

## **MEMORANDUM**

**To:** Mayor and City Council  
**From:** Lynn Deutsch, Councilmember  
**Date:** February 25, 2019  
**Subject:** **Resolution to Oppose HB302**

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### **ITEM DESCRIPTION**

Resolution to Oppose HB302.

### **BACKGROUND**

Representative Vance Smith from Pine Mountain recently introduced HB 302. The bill would preempt the ability of local governments to enforce and regulate building design elements for residential homes. HB 302 would preempt cities and counties from regulating the following building design elements in one or two-family dwellings:

- 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.

The legislation would not apply to state or federal historic districts, mobile homes or homes governed by a neighborhood association or covenant. But most housing in the City would be impacted.

### **RECOMMENDED ACTIONS**

Approve the resolution to oppose HB302 and forward the resolution to our local delegation and lobbyist.

**A RESOLUTION IN OPPOSITION TO HB-302**

**WHEREAS,** the citizens of Dunwoody and their elected representatives have set minimum building standards that best protect the safety of our residents and enhance the quality of construction in both the residential and commercial space; and

**WHEREAS,** these decisions were not taken lightly and in-depth discussion and research occurred prior to the adoption of these minimum safety and building standards; and

**WHEREAS,** HB-302 recently introduced in the Georgia General Assembly, would completely remove the City of Dunwoody’s common sense ability of local control to set its own quality standards of single-family homes and may jeopardize the safety and lives of our citizens living and working in densely populated areas of our city; and

**WHEREAS,** the elected officials of the City of Dunwoody recognize and appreciate many representatives’ respect for local control and realization that the needs throughout the state vary greatly in this area.

**NOW THEREFORE BE IT RESOLVED AND EFFECTIVE** by the Mayor and Council of the City of Dunwoody while in regular session on February 25 at 6:00 pm, that we respectfully request that General Assembly oppose HB 302 and any similar bills.

Approved:

Attest:

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Denis L. Shortal, Mayor

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Sharon Lowery, City Clerk  
(SEAL)