

On Monday, March 20, 2023, at 7:00 p.m. a special called meeting was called to order by Mayor Ruth Nash. The subject of the meeting was the recently expired Building Moratorium.

At roll call all council members were present and it was determined a quorum did exist.

The first item of business was to approve the agenda. Council member Askvig motioned to approve the agenda, seconded by council member Blakeley. The vote in favor was unanimous.

The Pledge of Allegiance was next, followed by a brief overview of the rules of decorum.

Discussion of the Moratorium and alternate plans for being able to control the way our town develops began with council member Askvig stating her discomfort at seeming to be like a home owners association (HOA).

Council member Keith discussed the recent passage of H.B. 514 and building moratoriums being extended to 180 days. Mayor Nash stated that previously the Town's attorney, Rob Morton, had stated that a ninety day moratorium could be passed, with a ninety day extension, but in order to be transparent, and to keep from being sued the town should not continue extensions after another 90 days.

Several members of the public, some of whom are also members of the Planning Committee, were in attendance and were allowed to speak, and ask questions and request clarifications.

Council member Keith stated that Town Clerk, Sharon Richmond had sent out an email, with the law, referenced to all Councilmembers.

Council member Keith motioned to extend the present moratorium another ninety days. The motion was seconded by council member Watts and the vote in favor was unanimous.

As there was no more business to be discussed council member Keith motioned to adjourn the meeting, seconded by council member Blakeley at 7:20 p.m. The vote in favor was unanimous.

The Mayor, asked that a copy of the "Housing Regulation Transparency Act", House Bill 514, which was being reference be sent to all Councilmembers. (So Attached.)

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Ruth Nash – Mayor

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Sharon Richmond – Clerk

House Bill 514

By: Representatives Washburn of the 144<sup>th</sup>, Bazemore of the 69<sup>th</sup>, Reeves of the 99<sup>th</sup>, Lim of the 98<sup>th</sup>, Ridley of the 6<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 66 of Title 36 of the Official Code of Georgia Annotated, relating to  
2 zoning procedures, so as to provide for the length and renewal of moratoriums related to  
3 zoning decisions; to provide for legislative findings; to provide procedures for the levy,  
4 collection, use, and waiver of fees related to zoning decisions and related permits; to revise  
5 notice and hearing requirements for certain zoning decisions; to provide a short title; to  
6 provide for related matters; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 This Act shall be known and may be cited as the "Housing Regulation Transparency Act."

10 **SECTION 2.**

11 Chapter 66 of Title 36 of the Official Code of Georgia Annotated, relating to zoning  
12 procedures, is amended in Code Section 36-66-4, relating to hearings on proposed zoning  
13 decisions, notice of hearing, nongovernmental initiated actions, reconsideration of defeated  
14 actions, and procedure on zoning, by adding new subsections to read as follows:

H. B. 514

- 1 -

15 "(i) An ordinance or resolution that would result in the enactment of a temporary  
16 moratorium on one or more types of zoning decisions or on the issuance or approval of one  
17 or more types of permits shall only be valid for a period of 180 days or less. No such  
18 moratorium shall be continued or renewed beyond 180 days, and a new moratorium over  
19 the same type or types of zoning decisions or permits may only be enacted if more than 180  
20 days have elapsed from the termination date of an earlier moratorium.

21 (j)(1) The General Assembly finds that an equitable program for financing the  
22 development and enforcement of local planning, land use, and zoning ordinances is  
23 necessary in order to promote and accommodate orderly growth and development and to  
24 protect the public health, safety, and general welfare of the citizens of the State of  
25 Georgia.

26 (2) Local governments are authorized to levy and collect application, review, and other  
27 fees associated with the exercise of their zoning powers and the issuance of permits  
28 related to the exercise of such powers. All such fees for a local government shall be  
29 provided for in the local government's zoning ordinances. The proceeds of such fees  
30 shall be used to fund the administration and enforcement of zoning ordinances and not  
31 the general operations of the local government, provided that the local government shall  
32 not be required to establish separate accounts for such proceeds.

33 (3) Local governments are authorized to abate, exempt, or waive any fees authorized  
34 pursuant to this subsection that relate to zoning decisions and related permits for  
35 single-family housing developments or projects of less than 2,500 square feet, provided  
36 that such development or project is consistent with the local government's comprehensive  
37 plan."



38

**SECTION 3.**

39 Said chapter is further amended by revising subsection (c) of Code Section 36-66-5, relating  
40 to adoption of hearing policies and procedures and standards for exercise of zoning power,  
41 as follows:

42 "(c) The policies and procedures required by subsection (a) of this Code section and the  
43 adoption of standards required by subsection (b) and permitted by subsection (b.1) of this  
44 Code section shall be included in and adopted as part of the zoning ordinance. Prior to the  
45 adoption of any zoning ordinance decision under subparagraphs (A) or (B) of paragraph (4)  
46 of Code Section 36-66-3 enacted on or after July 1, ~~2022~~ 2023, a local government shall  
47 conduct a public hearing on a proposed action which may be advertised and held  
48 concurrent with the hearing required by subsection (a) of Code Section 36-66-4 for the  
49 adoption of a zoning ordinance. The provisions of subsection (a) of Code Section 36-66-4  
50 relating to notices of public hearings for the purposes of that subsection shall also apply to  
51 public hearings required by this subsection."

52

**SECTION 4.**

53 All laws and parts of laws in conflict with this Act are repealed.