

GWINNETT COUNTY
BOARD OF COMMISSIONERS

THE GWINNETT COUNTY ECONOMIC DEVELOPMENT ORDINANCE

Chapter 2, Article IV of the Code of Ordinances of Gwinnett County, Georgia.

Section 2-151.

There is hereby created an Office of Economic Development of Gwinnett County, which shall be organized and staffed as may be determined by the County Administrator.

Section 2-152.

The Office of Economic Development shall have the following responsibilities:

1. Develop for the Board of Commissioners' consideration and adoption, an Economic Development District Element of the Gwinnett County 2020 Comprehensive Plan.
2. Establish an Economic Vitality Plan for the implementation of development or redevelopment initiatives to provide for quality, controlled growth, as well as retention, redevelopment, and rehabilitation of Targeted Businesses.
3. Coordinate with the Development Authority of Gwinnett County and any Redevelopment Agency of Gwinnett County as well as other local, state, and federal agencies and businesses, so as to encourage new business development, redevelopment, and retention of existing businesses.
4. Coordinate with the Gwinnett County Chamber of Commerce so as to encourage new business development, redevelopment, and retention of existing businesses.
5. Offer inducements to Targeted Businesses in accordance with the Economic Vitality Plan, subject to approval by the County Administrator.
6. Undertake any other lawful actions approved by the County Administrator for purposes of improvement of economic vitality, economic development, redevelopment, or revitalization.

Section 2-153.

Inducements which may be offered to Targeted Businesses are as follows:

1. Reduction of development impact fees.
2. Reduction of fees for development permits.
3. Reduction of application fees for rezoning requests, special use permits, variance requests and requests for changes in zoning conditions.
4. Reduction of business occupation taxes.
5. Reduction of water/sewer charges including reduction of system development charges for water and sewer services.
6. Acceleration of all aspects of the development review process.
7. Acceleration of public hearing dates for rezoning requests, special use permits, variance requests, and requests for changes in zoning conditions.
8. Inducements authorized by the Redevelopment Powers Act (Official Code of Georgia Annotated § 36-44-1, et. seq.)
9. Inducements authorized by the Development Authorities Act (Official Code of Georgia Annotated § 36-62-1, et. seq.)
10. In no event shall any inducement result in a payment of County funds to a Targeted Business.

Section 2-154.

In order to be eligible for inducements, a Targeted Business shall meet the following criteria:

1. No inducement shall be offered to any Targeted Business outside Designated Redevelopment Areas which does not satisfy at least two of the following conditions: add at least 25 new jobs, pay an average salary at least 1.25 times the County average for that industry, or have an estimated fiscal impact with a net present value to the County of at least \$250,000.00, as determined by Gwinnett County's analysis.

2. A Targeted Business shall be required to contract with the County to meet the fiscal impact requirements of this Section. The County Administrator is hereby authorized to execute the Contract referenced herein. Any such Contract may be placed upon an Agenda of the Board of Commissioners for ratification.
3. In determining whether Gwinnett County should offer inducements to a Targeted Business, the County Administrator may consider whether the Targeted Business has received a funding commitment from the State of Georgia contingent upon the business' relocation or expansion within the State of Georgia.
4. In determining whether Gwinnett County should offer inducements to a Targeted Business, the County Administrator may consider factors including, but not limited to, the impact of the Targeted Business upon infrastructure, traffic generation, water usage, sewer generation, and storm water generation. The final determination whether to offer inducements to a Targeted Business will be made by the County Administrator after considering whether such an offer of inducements is in the best interest of Gwinnett County.

In order to be eligible for inducements, a Targeted Business in a Designated Redevelopment Area shall meet the following criteria:

1. No inducement shall be offered to any Targeted Business inside a Designated Redevelopment Area which does not satisfy at least two of the following conditions: add at least 10 new jobs, pay at least the nationwide average salary for that industry, or have an estimated fiscal impact with a net present value to the County of at least \$100,000.00, as determined by Gwinnett County's analysis.
2. A Targeted Business shall be required to contract with the County to meet the inducement requirements of this Section. The County Administrator is hereby authorized to execute the Contract referenced herein. Any such Contract may be placed upon the next available Agenda of the Board of Commissioners for ratification.

3. In determining whether Gwinnett County should offer inducements to a business, the County Administrator may consider whether the business has received a funding commitment from the State of Georgia or other entity contingent upon the business' relocation or expansion within the Designated Redevelopment Area.
4. In determining whether Gwinnett County should offer inducements to a business, the County Administrator may consider factors including, but not limited to, the impact of the business upon infrastructure, traffic generation, water usage, sewer generation, and storm water generation. The final determination whether to offer inducements to a business will be made by the County Administrator after considering whether such an offer of inducements is in the best interest of Gwinnett County.

Any Targeted Business which receives any inducement under the provisions of this Ordinance shall agree not to relocate outside Gwinnett County for the entire period during which the inducement is granted. Should the Targeted Business relocate outside Gwinnett County during the inducement period, the Targeted Business shall immediately reimburse Gwinnett County or the issuing Authority for the full value of any and all inducements received pursuant to this Ordinance. In the event that the Targeted Business petitions for annexation into a municipality located wholly or partially within Gwinnett County during the period in which inducements are granted or fails to vigorously oppose an annexation request which includes the land upon which the Targeted Business is located, the Targeted Business shall immediately reimburse Gwinnett County or the issuing Authority for the full value of any and all inducements received pursuant to this Ordinance. Should the Targeted Business fail to meet its fiscal impact requirement, income requirement, or employment requirement, any economic inducement offered to the Targeted Business by Gwinnett County or any Authority of Gwinnett County shall be reduced by 20% for the first such year. In the event that the Targeted Business fails to meet its requirements pursuant to this Agreement for more than one year, any economic inducement offered to the Targeted Business shall be reduced by 50% for the second such year. The third

year of non-attainment of its requirements pursuant to this Agreement shall result in termination of all inducements pursuant to this Ordinance.

Section 2-155.

As used in this Ordinance, the following terms shall be defined as follows:

“Designated Redevelopment Area” means any area within the boundaries of a County community improvement district (CID) or tax allocation district (TAD).

“Development Permits” means any and all land disturbance permits, including clearing, grubbing, and grading permits, building permits, sign permits, and water and sewer development permits.

“Economic Development District” means a targeted area defined in the 2020 Comprehensive Plan of Gwinnett County, or any subsequent Comprehensive Plan, for economic development inducements.

“Rehabilitation” shall mean projects where the existing structure and the value of the proposed improvement exceed the value of the land by a ratio of at least five to one.

“Targeted Business” means a preferred business or industry type, as identified by Partnership Gwinnett or a special impact project of such magnitude as may be identified by the County Administrator.

Section 2-156.

The Economic Development Director and/or the Economic Development Manager are hereby authorized to sign confidentiality agreements with prospective businesses in the furtherance of their official duties so long as such confidentiality agreements are made subject to the provisions of the Georgia Open Records Act.