

House Bill 514

By: Representatives Washburn of the 144th, Bazemore of the 69th, Reeves of the 99th, Lim of the 98th, Ridley of the 6th, 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:

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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.