

**RESOLUTION 2019-02**

**A RESOLUTION OF THE CITY OF SMYRNA OPPOSING HOUSE BILL 302, AND SENATE BILL 172 PREEMPTION TO LOCAL 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 is a bill that would undermine self-determination of citizens to establish community standards as illustrated by the following:

- Municipal and county 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
- Municipalities and counties 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 municipalities, including real estate developers and homebuilders; and

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**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 downtown tomorrow's historic district; 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 Georgia citizens.

**NOW, THEREFORE, BE IT RESOLVED BY THE** City of Smyrna that the this governing body voices its opposition to HB 302, Preemption of Local Building Design Standards.

**BE IT FURTHER RESOLVED** that a copy of this Resolution be delivered to members of the Cobb County local delegation, and made available for distribution to the public and the press.

**RESOLVED** by the Mayor and Council of the City of Smyrna this 5<sup>th</sup> day of November 2018.

Mayor: \_\_\_\_\_  
A. Max Bacon

**ATTEST:**

By: \_\_\_\_\_  
Terri Graham, City Clerk

Approved as to Form

City Attorney

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Scott A. Cochran