

**CITY OF HAMPTON**

**STATE OF GEORGIA**

**RESOLUTION NO. 2019-06**

**A RESOLUTION IN OPPOSITION TO HB-302 AND SB-172; TO REPEAL INCONSISTENT PROVISIONS; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES**

**WHEREAS**, the duly elected governing authority of the City of Hampton, Georgia is the Mayor and Council (hereinafter "City") thereof; and

**WHEREAS**, the City of Hampton recently adopted certain criteria for regulation of single-family homes within planned development zoning districts, including recent changes to better respond to market demand and choices in the provision of both a variety and mix of housing architectural styles on lots in close proximity to one another; and

**WHEREAS**, HB-302 and SB-172 would prohibit the City of Hampton and other local governments from regulating building design elements of single or double family dwellings in our communities; and

**WHEREAS**, HB-302 and SB-172 would severely erode the ability of all Georgia cities and counties to address unique quality-of-life issues. This bill also undermines the public and elected officials' desire to establish community standards and make decisions about the aesthetics of their communities, which foster economic development and preserve the character of communities; and

**WHEREAS**, the City of Hampton has set minimum building standards that best protect the safety of our residents all hazards while enhancing the quality of construction in both the residential, multifamily and commercial space; and

**WHEREAS**, these decisions were not taken lightly, and in-depth research occurred prior to the adoption of these minimum, safety and design standards, including input from the homebuilding community in terms of the most recent amendments. The City of Hampton and other governments spend time and resources studying, surveying, and defining development strategies to best fit our communities. These design standards are an integral part of attracting residents, businesses and a well-trained workforce; and

**WHEREAS**, HB-302 and SB-172 would completely remove the City of Hampton's common-sense ability of local control to set its own quality standards of single family and two-family homes and would transfer the decision-making power from duly-elected local leaders to outside groups with little to no stake in the future success of municipalities, including real estate developers and homebuilders; and

**WHEREAS**, should a property owner, developer or homebuilder take issue with a particular requirement or building standard, that said issue should first be properly adjudicated within the generally accepted areas of administrative appeals, a request for variance, or finally in a court of law to find such provision or standard as being arbitrary and capricious in lieu of a wholesale legislative restriction on untested grounds; and

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

**BE IT HEREBY RESOLVED**, by a majority vote of the Mayor and Council of the City of Hampton that the Mayor, by and with the advice and consent of the City Council, hereby respectfully request that the General Assembly oppose HB-302 and SB-172 and any similar bills, effective immediately.

THIS 12 day of March, 2019.

CITY OF HAMPTON, GEORGIA

  
STEVE HUTCHISON, Mayor

ATTEST:

  
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City Clerk

APPROVED AS TO FORM:

  
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L'ERIN BARNES WIGGINS, City Attorney