

Request for Board of Commissioners' Action

From: Faye Hughes, County Administrator **Date:** February 26, 2019

Subject: Resolution – HB 302 **Item Number:** VIII-B

From: Edwards, Todd
Sent: Thursday, February 21, 2019 5:43 PM
To: 'COUNTY-MANAGERS-AND-ADMINS@LISTSERV.ACCG.ORG' <COUNTY-MANAGERS-AND-ADMINS@LISTSERV.ACCG.ORG>
Subject: HB 302 Resolution

Good Day Georgia County Managers and Administrators:

In partnering with the Georgia Municipal Association, ACCG has developed, and attached, a draft county resolution to oppose [HB 302](#).

If this local preemption bill concerns your county, we respectfully ask your consideration in having this resolution adopted by your Board and shared with your legislative delegation, particularly House members.

HB 302 has passed the House Agriculture Committee and awaits action in the House Rules Committee. It could come to the House floor for a vote any day.

HB 302 Summary:

This preemption legislation, championed by Georgia's home builder and realtor associations, prohibits cities and counties from regulating "building design elements" in single or double family dwellings. Local governments could no longer enact design standards on:

- exterior building color,
- type or style of exterior cladding material,
- style or materials of roof structures or porches,
- exterior nonstructural architectural ornamentation,
- location or architectural styling of windows and doors, including garage doors,
- the number and types of rooms,
- the interior layout of rooms, and
- types of foundation structures approved under state minimum standard codes.

In short, if a house meets state minimum standard building codes, it can be built. The legislation would not apply to districts covered by the Georgia Historic Preservation Act, mobile homes or homes governed by a neighborhood association or covenant.

Thanks for your time and consideration,
Todd

Todd Edwards
ACCG
Deputy Legislative Director

Any discussion: _____

Motion made by _____

Second made by _____

Votes

yes

no

A RESOLUTION

Opposing House Bill 302 and Senate Bill 172, Preemption of Local Building Design Standards.

WHEREAS, HB 302 and SB 172 would prohibit local governments from regulating “building design elements” in single or double family dwellings, which could negatively impact economic development efforts and harm competitiveness; and

WHEREAS, appropriate local design standards and land use policies create a diverse, stable, profitable, and sustainable residential development landscape; and

WHEREAS, HB 302 and SB 172 are bills that would undermine self-determination of citizens to establish community standards as illustrated by the following:

- County and municipal officials are elected in part to make decisions about the look and feel of their communities, which fosters economic development, preserves the character of communities; and
- Counties and municipalities use design standards to ensure that the property values of surrounding property owners remain protected from incompatible development; and
- HB 302 and SB 172 would severely erode the ability of all 538 Georgia cities and 159 counties to address unique and community-specific quality of life issues.

WHEREAS, county and municipal governments use building design standards to protect property values, attract high quality builders, and block incompatible development; and

WHEREAS, building design standards assure residents and business owners that their investments will be protected, and that others who come behind them will be equally committed to quality; and

WHEREAS, local governments spend a large amount of resources studying, surveying, crafting, and defining their vision and development strategies, and design standards are an integral part of those endeavors to attract residents, businesses, and the much-coveted trained workforce; and

WHEREAS, development and redevelopment efforts should reflect the community and its vision while simultaneously creating a sense of place; and

WHEREAS, county and municipal government officials are elected to make decisions about the look and feel of their communities, and HB 302 and SB 172 would transfer that power from duly-elected local leaders to outside groups with little to no stake in the future or success of Georgia's counties and municipalities, including real estate developers and homebuilders; and

WHEREAS, building design standards neither discourage nor favor affordable housing, nor prevent the availability of certain housing types, as supporters of HB 302 and SB 172 purport; and

WHEREAS, local governments should have the ability to provide more affordable housing options without sacrificing their unique character or threatening economic growth; and

WHEREAS, although historic districts are protected in HB 302 and SB 172, which indicates an understanding that standards do in fact make sense, downtown overlays or other similar special zoning districts are not; and

WHEREAS, local governments should be empowered to enforce building design standards to make today's thriving county areas tomorrow's historic districts; and

WHEREAS, by limiting the ability of local governments to enforce building design standards in single or double family dwellings, HB 302 and SB 172 would negatively impact quality-of-life issues, including economic growth and the safety and welfare of the citizens of Georgia and in particular of _____ County.

NOW, THEREFORE, BE IT RESOLVED BY THE Cook County Board of Commissioners_ that this governing body voices its opposition to HB 302 and SB 172, Preemption of Local Building Design Standards.

BE IT FURTHER RESOLVED that a copy of this Resolution be delivered to each member of the Georgia House of Representatives and Senate representing Cook County, and made available for distribution to the public and the press.

Lindsey Parrish, Chairman

Jeff Lane, Vice-Chairman

Debra Robinson, Commissioner

Audie Rowe, Commissioner

Dwight E. Purvis, Commissioner

ATTEST:

Vicki S. Parrish, County Clerk