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City of South Fulton Government

City of South Fulton City Council Passes Resolution Opposing Georgia House Bill 302 and Senate Bill 172

(CITY OF SOUTH FULTON, GEORGIA, Friday, March 1, 2019) During the February 26, 2019 City of South Fulton City Council Regular Meeting, Mayor and Council passed Resolution No. 2019-010, opposing Georgia House Bill (HB) 302 and Senate Bill (SB) 172. HB 302 and SB 172, both titled Preemption of Local Building Design Standards, restrict local governments' ability to adopt or enforce regulations related to the design of family homes.

Resolution No. 2019-010, sponsored by District 3 Councilwoman Helen Willis and District 2 Councilwoman Carmalitha Gumbs, disputes HB 302 and SB 172, which both prohibit local governments from regulating "building design elements" in single or double family dwellings and could negatively impact economic development efforts and harm competitiveness.

HB 302 and SB 172 remove the ability of municipal and county officials to make decisions about the look and feel of their communities. It is important for local government to implement appropriate local design standards and land use policies that create a diverse, stable, profitable and sustainable residential development landscape. Both bills would also undermine citizens' objective to establish community character as they elect officials to carry out those objectives.

"It important that cities maintain the autonomy to regulate their building design elements and standards," stated Councilwoman Willis. "Building standards impact the esthetics and character of communities. It's for these reasons that important development decisions that impact residents should be made by the local elected leaders who seek consensus from their constituents. HB 302 and SB 172 are clear violations of Home Rules. Residents know how they want their community to feel."

According to the Council's Resolution, county and municipal government officials are elected to make decisions 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 municipalities, including real estate developers and homebuilders.

"It is important to protect the quality and integrity of our communities. Design standards protect our property values along with economic development," stated Councilwoman Gumbs. "As a new city, local governments should have the ability to provide more affordable housing options without sacrificing their unique character or threatening economic growth."

Building design standards neither discourage nor favor affordable housing, nor prevent the availability of certain housing types, but instead work to determine the look and feel of their communities, meet the needs of residents and businesses and address unique and community-specific quality of life issues.

In addition to passing the Resolution, the City Council sent a letter to the Fulton County Delegation to further express their opposition to both bills.