provisions of this chapter.

Sec. 11-126. - Review.

The impact fee study, the impact fee schedule set forth in section 11-117, this chapter and the administration of the impact fee system shall be reviewed by the Mayor and Council at least once every two fiscal years to determine if any updates or revisions are needed.

Sec. 11-127. - Amendments.

All additions or changes to this chapter shall be subject to review and approval by the Mayor and Council as amended items during the regular meetings of the Mayor and Council. Copies of this chapter as revised and approved by the Mayor and Council, and any subsequent amendments approved by the Mayor and Council, shall be made available to all City staff who administer impact fees and shall be made available to members of the general public, upon request, at designated locations in the City.

Sec. 11-128. - Land Use Categories

The following list of specific land use types within each fee schedule land use category is intended to provide guidance to the impact fee administrator in determining the appropriate classification of proposed land uses.

- (a) Single-Family Detached (per dwelling unit)
 - (1) Single-family detached
 - (2) Manufactured or mobile home subdivision
 - (3) Manufactured or mobile home on a separate lot outside a mobile home park
- (b) Multi-Family (per dwelling unit)
 - (1) Single Family Attached (Townhouse)
 - (2) Villa
 - (3) Duplex

- (4) Apartment
- (5) Condominium
- (6) Triplex
- (7) Fourplex
- (8) Retirement community (if multi-family dwelling units)
- (9) Accessory apartment
- (c) Mobile Home Park (per space)
 - (1) Manufactured or mobile home park
 - (2) Recreational vehicle park
 - (3) Recreation vehicle that requires building permit for electrical hook-up, etc.) as well as land use permit
- (d) Retail/Commercial (per square foot of gross floor area)
 - (1) Shopping center
 - (2) Freestanding retail
 - (3) Specialty retail center
 - (4) Supermarket
 - (5) Drug store or pharmacy
 - (6) Department store
 - (7) Discount store
 - (8) Hardware/paint store
 - (9) Furniture store
 - (10) Clothing/apparel/fabric store
 - (11) Jewelry/watch store
 - (12) Automobile sales or service
 - (13) Fast food restaurant
 - (14) High-turnover, sit-down restaurant
 - (15) Quality restaurant
 - (16) Bar or night club
 - (17) Convenience store
 - (18) Gas station/service station
 - (19) Car wash
 - (20) Barber shop
 - (21) Beauty salon
 - (22) Shoe repair shop

- (23) Dry cleaners
- (24) Amusement park
- (25) Bowling alley
- (26) Dance studio
- (27) Fitness center
- (28) Funeral home
- (29) Golf course or driving range
- (30) Marina
- (31) Movie theater
- (32) Vocational or technical school
- (33) Hotel or motel
- (34) Bed and breakfast inn
- (35) Boarding or rooming house
- (36) Campground
- (37) Commercial recreational facility, outdoor
- (38) Plant nursery or retail greenhouse
- (39) Shooting range, commercial
- (e) Office (per square foot of gross floor area)
 - (1) General office building
 - (2) Medical office or clinic
 - (3) Dental office
 - (4) Optician
 - (5) Chiropractor
 - (6) Veterinarian or kennel (except large animal, agricultural services)
 - (7) Investment broker
 - (8) Attorney
 - (9) Accountant
 - (10) Real estate
 - (11) Insurance
 - (12) Engineering
 - (13) Government agency
 - (14) Corporate headquarters
 - (15) Office park
 - (16) Research center

- (17) Financial institution
- (18) Bank (walk-in or drive-in)
- (19) Savings and loan (walk-in or drive-in)
- (20) Radio or television recording or broadcasting studio
- (21) Telemarketing
- (22) Software development or support
- (23) Business office of nonprofit organization
- (f) Industrial (per square foot of gross floor area)
 - (1) Light or heavy industrial
 - (2) Manufacturing
 - (3) Mining or extraction
 - (4) Assembly plant
 - (5) Bottling works
 - (6) Dry cleaning plant
 - (7) Industrial park
 - (8) Printing plant
 - (9) Research and development center
 - (10) Welding shop
 - (11) Wholesale bakery
- (g) Warehouse (per square foot of gross floor area)
 - (1) Storage warehouse
 - (2) Wholesale distributor
 - (3) Moving and storage
 - (4) Mini-warehouse
 - (5) Salvage yard or junk yard
 - (6) Mail processing center
 - (7) Wholesale Greenhouse
 - (8) Materials recovery facility
- (h) Public/Institutional (per square foot of gross floor area)
 - (1). Elementary, secondary or higher educational establishment
 - (2) Day care center
 - (3) Hospital
 - (4) Mental institution
 - (5) Nursing or convalescent home

- (6) Jail
- (7) Other institutional group quarters (congregate living facility, dormitory)
- (8) Fire station
- (9) City hall
- (10) County court house
- (11) Civic center
- (12) Convention center
- (13) Sports arena
- (14) Post office
- (15) Jail
- (16) Library
- (17) Museum
- (18) Place of religious worship
- (19) Military base
- (20) Airport
- (21) Bus station
- (22) Nonprofit club or lodge
- (23) Park or playground
- (24) Water or sewage treatment plant
- (25) Recycling collection point or recycling plant
- (26) Solid waste landfill or handling facility
- (27) Public utility facility

Sec. 11-129. - Impact Fee Calculation Form

City of Dawsonville IMPACT FEE CALCULATION FORM

SECTION 1

Property Owner	Contractor
Permit Reference Number	Permit Type
Property ID Number	Job Address

The impact fees calculated herein have been determined based on the fee schedules adopted in the City of Dawsonville Code Impact Fee Ordinance. This form is authorized only for those building projects expressly identified above. Changes or modifications to the building referred to above or amendments to the impact fee schedules contained in the City of Dawsonville Impact Fee Ordinance shall render this calculation form null and void.

ANY CLAIM FOR CREDIT OR EXEMPTION MUST BE MADE NO LATER THAN THE TIME OF APPLICATION FOR A BUILDING PERMIT OR PERMIT FOR MOBILE HOME INSTALLATION. ANY CLAIM NOT SO MADE SHALL BE DEEMED WAIVED.

Signature	Date>
-----------	-------

LAND USE CATEGORY _____ (If Change, FROM _____ TO _____)
No. of Dwelling Units _____ (If Change, FROM _____ TO _____)
Nonresidential Sq. Feet _____ (If Change, FROM _____ TO _____)

CHANGE IN LAND USE CATEGORY?	() YES () NO
SHELL PERMIT?	() YES () NO
CREDIT REQUESTED	() YES* () NO
CATEGORY REVIEW REQUESTED	() YES* () NO
INDIVIDUAL FEE APPLICATION	() YES* () NO
*IF YES IS CHECKED, DETERMINATION MUST BE MADE PRIOR TO RELEASE	

PLANNING AND ZONING RELEASE _____ DATE: _____

PARKS IMPACT FEE		
Parks Impact Fee	_____ units x \$ _____ per unit	\$ _____
Parks Credits Applied		\$ _____
Net Parks Impact Fees		\$ _____

TOTAL IMPACT FEES	
Total Net Impact Fees Due	\$ _____

| _____ |

SECTION 2. IMPACT FEES COLLECTION

To be filled out by Department of Planning and Zoning:

The total Impact Fees calculated in Section 1 of this form and shown here in Section 2 have been paid in full:

Amount:	\$ _____	_____
Date:	_____	Cashier Signature
Check Number:	_____	

In the event of possible refund of Development Impact Fees paid, please provide the following names and addresses:

Property Owner Name	Property Owner Address
Impact Fee Payer Name	Impact Fee Payer Address
Contractor Name	Contractor Address

Sec. 11-130. - Impact Fee Credit Application

City of Dawsonville IMPACT FEE CREDIT APPLICATION

CREDIT REQUEST

The City of Dawsonville development impact fee ordinances provide for the donation of property or the construction of facilities in lieu of impact fee payments for development projects within the City. Accordingly, you are hereby requested to review the submitted documentation to determine the applicable credit, if any.

Name of Applicant	
Street Address	
City, State, Zip Code	
Permit Number	
Approval Date	

CREDIT TRANSFER

Applicants for transfer of impact fee credits must attach a copy of the impact fee agreement approving the transferability of impact fee credits.

Account Number	Amount

The above impact fee credit account has previously been established for the undersigned to be used to offset impact fee assessments in the City of Dawsonville, Georgia. Accordingly, you are hereby requested to transfer these credits as identified above.

Credit Holder's Name	Signature	Date

APPLY CREDIT

Account Number	Service Area	Amount

The above impact fee credit account has previously been established for the undersigned to be used to offset impact fee assessments in the City of Dawsonville, Georgia. Accordingly, you are hereby requested to apply these credits as identified above to:

		\$
Account Number	Service Area	Amount
Subdivision/Project Name:		

Thank you for your prompt attention to the above request. .

Credit Holder's Name	Signature	Date

DEPARTMENTAL USE ONLY

—Approved Amount—

Name	Title	Date

Sec. 11-131. - Application for Parks and Recreation Credit for Private Facilities

City of Dawsonville
APPLICATION FOR PARKS AND RECREATION IMPACT
FEE CREDIT FOR PRIVATE FACILITIES

The City of Dawsonville development impact fee ordinances establish that park and recreation impact fees otherwise due may be reduced in recognition of the public benefit resulting from certain private park or recreational facilities. The impact fee administrator will review the following to determine the amount of reduction, if any, to be approved.

DEVELOPMENT _____

Please provide the name and location of the development and name of the agent. PRIVATE FACILITIES: The private facilities provided are:

Name	Location	Use	Size
Name	Location	Use	Size
Name	Location	Use	Size

Are these facilities:

Open to the public?	() Yes () No
Open to all residents/Occupants?	() Yes () No

PUBLIC PURPOSE

What public purpose is met by the provision of these private facilities? Please refer to the City of Dawsonville Comprehensive Plan in responding.



DAWSONVILLE CITY COUNCIL EXECUTIVE SUMMARY FOR AGENDA ITEM # 10

SUBJECT: **COMPREHENSIVE DOWNTOWN STRATEGIC PLAN**

CITY COUNCIL MEETING DATE: 02/19/2024

BUDGET INFORMATION: GL ACCOUNT # N/A

☐ Funds Available from: _____ Annual Budget _____ Capital Budget Other _____

☐ Budget Amendment Request from Reserve: _____ Enterprise Fund _____ General Fund

PURPOSE FOR REQUEST:

PRESENTATION OF THE DOWNTOWN COMPREHENSIVE STRATEGIC PLAN RESULTS AND INVITATION FOR COUNCIL INPUT.

HISTORY/ FACTS / ISSUES:

TSW WAS CONTRACTED TO PRODUCE A COMPREHENSIVE DOWNTOWN DAWSONVILLE STRATEGIC PLAN INCLUDING PROPOSED IMPROVEMENT PROJECTS & PROGRAMS FOR EXISTING DOWNTOWN AREAS, A MASTER PLAN FOR THE PROPOSED 17-ACRE DEVELOPMENT WITH DESIGN GUIDELINES, AND INTEGRATED IMPLEMENTATION PLAN.

OPTIONS:

THE PROPOSED PLAN CONCEPTS WERE GUIDED BY AN INTENSIVE PUBLIC PARTICIPATION PROCESS BEGINNING IN OCTOBER OF 2022, PREVIOUSLY CREATED COMMUNITY PLANS, AND ANALYSIS OF THE EXISTING COMMUNITY AND MARKET CONDITIONS. COUNCIL SUPPORT OR OTHERWISE FEEDBACK IS CRITICAL AT THIS STAGE AS FINAL PLAN DOCUMENTS AND DETAILS ARE DEVELOPED.

RECOMMENDED SAMPLE MOTION:

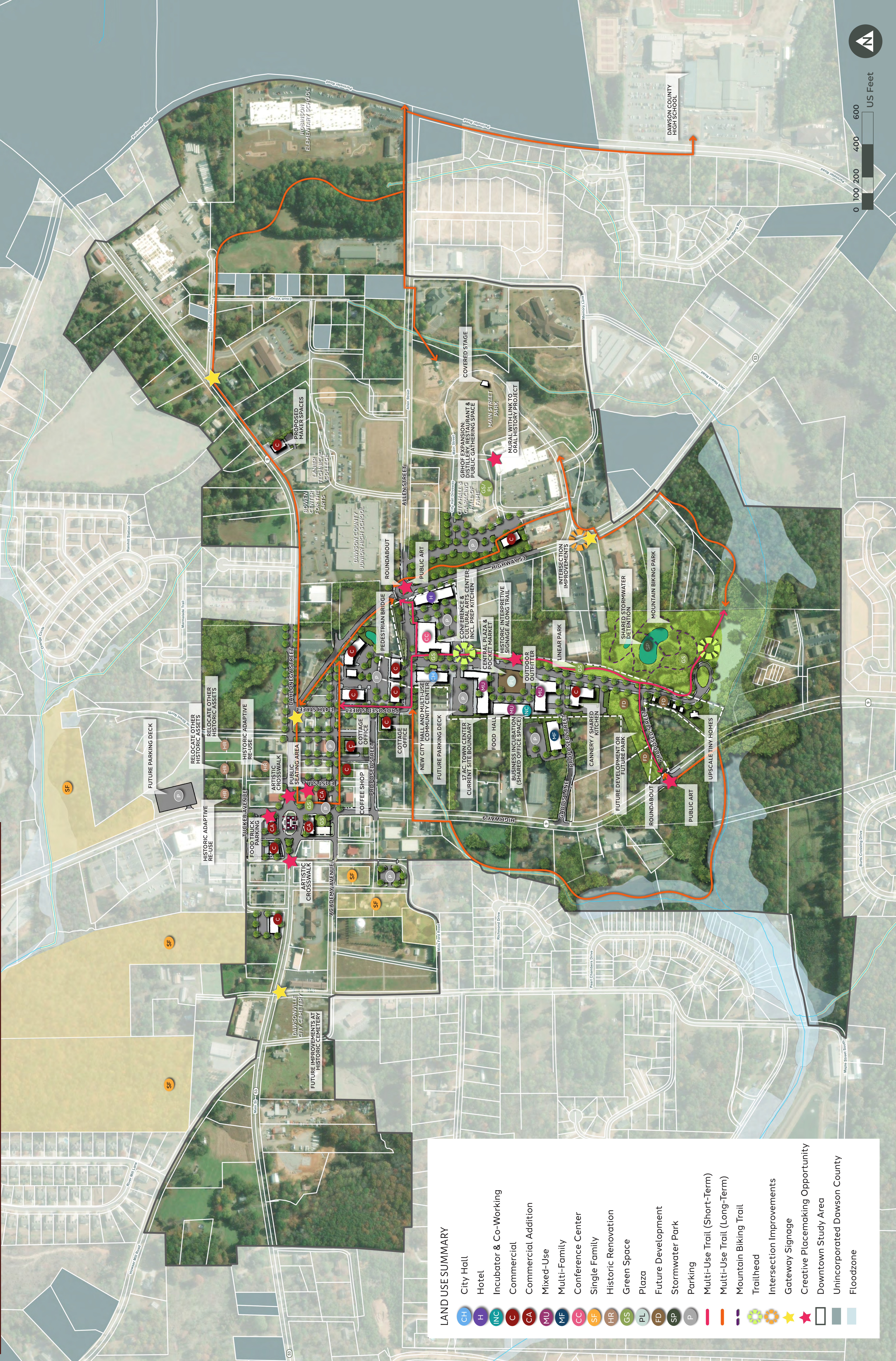
SUPPORT PLAN, RECOMMEND REVISIONS, OR REQUEST FOR FURTHER INFORMATION.

REQUESTED BY: Amanda Edmondson, Director of Downtown Development

DOWNTOWN DAWSONVILLE STRATEGIC PLAN

LAND USE SUMMARY

- City Hall
- Hotel
- Incubator & Co-Working
- Commercial
- Commercial Addition
- Mixed-Use
- Multi-Family
- Conference Center
- Single Family
- Historic Renovation
- Green Space
- Plaza
- Future Development
- Stormwater Park
- Parking
- Multi-Use Trail (Short-Term)
- Multi-Use Trail (Long-Term)
- Mountain Biking Trail
- Trailhead
- Intersection Improvements
- Gateway Signage
- Creative Placemaking Opportunity
- Downtown Study Area
- Unincorporated Dawson County
- Floodzone





CITY OF DAWSONVILLE

COMPREHENSIVE DOWNTOWN STRATEGIC PLAN

FINAL PLAN OPEN HOUSE

JANUARY 25TH, 2024

INTRODUCTIONS

CITY OF DAWSONVILLE

Mayor John Walden

Amanda Edmondson, AICP
Director of Downtown Development

TSW

Land Use, Zoning, Transportation, Placemaking,
Urban Design, Design Guidelines



Adam Williamson,
PLA, AICP



Beverly Bell



Nick Johnson,
AICP

KB ADVISORY GROUP

Real Estate Market Analysis and
Recommendations



Geoff Koski



Tate Davis



Gabrielle Oliverio

AGENDA

Project Process and Timeline

Overview of Key Recommendations

Comprehensive Strategic Plan

- Overview
- Historic Downtown
- 17-Acre Site
- Mobility

Real Estate Demand Forecast

Implementation Strategy

Open House Activities Overview

Next Steps



PROJECT PROCESS AND TIMELINE

PROJECT TASKS

Task 1: Initiate + Understand

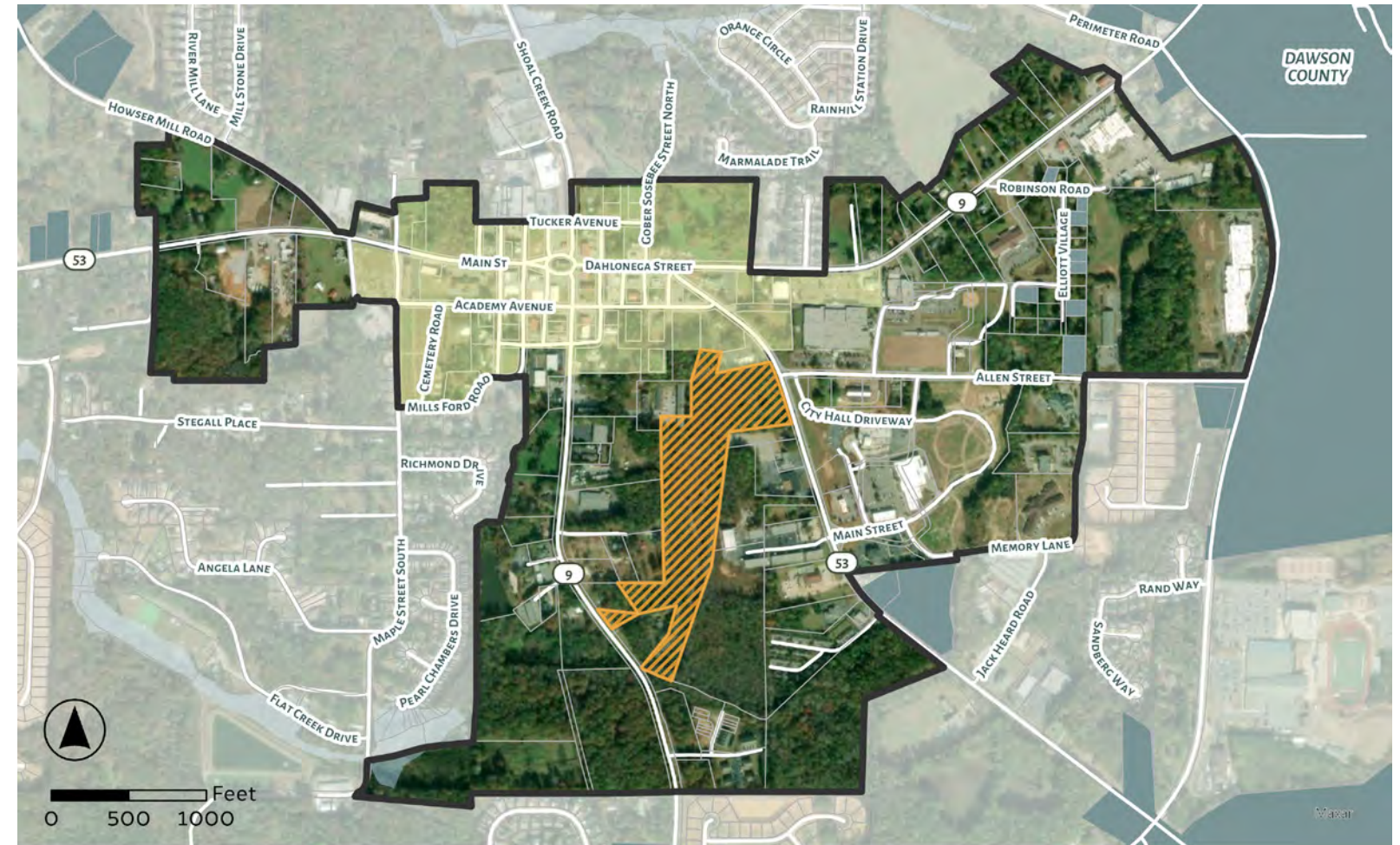
- Analyze existing codes, planning studies, land use, zoning, and transportation.
- Prepare real estate market analysis

Task 2: Engage + Discover

- Collect community throughout the planning process with three public meetings.

Task 3: Guide the Future

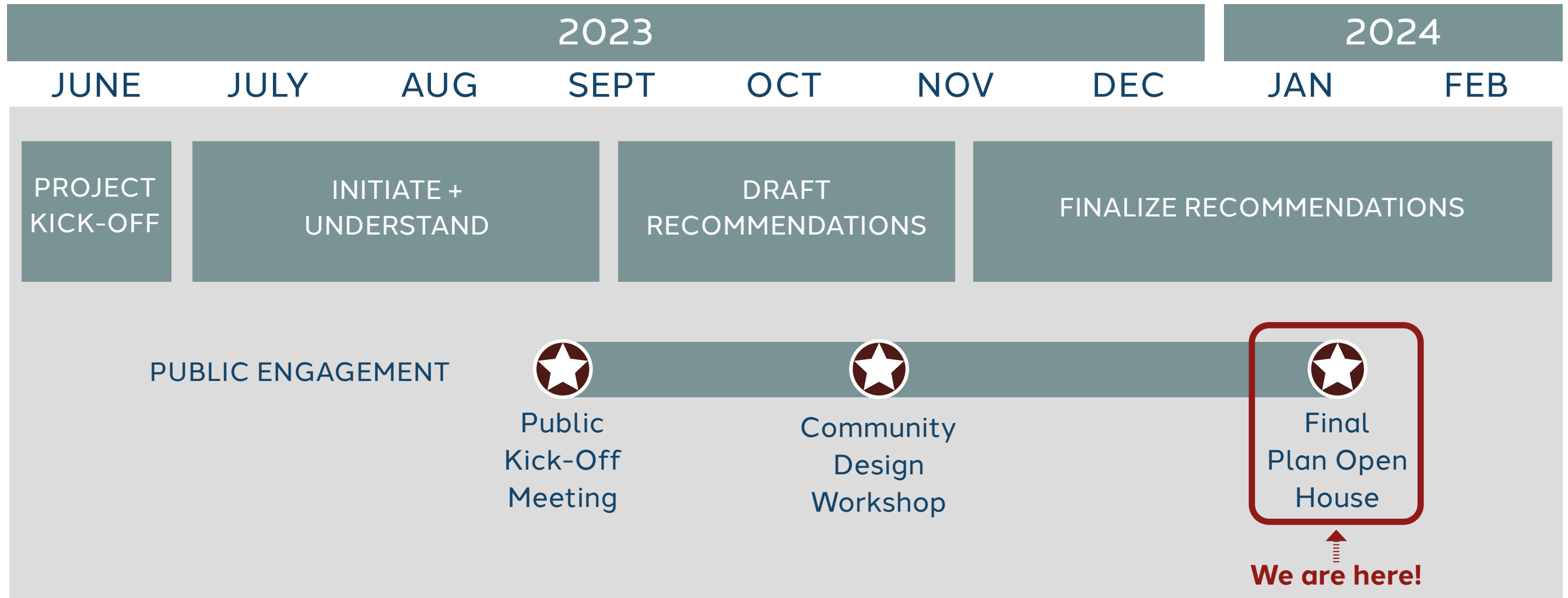
- **Develop a community transformation strategy for downtown.**
- **Produce an implementation and action plan.**
- **Create design guidelines.**



DOWNTOWN DAWSONVILLE // BASE MAP

- 17-ACRE CATALYTIC SITE
- HISTORIC DISTRICT
- FLOOD ZONES
- UNINCORPORATED DAWSON COUNTY

PROJECT TIMELINE



KEY RECOMMENDATIONS

KEY RECOMMENDATIONS



**Promote Catalytic
Projects in Downtown**



**Preserve and Revitalize
Buildings in the Historic
Downtown**



**Create Downtown
Spaces for Business
Incubation**



**Improve Streetscapes
and Connect Streets**



**Create a Multi-Use
Greenway System**



**Create a Variety of
Public Gathering
Spaces + Parks that
Promote Recreation**



**Design and Install
Branded Signage
and Wayfinding
Elements**



**Create Design Guidelines
that Promote Sustainable
Development in
Downtown**



**Promote Art,
History, &
Landscape**



PROMOTE CATALYTIC PROJECTS IN DOWNTOWN

Key Points

- Redevelop or infill parcels that have historic value, unique character, underutilized parking areas, and/or vacant land
- Develop the 17 acre site in a manner that meets community needs and is complementary of the historic downtown





PRESERVE AND REVITALIZE BUILDINGS IN THE HISTORIC DOWNTOWN

Key Points

- Historic downtown Dawsonville contains a mix of historic buildings and other non-historic buildings that provide a unique sense of place
- Support renovating and rehabilitating culturally significant buildings to increase vibrancy and activation of downtown, and maintain the historic aesthetics of downtown

BEFORE



AFTER





CREATE DOWNTOWN SPACES FOR BUSINESS INCUBATION

Key Points

- Add opportunities for business incubation spaces to encourage future generations and emerging business owners to remain local
- Spaces centered around food services may be the highest priority given there is a high retail leakage in this sector and a strong community desire to see this in downtown
- Potential opportunities include:
 - » Cannery / Shared Kitchen
 - » Pocket market
 - » Business Incubator / Coworking Space





IMPROVE STREETSCAPES AND CONNECT STREETS

Key Points

- Connect the gaps in the street grid by extending key streets from the historic downtown to the 17-acre site and City Hall area
- Emphasize pedestrian friendly streetscapes in the design of the 17-acre site
- Renovate the historic downtown's streetscapes (long-term, dependent on when bypass is constructed)
 - » Provide a safer and more enjoyable walkable experience by adding street trees and street furniture, enhancing the sidewalk zones, and encouraging active storefronts and outdoor dining areas
- Improve sidewalk connections
 - » Prioritize filling in key gaps in the sidewalk system
 - » Address sidewalk improvements for any sidewalks that are not to ADA standards





CREATE A MULTI-USE GREENWAY SYSTEM

Key Points

- Create a multi-use green trail system that could be used by bicyclists, pedestrians, and potentially golf carts in certain areas that connects historic downtown, the 17 acre parcel, and City Hall + Main Street Park, as well as establishing a wider trail system along the creeks to increase recreational use
- Explore tunnel and/or bridge option over/under Hwy 23 to provide safe crossings and wayfinding
- Create trailheads for the trail system in centralized locations that bring awareness to the trail system and provide easy access

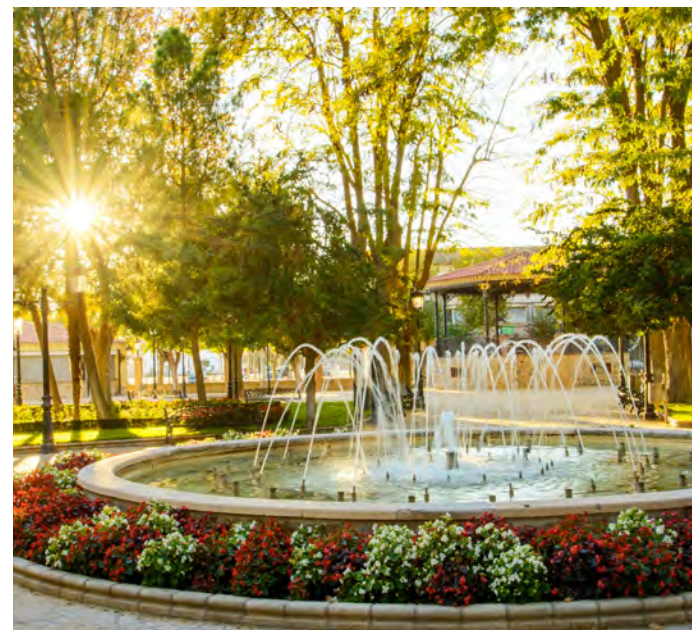




CREATE A VARIETY OF PUBLIC GATHERING SPACES + PARKS THAT PROMOTE RECREATION

Key Points

- Create public spaces in the historic downtown when redeveloping or infilling vacant or underutilized parcels
- Integrate outdoor recreation activities into public spaces and parks to complement the natural surroundings of Dawsonville
- Design a variety of greenspaces and public spaces in the new 17-acre site that accommodates a variety of activities
 - » Central plaza
 - » Linear park and trail
 - » Pocket parks
 - » Mountain biking park
- Utilize the Main St. Park open lawn for multi-use events





DESIGN AND INSTALL BRANDED SIGNAGE AND WAYFINDING ELEMENTS

Key Points

- Hire a consultant to expand the current brand and develop wayfinding signage designs that integrates the Downtown Dawsonville logo
- Key wayfinding elements should include gateway signage, directional signposts, smaller branded signage in downtown such as light pole banners, and trail markers





CREATE DESIGN GUIDELINES THAT PROMOTE SUSTAINABLE DEVELOPMENT IN DOWNTOWN

Key Points

- When creating the design guidelines for the 17-acre site, support green infrastructure such as:
 - » Native and adaptable plant selections
 - » Stormwater designs that mimic natural hydrology including as raingardens, stormwater amenity areas, bioswales, and permeable surface materials
 - » Sustainable regional building materials
 - » Tree requirements to decrease potential heat island effect
- Promote sustainable streetscape design into historic downtown as improvements are made





PROMOTE ART, HISTORY, & LANDSCAPE

Key Points

- Public art has the unique power to draw people together, create vibrant gathering spaces, and celebrate local history
- Develop a history and public art master plan to identify opportunities and establish an action plan for implementing projects
- Install a short-term creative urbanism project in historic downtown to add vibrancy and utilize a vacant space
- The following types of art have been ranked high priority by the community:
 - » Artful landscapes
 - » Art park
 - » Functional art
 - » Painted murals
 - » Historic interpretive art



COMPREHENSIVE STRATEGIC PLAN

OVERVIEW

KEY

- CH City Hall
- H Hotel
- INC Incubator & Co-Working
- C Commercial
- CA Commercial Addition
- MU Mixed-Use
- MF Multi-Family
- CC Conference Center
- SF Single Family
- HR Historic Renovation
- GS Green Space
- PL Plaza
- FD Future Development
- SP Stormwater Park
- P Parking
- Multi-Use Trail (Short-Term)
- Multi-Use Trail (Long-Term)
- Mountain Biking Trail
- Trailhead
- Intersection Improvements
- ★ Gateway Signage
- ★ Creative Placemaking Opportunity
- Downtown Study Area
- Unincorporated Dawson County
- Floodzone



HISTORIC DOWNTOWN

- KEY**
- C** Commercial
 - CA** Commercial Addition
 - SF** Single Family
 - HR** Historic Renovation
 - GS** Green Space
 - P** Parking
 - Multi-Use Trail (Short-Term)**
 - Multi-Use Trail (Long-Term)**
 - Mountain Biking Trail**
 - Trailhead**
 - Intersection Improvements**
 - Gateway Signage**
 - Creative Placemaking Opportunity**
 - Downtown Study Area**



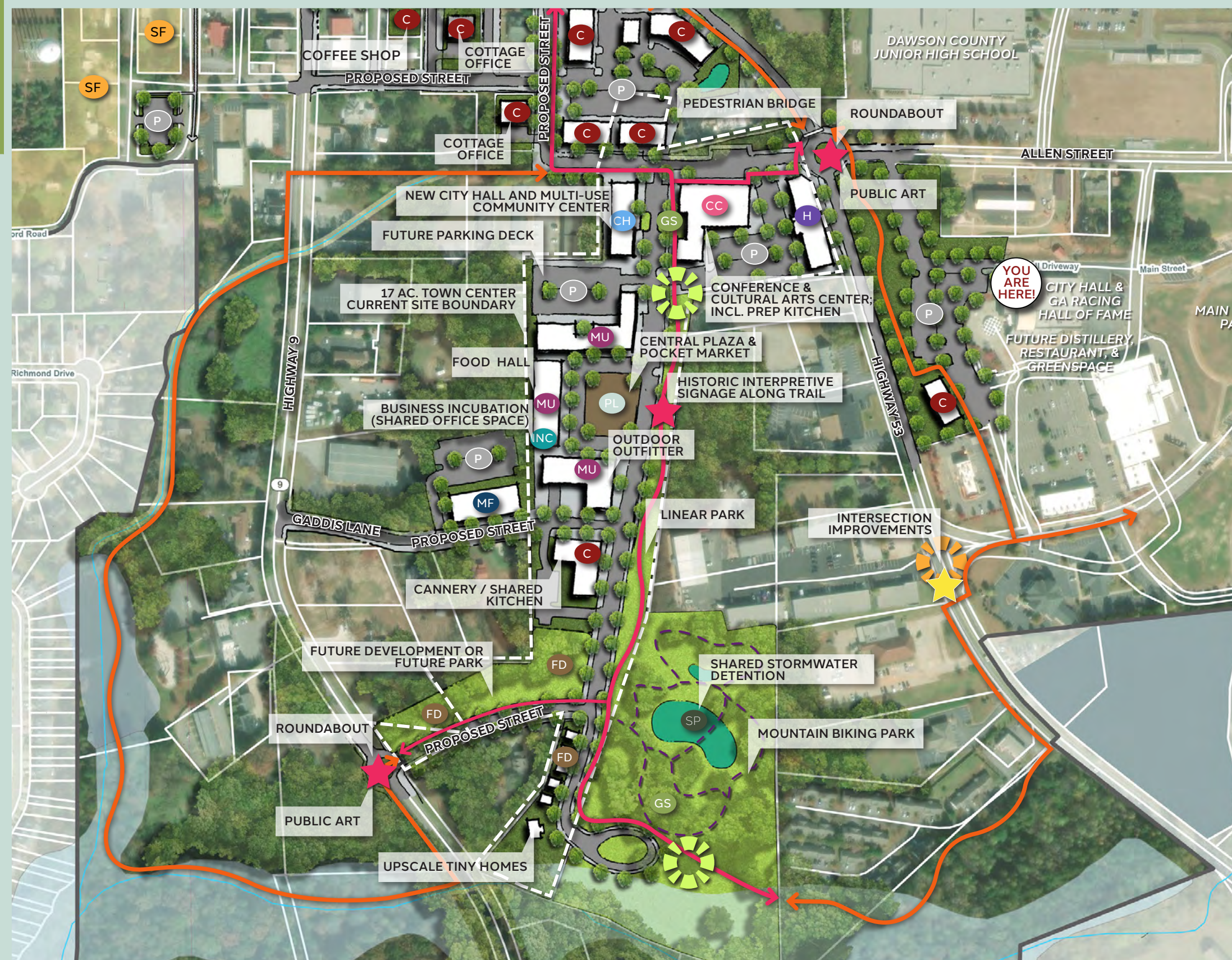
HISTORIC DOWNTOWN - EXAMPLE IMAGERY



17-ACRE SITE

KEY

- CH City Hall
- H Hotel
- INC Incubator & Co-Working
- C Commercial
- MU Mixed-Use
- MF Multi-Family
- CC Conference Center
- SF Single Family
- HR Historic Renovation
- GS Green Space
- PL Plaza
- FD Future Development
- SP Stormwater Park
- P Parking
- Multi-Use Trail (Short-Term)
- Multi-Use Trail (Long-Term)
- Mountain Biking Trail
- ⬢ Trailhead
- ⬢ Intersection Improvements
- ★ Gateway Signage
- ★ Creative Placemaking Opportunity
- Downtown Study Area
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- Floodzone



17-ACRE TOWN CENTER PERSPECTIVE

**AERIAL VIEW
FACING
NORTHEAST**

AERIAL VIEW
FACING WEST

POCKET MARKET

GATHERING
SPACE

PLAY AREA

ROOFTOP
BALCONY AND
PLAZA

VIEW FROM
ROOFTOP
BALCONY

LINEAR PARK
AND TRAIL
CONNECTION



17-ACRE TOWN CENTER PERSPECTIVE

AERIAL VIEW
FACING
NORTHEAST

**AERIAL VIEW
FACING WEST**

POCKET MARKET

GATHERING
SPACE

PLAY AREA

ROOFTOP
BALCONY AND
PLAZA

VIEW FROM
ROOFTOP
BALCONY

LINEAR PARK
AND TRAIL
CONNECTION



17-ACRE TOWN CENTER PERSPECTIVE

AERIAL VIEW
FACING
NORTHEAST

AERIAL VIEW
FACING WEST

POCKET MARKET

GATHERING
SPACE

PLAY AREA

ROOFTOP
BALCONY AND
PLAZA

VIEW FROM
ROOFTOP
BALCONY

LINEAR PARK
AND TRAIL
CONNECTION



17-ACRE TOWN CENTER PERSPECTIVE

AERIAL VIEW
FACING
NORTHEAST

AERIAL VIEW
FACING WEST

POCKET MARKET

**GATHERING
SPACE**

PLAY AREA

ROOFTOP
BALCONY AND
PLAZA

VIEW FROM
ROOFTOP
BALCONY

LINEAR PARK
AND TRAIL
CONNECTION



17-ACRE TOWN CENTER PERSPECTIVE

AERIAL VIEW
FACING
NORTHEAST

AERIAL VIEW
FACING WEST

POCKET MARKET

GATHERING
SPACE

PLAY AREA

ROOFTOP
BALCONY AND
PLAZA

VIEW FROM
ROOFTOP
BALCONY

LINEAR PARK
AND TRAIL
CONNECTION



17-ACRE TOWN CENTER PERSPECTIVE

AERIAL VIEW
FACING
NORTHEAST

AERIAL VIEW
FACING WEST

POCKET MARKET

GATHERING
SPACE

PLAY AREA

ROOFTOP
BALCONY AND
PLAZA

VIEW FROM
ROOFTOP
BALCONY

TRAIL AND
PEDESTRIAN
CONNECTION



17-ACRE TOWN CENTER PERSPECTIVE

AERIAL VIEW
FACING
NORTHEAST

AERIAL VIEW
FACING WEST

POCKET MARKET

GATHERING
SPACE

PLAY AREA

ROOFTOP
BALCONY AND
PLAZA

VIEW FROM
ROOFTOP
BALCONY

LINEAR PARK
AND TRAIL
CONNECTION



17-ACRE TOWN CENTER PERSPECTIVE

AERIAL VIEW
FACING
NORTHEAST

AERIAL VIEW
FACING WEST

POCKET MARKET

GATHERING
SPACE

PLAY AREA

ROOFTOP
BALCONY AND
PLAZA

VIEW FROM
ROOFTOP
BALCONY

LINEAR PARK
AND TRAIL
CONNECTION



MOBILITY OVERVIEW

KEY

-  Parking
-  Multi-Use Trail (Short-Term)
-  Multi-Use Trail (Long-Term)
-  Mountain Biking Trail
-  Trailhead
-  Intersection Improvements
-  Gateway Signage
-  Creative Placemaking Opportunity
-  Downtown Study Area
-  Unincorporated Dawson County
-  Floodzone

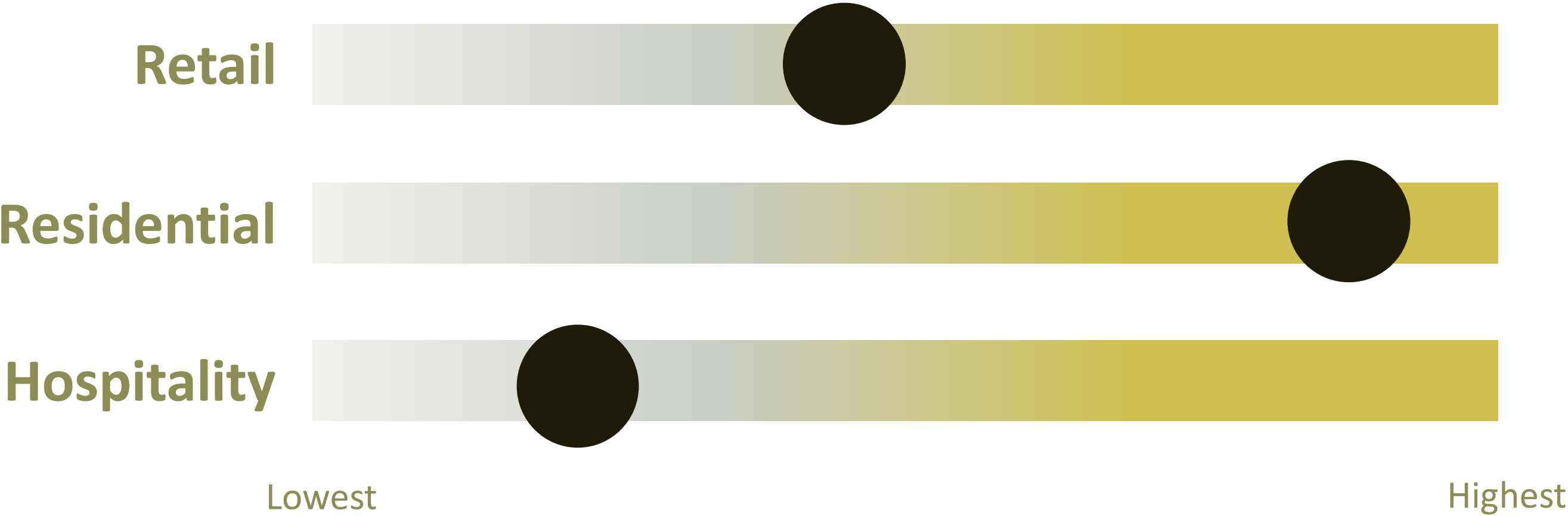


REAL ESTATE DEMAND FORECAST

DEMAND POTENTIAL

The chart below assesses the market opportunity for each use based on a series of **market conditions** including: development pipeline for each use, rents, vacancy rates, and future potential.

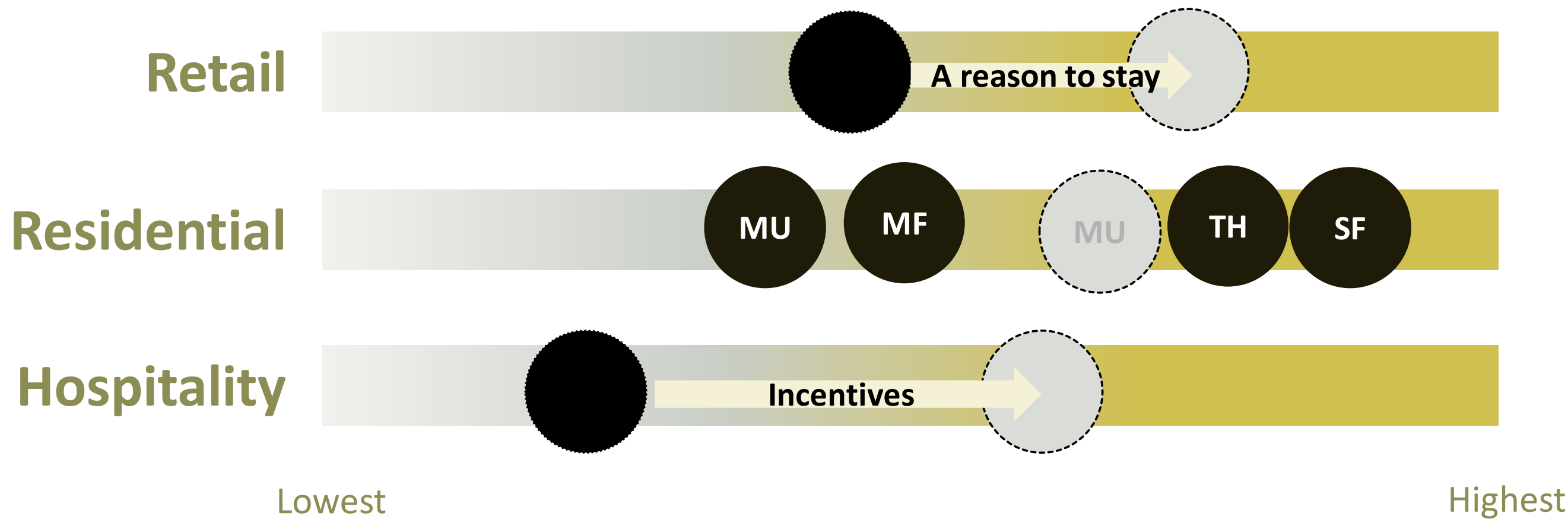
Market Opportunity Assessment



DEMAND POTENTIAL

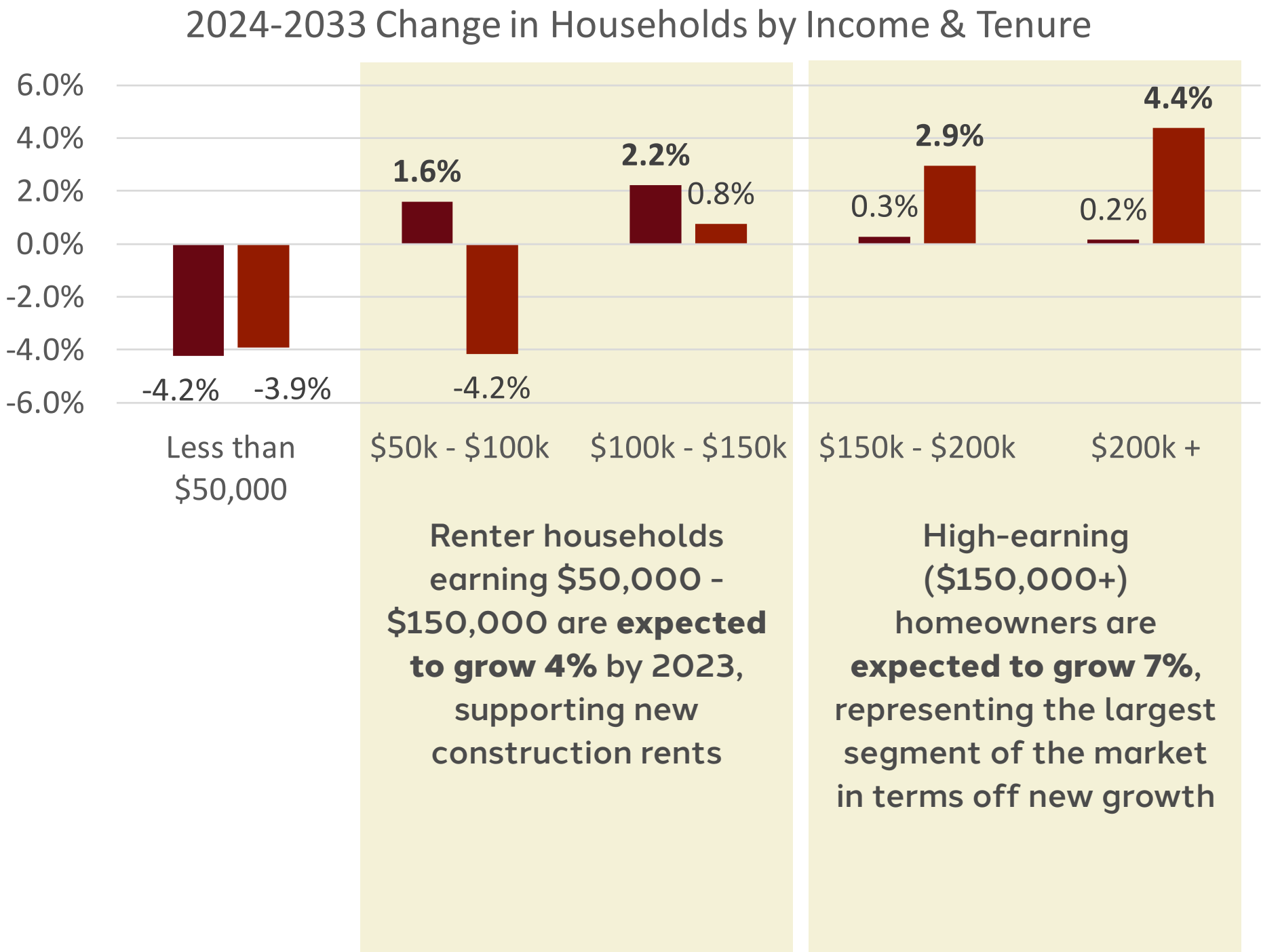
The chart below assesses the market opportunity for each use based on a series of market conditions including: development pipeline for each use, rents, vacancy rates, and future potential.

Market Opportunity Assessment



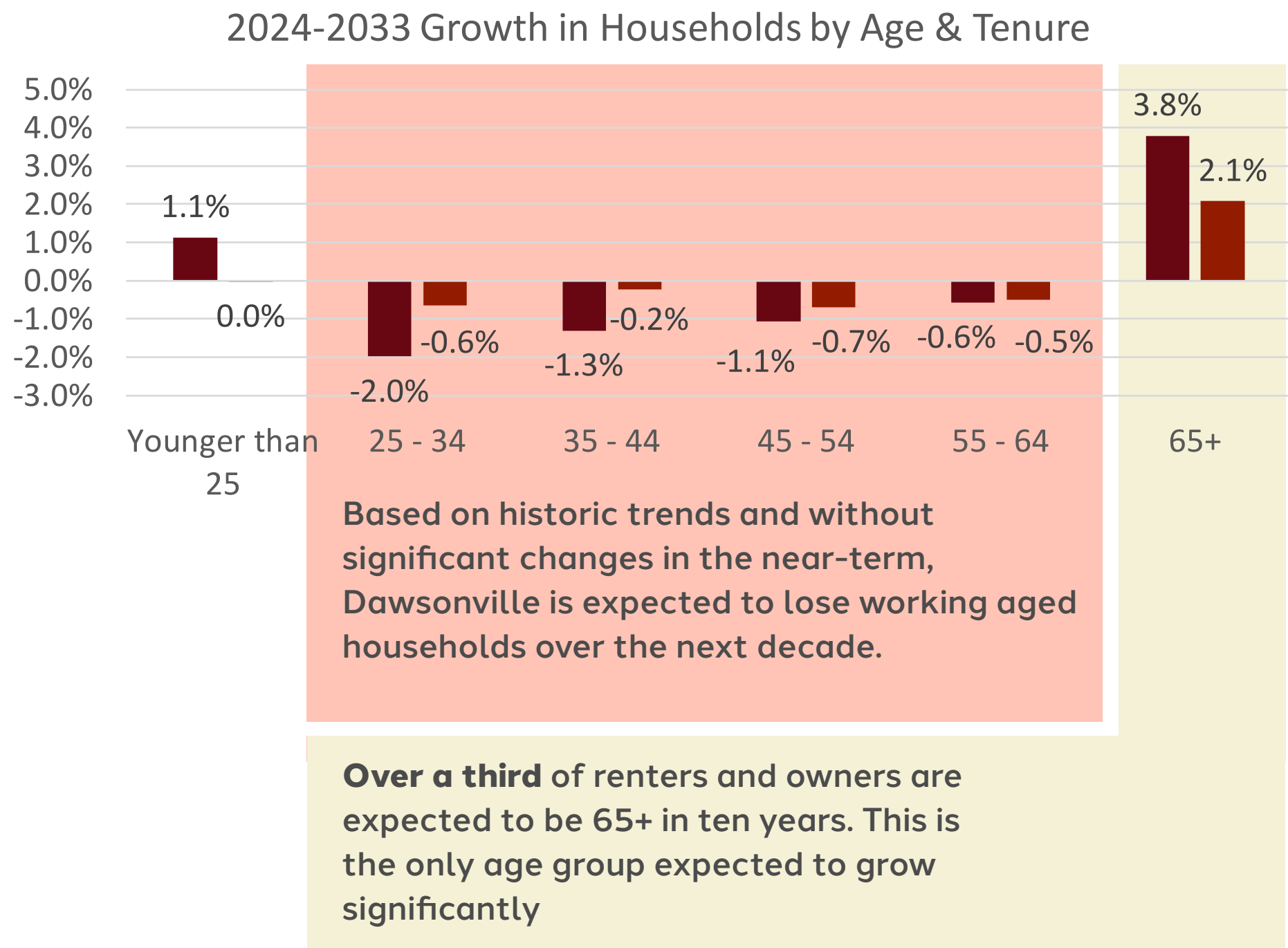
10-YEAR RESIDENTIAL DEMAND BY INCOME

- Growth in high-earning households is expected within the next ten years



10-YEAR RESIDENTIAL DEMAND BY AGE

- Dawsonville’s household growth is almost exclusively within those aged 65+

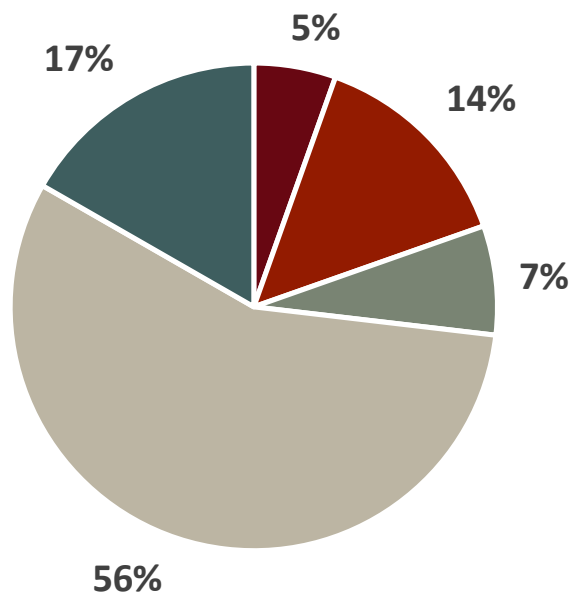


REAL ESTATE DEMAND FORECAST: RETAIL DEMAND

- Demand for new retail within Downtown Dawsonville will be largely reliant on new households and visitors
- Currently, over half on existing and future retail demand is for food and beverage.
- Health and Wellness comprise the second largest share by store type demanded at 20% of the total 10-year demand

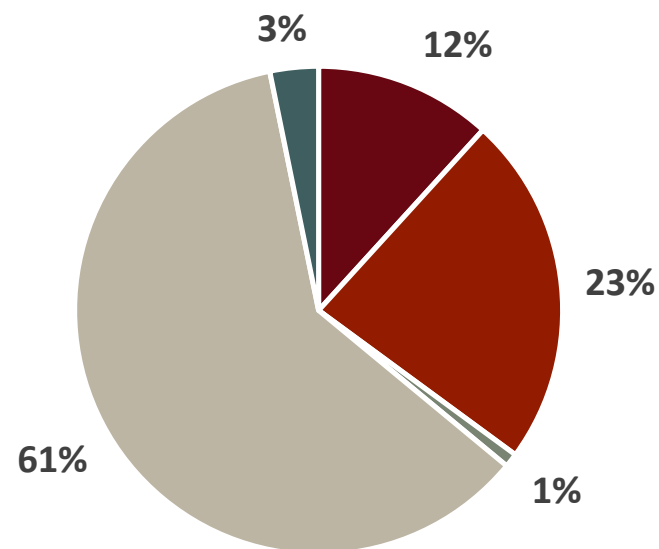
13,000 sf

Downtown Capture of Existing Demand



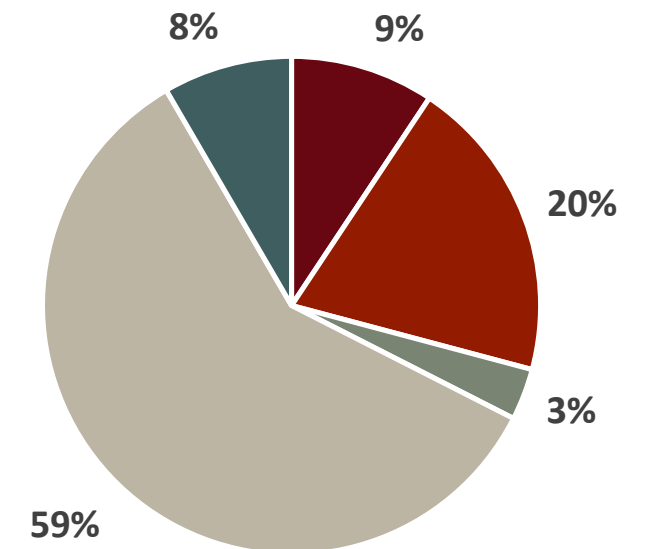
22,000 sf

Downtown Capture of Future Demand



35,500 SF

Total 10-year Demand



■ Furniture Store ■ Health and Wellness ■ Book Store ■ Food & Beverage ■ Lawn & Garden Center

POTENTIAL FUNDING SOURCES

Rural Development Programs in Georgia United States Department of Agriculture (USDA)

- **Rural Business Opportunity Grant (RBOG):**
 - » **Description:** Promotes sustainable economic development in rural communities with exceptional needs. Provides training and technical assistance for business development, entrepreneurs, and economic development officials
- **Financing for Small Municipal and Rural Community Facility Projects:**
 - » **Description:** RD provides guaranteed and direct loans for eligible community facilities in rural areas. Applicants must be unable to obtain the financing from other sources and/or their own resources at rates they are able to afford to qualify. Funds can be used for construction, land acquisition, legal fees, equipment, and other project-related costs
- **Intermediary Re-Lending Program (IRP):**
 - » **Description:** IRP finances rural business facilities and community development projects through USDA Rural Development (RD) loans to intermediaries. Intermediaries then relend funds to ultimate recipients for business or community development, maintaining revolving loan funds

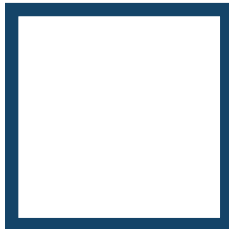
Georgia Department of Community Affairs Programs

- **Community Development Block Grant (CDBG) Program:**
 - » **Description:** Economic development component focused on expanding opportunities for low- and moderate-income individuals. Funds viable projects that create or retain jobs for low- and moderate-income persons that would not take place without CDBG funds
- **Downtown Development Revolving Loan Fund (DDRRLF):**
 - » **Description:** Provides below-market-rate financing for capital projects in historic downtown areas to support efforts to revitalize and enhance downtown areas
- **Georgia Downtown Renaissance Fund:**
 - » **Description:** The Georgia Downtown Renaissance Fund supports local governments, authorities, and nonprofit organizations in revitalizing downtown districts through financing and technical assistance
- **Tourism Development Act:**
 - » **Description:** The Georgia Tourism Development Act (GTDA) offers state sales and use tax incentives for tourism projects to create jobs. The incentive allows recovery of a percentage of the project's development costs over a ten-year period

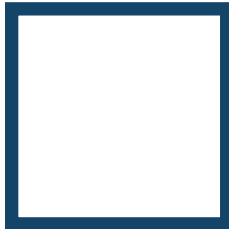
CITY & LOCAL ECONOMIC DEVELOPMENT TOOLS



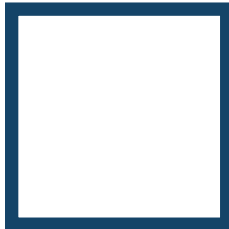
**Downtown Development
Authorities (DDAs) in Georgia**



**Tax Allocation District (TAD) /
Urban Redevelopment Powers Act**



Land Bank Authorities



**Community Improvement District
(CID)**

*** Implementation of the Downtown
Dawsonville Master Plan will require
public-private partnerships, patient
equity, and consistent marketing and
attraction in order to realize growth in
Downtown**

IMPLEMENTATION STRATEGY

IMPLEMENTATION PROJECTS OVERVIEW

Cost Ranges	
\$	Description
Staff Time	General staff time
\$	\$10,000 to \$100,000
\$\$	\$100,000 to \$200,000
\$\$\$	\$200,000 to \$500,000
\$\$\$\$	\$500,000 to \$1,000,000
\$\$\$\$\$	\$1,000,000 +

Phasing Time Ranges	
\$	Description
In Progress	Current on-going project
Near-Term	0 - 3 years
Mid-Term	3 - 5 years
Long-Term	5+ years



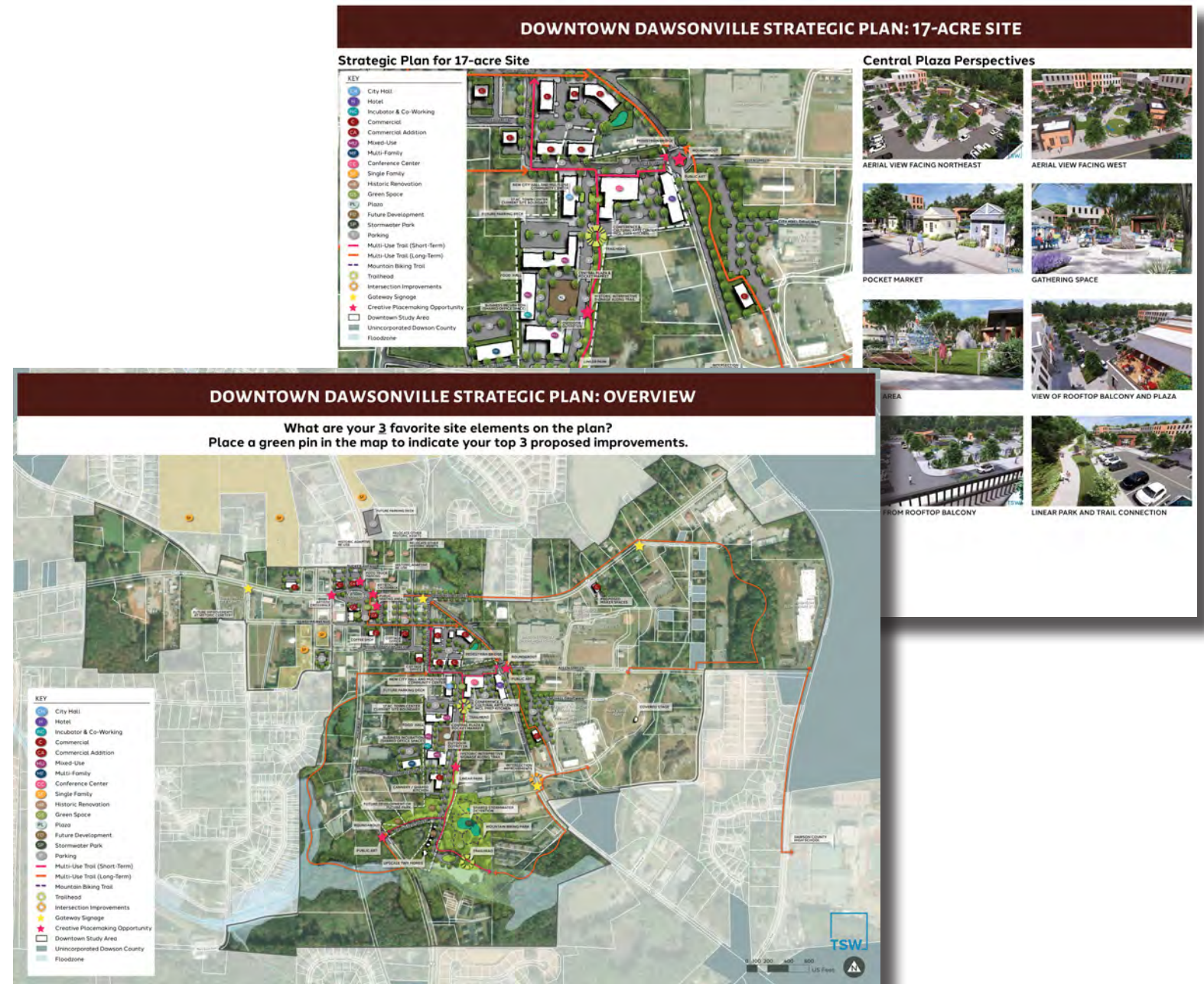
PROMOTE CATALYTIC PROJECTS IN DOWNTOWN

#	KEY IMPLEMENTATION PROJECTS		
	Project Name	Estimated Cost	Phase
1A	Issue development RFP for mixed-use and future development parcels located in the 17 acre site	Staff Time	Near-Term
1B	Issue development RFP for the hotel and conference center located in the 17 acre site	Staff Time	Near-Term
1C	Explore public-private partnerships through DDA to implement Downtown Strategic Plan	Staff Time	Near-Term
1D	Construct a new City Hall in the 17 acre site	\$\$\$\$\$	Near-Term
1E	Advocate/educate community on benefits of the Downtown Strategic Plan	Staff Time	In Progress
1F	Land swap for proposed entry drive from Highway 9	\$	Near-Term
1G	Build a shared parking deck in the 17 acre site	\$\$\$\$\$	Near-Term
1H	Explore creating a Tax Allocation District (TAD)	\$	Near-Term
1I	Provide water and sewer capacity for future downtown developments	\$\$\$\$\$	Near-Term

OPEN HOUSE ACTIVITIES OVERVIEW

OPEN HOUSE ACTIVITIES OVERVIEW

- We have boards set up throughout the room depicting the Strategic Plan, perspectives, and key implementation projects.
- For the Strategic Plan, use the flag pins to indicate your top 3 favorite elements on each board.
- If you have general feedback, write it on sticky notes and add to the feedback board.
- For the implementation projects board, please vote on your 3 highest priority projects using the dot stickers.



STRATEGIC PLAN ACTIVITY TIPS

When voting for your top 3 favorite elements, consider the following questions:

- Which elements will best support downtown businesses?
- Which elements will make downtown a more attractive place to visit?
- Which elements offer new things for Dawsonville residents to do?



IMPLEMENTATION BOARDS

When voting for your 3 highest priority implementation actions, consider the following questions:

- Which implementation projects seem most urgent to undertake first?
- Which implementation projects seem like they will accomplish the most progress with the least effort?

TELL US YOUR PRIORITY IMPLEMENTATION PROJECTS

Add a green dot next to your top 3 priority implementation projects.



CREATE A MULTI-USE GREENWAY SYSTEM

#	KEY IMPLEMENTATION PROJECTS			Add a green sticker in the box next to your top 3 priority implementation project:
	Project Name	Estimated Cost	Phase	
5A	Create a master plan for a multi-use trail system	\$	Mid-Term	
5B	Construct a multi-use trail system	\$\$\$\$\$	Long-Term	



CREATE A VARIETY OF PUBLIC GATHERING SPACES + PARKS THAT PROMOTE RECREATION

#	KEY IMPLEMENTATION PROJECTS			Add a green sticker next to the implementation project:
	Project Name	Estimated Cost	Phase	
6A	Construct a central plaza in the 17-acre development	\$	Near-Term	
6B	Construct a linear park in the 17-acre development	\$\$	Near-Term	
6C	Construct a stormwater park adjacent to the 17-acre development	\$\$\$\$	Near-Term	
6D	Construct a downtown green space at Highway 9 near the square	\$\$	Near-Term	
6E	Incorporate cultural elements into trail and greenspace development	\$\$	Long-Term	
6F	Explore mechanisms for future greenspace acquisition (land bank)	Staff Time	Near-Term	



DESIGN AND INSTALL BRANDED SIGNAGE AND WAYFINDING ELEMENTS

#	KEY IMPLEMENTATION PROJECTS			Add a green sticker in the box next to your top 3 priority implementation project:
	Project Name	Estimated Cost	Phase	
7A	Develop a downtown Wayfinding Master Plan	\$	Near-Term	
7B	Partner with existing property owners on wayfinding and aesthetic improvements	Staff Time	Near-Term	



CREATE DESIGN GUIDELINES THAT PROMOTE SUSTAINABLE DEVELOPMENT IN DOWNTOWN

#	KEY IMPLEMENTATION PROJECTS			Add a green sticker next to the implementation project:
	Project Name	Estimated Cost	Phase	
8A	Support green streetscape projects	Staff Time	Near-Term / Mid-Term	
8B	Promote sustainable design within the 17-acre project	Staff Time	Near-Term	
8C	Pursue grants for brownfield identification, remediation, and future redevelopment	Staff Time	Mid-Term	
8D	Create design guidelines for the 17 acre project	Staff Time	In Progress	

NEXT STEPS

NEXT STEPS

- Thank you for your input on the activities!
- We will consolidate this feedback into the implementation plan and final report.
- The final plan is scheduled to be delivered by end of February.
- Please email with any questions/ideas:
 - Beverly Bell: bbell@tsw-design.com
 - Amanda Edmondson:
downtowndevelopment@dawsonville-ga.gov





DAWSONVILLE CITY COUNCIL EXECUTIVE SUMMARY FOR AGENDA ITEM # 11

SUBJECT: **DAWSON COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN**

CITY COUNCIL MEETING DATE: 02/19/2024

BUDGET INFORMATION: GL ACCOUNT # _____

☐ Funds Available from: _____ Annual Budget _____ Capital Budget Other _____

☐ Budget Amendment Request from Reserve: _____ Enterprise Fund _____ General Fund

PURPOSE FOR REQUEST: **INFORMATIONAL ONLY**

**TO INFORM COUNCIL OF THE PREPARATION OF THE HAZARD MITIGATION PLAN UPDATE
WITH DAWSON COUNTY, DAWSON COUNTY EMS AND THE CITY OF DAWSONVILLE**

HISTORY/ FACTS / ISSUES:

- SENT DOCUMENT VIA EMAIL TO COUNCIL FOR REVIEW ON FEBRUARY 3RD
- PLACED ON THE CITY'S WEBSITE UNDER THE CITY GOVERNMENT PAGE
- THE PLAN IS BEING PRESENTED TO THE DAWSON COUNTY COMMISSIONERS AT THEIR FEBRUARY 15TH MEETING.
- DC BOC WILL CONSIDER APPROVING SENDING THE PLAN TO GEMA/FEMA FOR REVIEW .
- ONCE THE PLAN IS APPROVED BY GEMA/FEMA, THE PLAN WILL THEN NEED TO BE ADOPTED BY RESOLUTION BY BOTH THE CITY AND THE COUNTY INDIVIDUALLY

OPTIONS:

RECOMMENDED SAMPLE MOTION:

REQUESTED BY: Bob Bolz, City Manager



DAWSONVILLE CITY COUNCIL EXECUTIVE SUMMARY FOR AGENDA ITEM # 12

SUBJECT: **OPIOID CLAIM – ENDO BANKRUPTCY**

CITY COUNCIL MEETING DATE: **02/19/2024**

BUDGET INFORMATION: GL ACCOUNT # _____

☐ Funds Available from: _____ Annual Budget _____ Capital Budget Other _____

☐ Budget Amendment Request from Reserve: _____ Enterprise Fund _____ General Fund

PURPOSE FOR REQUEST:

ENDO HAS FILED FOR BANKRUPTCY PROTECTION AS PART OF THE OPIOID LAWSUIT. THEY SUBMITTED A PLAN TO THE BANKRUPTCY COURT AND AS A CLAIMANT IN THAT SUIT WE CAN VOTE TO EITHER ACCEPT OR REJECT THE PLAN. IT SHOULD RESULT IN ANOTHER PAYMENT SOURCE TO THE CITY, THOUGH WE WILL NOT KNOW THAT AMOUNT FOR SOME TIME.

HISTORY/ FACTS / ISSUES:

OPTIONS: ACCEPT, REJECT OR ABSTAIN

RECOMMENDED SAMPLE MOTION:

OUR LEGAL COUNSEL FOR THAT LAWSUIT RECOMMENDS WE VOTE FOR THE PLAN.

REQUESTED BY: Robin Gazaway, Finance Director



DAWSONVILLE CITY COUNCIL EXECUTIVE SUMMARY FOR AGENDA ITEM # 13

SUBJECT: _____ **STAFF REPORT: CITY MANAGER** _____

CITY COUNCIL MEETING DATE: 02/19/2024

BUDGET INFORMATION: GL ACCOUNT # _____ NA _____

☐ Funds Available from: _____ Annual Budget _____ Capital Budget Other _____

☐ Budget Amendment Request from Reserve: _____ Enterprise Fund _____ General Fund

PURPOSE FOR REQUEST:

TO PROVIDE PROJECT UPDATES

HISTORY/ FACTS / ISSUES:

SEE ATTACHED OUTLINE

OPTIONS:

RECOMMENDED SAMPLE MOTION:

REQUESTED BY: Bob Bolz, City Manager

CITY MANAGER REPORT

PREPARED FEBRUARY 13 FOR FEBRUARY 19, 2024, AGENDA

Downtown Strategic Plan: TSW and city staff hosted a Downtown Strategic Plan Public Meeting on January 25th at 6 PM with an excellent turnout. A public input activity was held. Stakeholder interviews continue. TSW will be making a presentation to the City Council at the February 19th Meeting.

Rental Space – Distillery - Patio: Work is moving along nicely in the distillery with the plumbing, masonry, carpentry, electrical, and sheetrock work complete and painting underway, followed by floor refinishing. Once the painting and floor are complete, Mimms will start their portion of the buildout. They hope to be open in May 2024. Work is underway in the restaurant with demolition, floor removal, and related tasks underway. We await the return of the lease from The Station House restaurant. You may remember that Amicalola Electric Membership Corporation donated funds that were used in Main Street Park. We received another donation of \$20,000.00 for economic development that will go towards restaurant kitchen equipment in our refurbished lease space. We requested and received an extension from the February 1st deadline for expenditure of the money. Work will start on the patio later this winter.

Georgia Racing Hall Of Fame:

- We await bids for the simulator IT package due on February 15th.
- The GRHOF has completed converting some bathroom space to storage.
- The City Council approved the bid for the 50's garage exhibit.
- The City Council approved the bid for upgrades to the AV system in the museum.

Skate Park: New equipment has been installed as has relocation of old elements to the new pad. Skate Park users are enjoying the larger, more challenging course. The old pad will be converted to a rest room and shelter assuming adequate funding is available. Planning is underway for a water fountain, benches, and a small shelter for shade at the new location. We are considering ideas for painting a logo or other motif on the skate park pad, perhaps utilizing design and work by DCHS art students.

Dawson County Health Department: Discussions continue, and the county has hired an engineer to do some preliminary site evaluation on the southern end of the 17-acre property.

Chamber of Commerce Junior Leadership Mock City Council: This annual event is scheduled for February 29th. We hope you can join us as young leaders from our high school will hold a mock City Council to discuss various topics and learn more about how the city works.

Downtown, Marketing, Economic Development: The DDA has collaborated with the GRHOF and AMP to develop, share costs and submit an excellent full-page ad in this special publication. Also, new street post banners were installed. We have two mural proposals for the Food Lion wall that faces City Hall, and we will get one more. We have been told that Food Lion corporate offices approved the mural project as did the shopping center owner, but we are awaiting written permission. Our Downtown Director participated in DCHS CTAE Program Mock Interviews.

Main Street Park Court Projects: This project is complete except for a few minor additions, such as benches and landscaping. The Dawson County Women's Club will be helping with the landscaping. We will have a ribbon cutting

sometime soon. Both the pickle ball and basketball courts have been receiving considerable use despite severe weather.

Expansion of Disc Golf Course: We received the executed IGA with the BOE for use of their property for disc golf. We will begin laying out and then clearing the course in the next several weeks with clearing to start soon after in hopes of having the extension open in the spring.

DCA Historic Resource Survey for CLG \$6,000.00 Grant: With the City Council awarding the contract work is underway and about 25% complete.

Rental Property: With the recent acquisition of the new water tower site along Hwy 9 N, renovation to the house on the property is nearing completion with plans to rent it as soon as complete.

Well #112 Drilling & Spring Site: We are underway with the purchase process for the spring site and will be drilling a test well at another location as soon as EPD grants permission.

IGA with Dawson County and DDA: The DDA approved the IGA regarding use of the radio tower area on Burt Creek Road.

IGA with Sheriff's Office: We are considering some suggestions from the agency for revision of the IGA. We are also addressing some questions the Sheriff had regarding parking in subdivisions. He questioned our ordinance but still will not allow officers to take any related enforcement action.

Personnel Vacancies: We continue to recruit and take applications for the Utility Collections Lead, Planning and Zoning Director, and Permit/License Technician positions that are vacant.

Governor's Office of Planning & Budget Grant for Water System Infrastructure due to Population Increase: No news on the grant we applied for offered by the Governor's Office of OPB that can be awarded to municipalities experiencing significant population increases. The grant request totaled \$1,154,720.00 and would be used to cover the cost of drilling and setting up operation of the new well. The grant requires a 75-25 match; so, our portion would be \$285,000.00. We have already budgeted in our Enterprise Fund for the total amount. If awarded, this could represent a savings of at least \$896,220.00.

Lead & Copper Pipe Grant: Staff have completed 75% of this labor-intensive project and are working on the last 25%.

Wastewater Treatment Plant: The design plans approved by both USDA and EPD. USDA has been awarding 45% grants and GEFA loans are under 3%. The open market rates have been good. All will be evaluated. Construction times are extended because of supply line issues. They anticipate a two-year construction time. They anticipate costs up to \$15 million and we have a \$3 million grant from the Governor's Office that must be expended by the end of 2026.

Generator Grants – GEMA: Staff have worked hard to prepare grant request packages that have been submitted to GEMA for several generators that would be permanently installed at several of our water wells, sewage lift stations, and City Hall. They continue to ask for additional information, which means the requests are getting some good interest. We will keep our fingers crossed and keep you informed as we move along.

Roads & Streets:

- **Improvements to Downtown Roundabout:** We await word from GDOT as to when the project will begin.
- **Shoal Creek Bridge Construction & Paving Project:** The city requested utility relocation funds from GDOT to cover the \$200,000.00 cost required to relocate the city waterline as needed for the bridge project. With the help of the City Council/Mayor, we negotiated our portion to a cost of only \$40,805.00. The county is also required to pave Shoal Creek Road, including the city's portion which is over one mile, as part of the same SPLOST VII agreement. This will be done after the bridge is replaced/upgraded.
- **Burt Creek Road:** The county is required to pave Burt Creek Road from Hwy 136 to the Lumpkin Campground Road, including the city's portion, as part of our SPLOST VII agreement.

Dawson County Hazard Mitigation Task Force: Last updated in 2018 with city participation, both the City Manager and the Public Works Director participated in virtual meetings over the course of several months revising the plan for 2023. It was sent to the City Council on February 3rd for review and is coming to the City Council for adoption at the February 19th Meeting. It is before the County Commissioners at their February 15th meeting.

Special Events:

Our tentative 2024 Food Truck Night dates are May 3rd, June 7th, July 12th, August 2nd, September 6, October 4, and November 23rd, which will also be our tree lighting event.

- May 11, 2024 - Gospel in the Park: Mark your calendars, as we host a gospel music festival in Main Street Park. Acts already confirmed for the event, include Randy & Mary Perry (Randy of the original The Perrys), Raven Harris (possibly the entire Raven Welch Band), in the works Jaden's Call, Karen Peck and New River with Josh Sims of Premier Rendition providing technical assistance with audio and lights. The contract is in place with the DDA for the act they are paying for.
- Staff members met with the Sheriff's Office and the Chamber of Commerce for an AAR for our 2023 Christmas Special on February 13th.
- We will be joining the Chamber of Commerce and the Amicalola Regional Farmer's Market for our annual AAR and planning for next season later this month.

GA Tech Partnership for Inclusive Innovation (PIN) Internship: We have been selected as recipients of PIN Internship. The **Smart Community Corps (SCC)** is the first statewide program of its kind for civic-minded students to gain hands on smart city experience. Working as a summer cohort and in community pairs, interns are placed into local municipalities to support smart technology projects that are dedicated to creating livable and equitable communities. In addition to a full-time summer stipend, SCC provides curriculum programming in sustainability, innovation, career development and mentorship. The program is open to both Georgia Tech and other Georgia college undergraduate and graduate students. Each community opportunity will place interns in pairs (1 Georgia Tech student and 1 Georgia college student) to work together on a project. The aim is to bring students together with complementary skillsets, experiences, and expertise so that together they can learn from each other and leverage their joint work for cross-learning and co-creation with the community. The pair also works closely with the designated Georgia Tech lead researcher for research guidance and expertise. Together, the community and the students benefit from the joint university, multidisciplinary, and diverse experiences, and perspectives the student pair brings. We have ten applications for this program.

Main Street Park Projects:

- **Playground & Shade:** Staff continue researching shade for various locations in the park and the dog park. We received \$10,000.00 from the Dawsonville Civitan Club which will be used for this project over the

inclusive playground area. We hope installation will occur this winter.

- **Picnic Shelters #1 and #3:** Electrical power has been installed at both shelters.
- **Disc Golf:** Discussed above.
- **Basketball Court & Pickleball Courts:** Discussed above.
- **Skate Park Expansion:** Discussed above.
- **Small Bathroom between Shelter #3 and Skate Park/Court Area:** We are evaluating what type of rest room to place at this location, stick built or prefab. We will also build a small shelter for shade.
- **Water Fountains:** We continue evaluating additional locations for water fountains within the park, each costing about \$7,000.
- **Stage:** Staff are researching the purchase of a hydraulic, mobile stage. We have learned that John Megal may be interested in sponsoring the amphitheater.
- **Dog Park:** A ribbon cutting is being planned for March.
- **Splash Pad:** Research into the possibility of adding this amenity is underway. The current cost estimate is over \$350,000.00.
- **Power for Amphitheater & Christmas Tree Walk:** We are working with GA Power for additional power for the future amphitheater.

Leak Adjustments: Six accounts were adjusted this month, \$331.26 for water and \$726.82 for sewer totaling \$1,058.08, many due to the stretch of severe cold we experienced.

Calendar YTD \$1,138.75 Last Year Calendar YTD \$1,559.53 reducing lost revenue and saving water thanks to our upgraded radio-read meter system.



DAWSONVILLE CITY COUNCIL EXECUTIVE SUMMARY FOR AGENDA ITEM # 14

SUBJECT: _____ **STAFF REPORT: FINANCE DIRECTOR** _____

CITY COUNCIL MEETING DATE: 02/19/2024

BUDGET INFORMATION: GL ACCOUNT # _____ NA _____

☐ Funds Available from: _____ Annual Budget _____ Capital Budget Other _____

☐ Budget Amendment Request from Reserve: _____ Enterprise Fund _____ General Fund

PURPOSE FOR REQUEST:

TO PRESENT FUND BALANCE AND ACTIVITY THROUGH JANUARY 31, 2024

HISTORY/ FACTS / ISSUES:

SEE ATTACHED FINANCIAL REPORTS

OPTIONS:

RECOMMENDED SAMPLE MOTION:

REQUESTED BY: Robin Gazaway, Finance Director

CITY OF DAWSONVILLE, GEORGIA
GENERAL FUND
July 1, 2023 - January 31, 2024

59%

	Budget	Actual	Percentage
REVENUES			
Taxes	\$ 2,457,600	\$ 1,700,556	69.20%
Licenses and permits	92,300	71,789	77.78%
Intergovernmental revenues	6,000	52,695	878.25%
Fees	297,550	103,983	34.95%
Other	409,895	140,152	34.19%
Total revenues	3,263,345	2,069,175	63.41%
EXPENDITURES			
Department:			
Council	162,200	84,826	52.30%
Mayor	63,700	12,447	19.54%
Elections	20,000	932	4.66%
Administration	1,037,433	518,110	49.94%
City Hall building	174,460	141,099	80.88%
Animal control	2,040	100	4.90%
Roads	796,000	384,214	48.27%
Parks	104,000	45,775	44.01%
Planning and zoning	572,839	250,263	43.69%
Economic development	330,673	212,512	64.27%
Total expenditures	3,263,345	1,650,278	50.57%
TOTAL REVENUES OVER EXPENDITURES		418,897	
Transfer in From Reserves		(418,897)	
NET CHANGE IN FUND BALANCE		-	

CITY OF DAWSONVILLE, GEORGIA
WATER, SEWER, AND GARBAGE FUND
July 1, 2023 - January 31, 2024

	<u>Budget</u>	<u>Actual</u>	<u>Percentage</u>
REVENUES			
Water fees	\$ 895,000	\$ 584,791	65.34%
Sewer fees	916,000	692,114	75.56%
Garbage fees	230,200	204,513	88.84%
Miscellaneous	<u>556,507</u>	<u>130,855</u>	<u>23.51%</u>
Total revenues	<u>2,597,707</u>	<u>1,612,273</u>	<u>62.07%</u>
EXPENDITURES			
Depreciation	633,000	403,059	63.67%
Garbage service	230,200	229,368	99.64%
Group insurance	200,000	61,376	30.69%
Insurance	600	-	0.00%
Interest	87,450	40,677	46.51%
Payroll taxes	36,000	15,409	42.80%
Professional	201,000	123,333	61.36%
Miscellaneous	166,205	309,939	186.48%
Repairs/supplies	274,000	183,354	66.92%
Retirement	30,000	17,056	56.85%
Salaries	451,852	205,206	45.41%
Technical services	88,000	71,533	81.29%
Utilities	<u>199,400</u>	<u>91,005</u>	<u>45.64%</u>
Total expenditures	<u>2,597,707</u>	<u>1,751,315</u>	<u>67.42%</u>
INCOME (LOSS)		<u><u>(139,042)</u></u>	

CITY OF DAWSONVILLE, GEORGIA
SPLOST VI
July 1, 2023 - January 31, 2024

SPLOST VI

	<u>Budget</u>	<u>Actual</u>	<u>Percentage</u>
REVENUES			
Taxes	-	-	#DIV/0!
Interest	-	867	#DIV/0!
Other	<u>59,000</u>	<u>-</u>	<u>0.00%</u>
Total revenues	<u>59,000</u>	<u>867</u>	<u>1.47%</u>
EXPENDITURES (Capital Outlays)			
City hall acquisition	-	25	#DIV/0!
Roads and sidewalks		-	#DIV/0!
Public works equipment - roads	50,000	-	0.00%
Sewer projects	-	-	0.00%
Public works equipment - sewer	-	-	0.00%
Water projects	-	-	0.00%
Public works equipment - water	-	-	0.00%
Farmers market	9,000	5,250	58.33%
Parks and recreation	<u>-</u>	<u>-</u>	<u>0.00%</u>
Total expenditures	<u>59,000</u>	<u>5,275</u>	<u>8.94%</u>
TOTAL REVENUES OVER EXPENDITURES		(4,408)	
Transfer in From Reserves		<u>4,408</u>	
NET CHANGE IN FUND BALANCE		<u><u>-</u></u>	

CITY OF DAWSONVILLE, GEORGIA

SPLOST VII

July 1, 2023 - January 31, 2024

SPLOST VII

	<u>Budget</u>	<u>Actual</u>	<u>Percentage</u>
REVENUES			
Taxes	1,000,000	710,824	71.08%
Interest	21,000	46,527	221.56%
Other	<u>1,679,000</u>	<u>-</u>	<u>0.00%</u>
Total revenues	<u>2,700,000</u>	<u>757,351</u>	<u>28.05%</u>
EXPENDITURES (Capital Outlays)			
City hall acquisition	250,000	91,040	36.42%
Roads and sidewalks	1,000,000	106,983	10.70%
Public works equipment - roads	65,000	-	0.00%
Land Acq. / Downtown	-	-	0.00%
Public works equipment - sewer	780,000	-	0.00%
Water projects/Sewer Projects	-	-	0.00%
Public works equipment - water	-	-	0.00%
Farmers market	-	-	#DIV/0!
Parks and recreation	<u>605,000</u>	<u>344,965</u>	<u>0.00%</u>
Total expenditures	<u>2,700,000</u>	<u>542,988</u>	<u>20.11%</u>
TOTAL REVENUES OVER EXPENDITURES		214,363	
Transfer in From Reserves		<u>(214,363)</u>	
NET CHANGE IN FUND BALANCE		<u><u>-</u></u>	