

2020 Legislative Update

GPA Fall Conference
September 25, 2020



American Planning Association
Georgia Chapter

Introductions

- Jim Summerbell, AICP – *Consultant with Jacobs and GPA Past President*
- Patrick Burns – *President, Arc 3 Communications*
- Sara Patenaude - *Tapestry Development Group, Inc and Chapter PAN Coordinator*
- Emily Ritzler, *Consultant with WSP USA*



Jim



Patrick



Sara



Emily

GPA Policy and Advocacy Organization

- Policy and Advocacy Committee established in chapter by-laws
- Around 12 active members
- Around 200 are part of PAN
- Weekly legislative update calls while the Legislature is in session (Jan-April)
- Subcommittees set up to determine advocacy stance on bills and APA Policy Guides
- Federal updates from APA
- Next year would like to work more on chapter communications

155th Georgia General Assembly

- 2020 Session disrupted by pandemic
 - Did not end until June 26th, after a 3-month hiatus
- Major bills of interest
 - Pre-emption bills (Patrick will review)
 - Short term rentals (HB523, died)
 - Design Guidelines (HB 937, died)
 - Housing (Sara will review)
 - Environmental
 - Right to farm act amendment (HB 545 Passed-despite our opposition and that of the GA Conservancy) – last minute amendments to the bill watered down its impact on nuisance claims against large agricultural operations
 - Transportation
 - HB105 – Hurricane Michael relief bill passed which included new rideshare flat fee to help fund transit
 - HB511 – Atlanta-Region Transit Link Authority clean up bill – reassigns ATL from GRTA to GDOT passed
 - Budget Cuts – for FY21 most state departments took an 11% cut, GDOT took a 16% cut, final budget was \$25.9 Billion (\$1.5 B less than FY20)

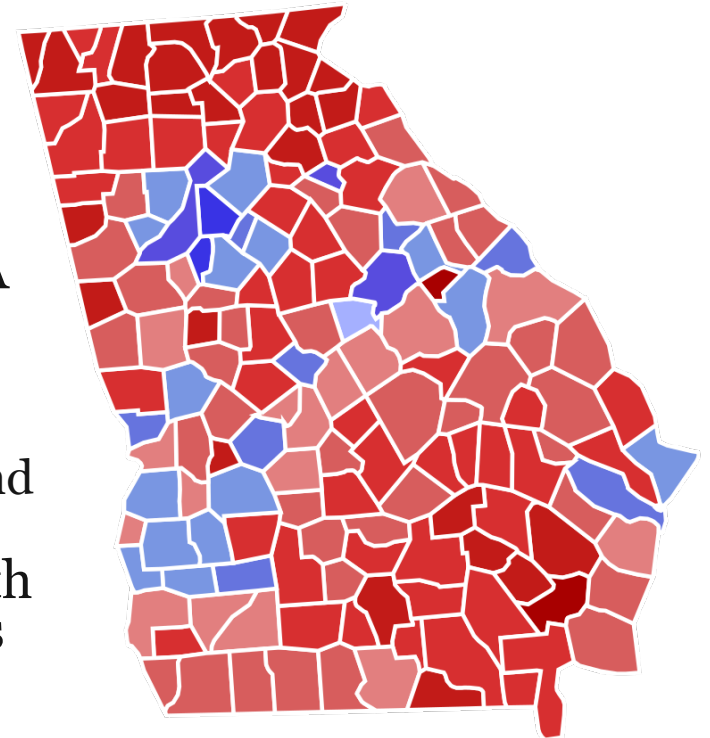


GPA Policy and Advocacy Efforts

- Were approached in 2019 by GMA and ACCG to help on opposition of housing pre-emption bills and seeking data on which jurisdictions the bills would impact
- Created database of which local jurisdictions had zoning ordinances and design guidelines
- Over the legislative break and during the session, we presented to subcommittee studying the bills expressing our concerns
- Met with sister organizations to discuss issues of mutual concern, launch a grass roots campaigns, and improve information sharing.
- Helped in the passage of over 100 local resolutions in opposition to the pre-emption bills
- Worked with APA to send out PAN Legislative Alerts
- Represented chapter at APA PAN meetings and at the Delegate Assembly
- Updated membership through the newsletter and social media

Changing Political Environment

- GA Republicans have held a majority at the state level since 2002
- Minority growth in both urban and suburban areas of the state is changing this
- In 2018, Democrats gained 15 seats in GA General Assembly
 - GA House currently has 104 Republicans and 75 Democrats
 - GA Senate currently has 34 Republicans and 21 Democrats
- Republican Governor Kemp only won with only 50.3% of the vote over Stacy Abrams
- **How will this change with the 2020 Elections?**



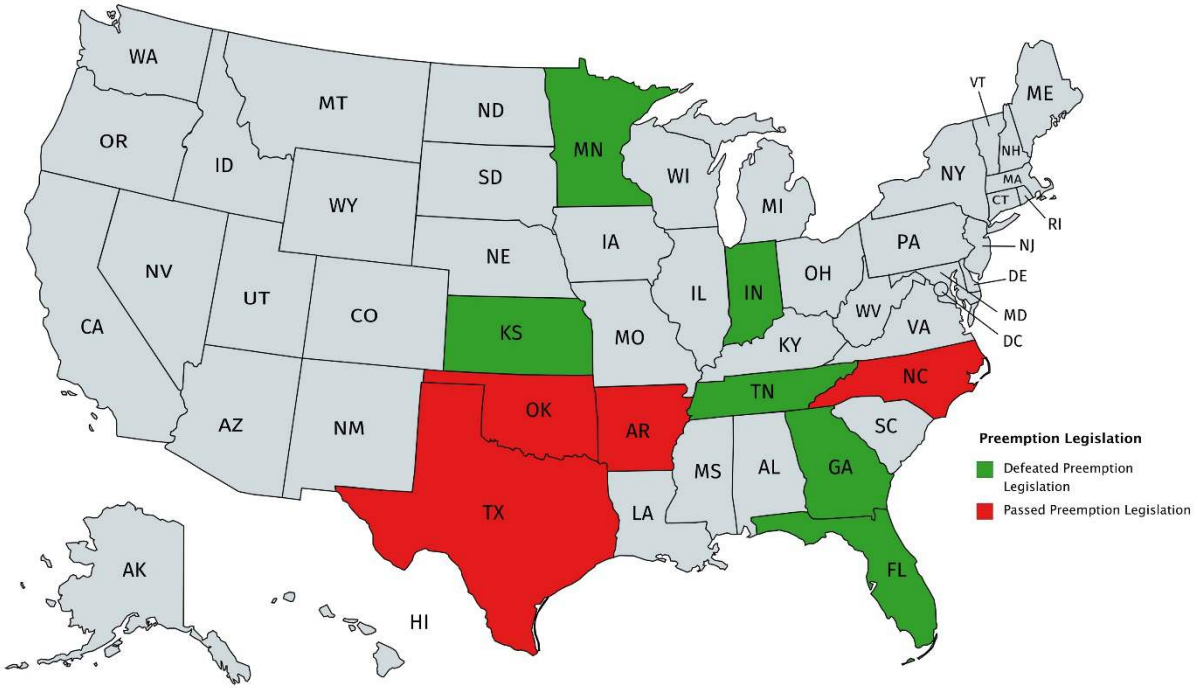
2018 Governor's Race Results

The National Fight against Pre-emption Bills

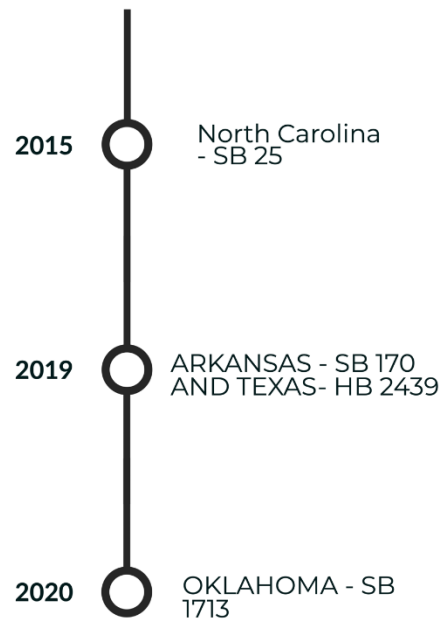
Patrick Burns

President Arc 3 Communications

Design Standards Preemption Legislation



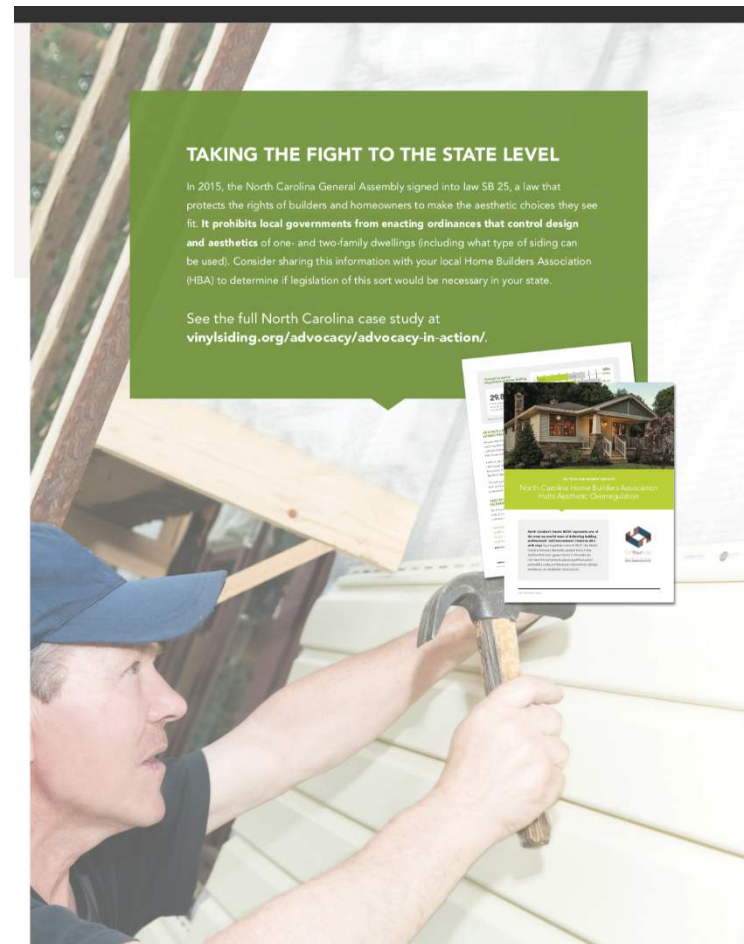
THE HISTORY OF PREEMPTION LEGISLATION



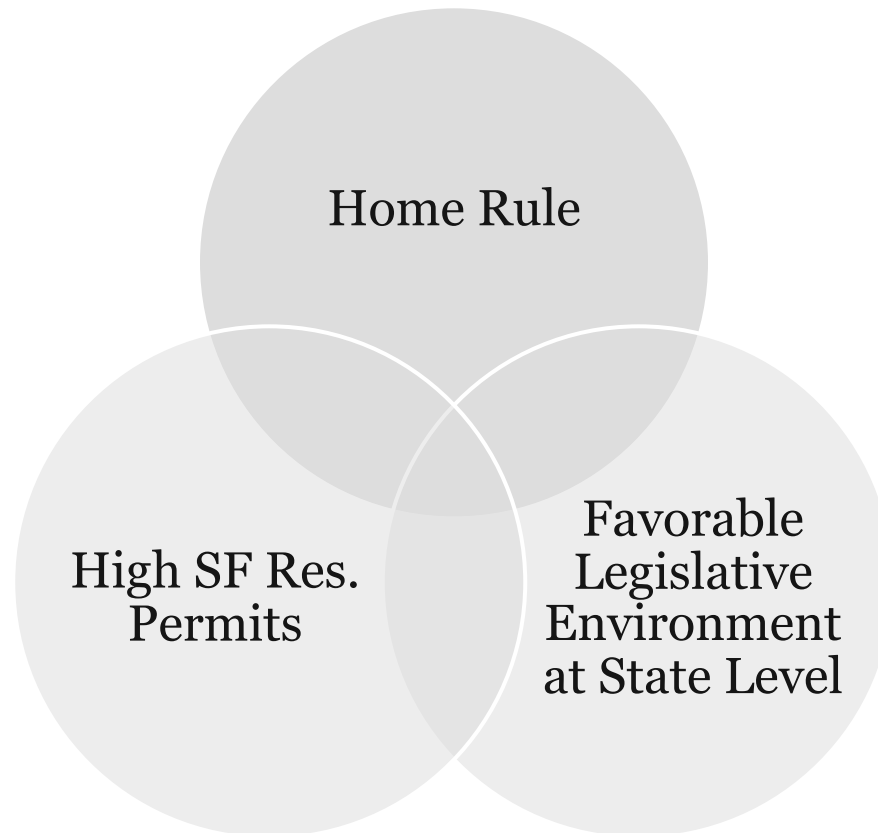
National Groups



NAHB and VSI



Preemption State Target Criteria



GA HB 937

- New version of HB 302/SB 172
- Sponsored Rep. Vance Smith (R-Pine Mountain)
- Prohibits local governments from doing design standards for single family houses in Ga.
- Pushed by Homebuilders Associations, Realtors and Vinyl Siding Institute



GA HB 937/HB 302/SB 172

- 131 City and County Resolutions Passed Opposing Preemption Bills
- Hundreds of Media Stories Covering City and County Resolutions
- Bills do not make out of committees by Legislative Crossover Day on 3/12

The screenshot shows a news article from the Atlanta Journal-Constitution (AJC). The article is titled "Milton opposes bill preempting local building standards" and is dated February 11, 2020, by David Ibatu. The main image shows a construction worker on a roof with Tyvek and Carter Lumber branding. Below the article, there are two advertisements: one for CVS Health and one for Seniors Love Posture Corrector.

AJC
Atlanta, News, Now

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Milton opposes bill preempting local building standards

NEWS | Feb 11, 2020
By David Ibatu, For the AJC

Advertisement

Helping make medicine more affordable.

A unanimous Milton City Council has adopted a resolution opposing a bill, pending in the state Legislature, that its critics say would preempt the ability of local government to set residential design standards for new homes.

Advertisement

House Bill 302 "would negatively impact quality-of-life issues, including economic growth and the safety and welfare of Georgia citizens," according to the resolution, to be delivered to Milton's legislative delegation.

Seniors Love Posture Corrector
If your poor posture is causing back pain, try this simple fix.

The measure mirrors language approved last year when HB 302 first came up for consideration, Milton said in a Facebook posting. Other municipalities and counties have passed similar resolutions in recent months.

Housing Update

Sara Patenaude

Tapestry Development Group, Inc

Housing Needs & Challenges

- Housing affordability is an issue in urban AND rural communities
- Half of Georgia renters and 20% of owners are cost burdened (spend more than 30% of household income on rent)
- Since 2010, rental costs in the Atlanta metro have increased by 48%, but wages are only up 10%
- Georgia saw a 24% year-over-year increase in foreclosures in 2019

What is **Affordable Housing**?



The government says housing is “affordable” if a family spends **no more than 30%** of their income to live there.



FACTS ABOUT **GEORGIA:**

MOST EXPENSIVE AREAS	HOUSING WAGE
Atlanta-Sandy Springs-Roswell HMFA	\$22.44
Savannah MSA	\$19.42
Morgan County	\$17.65
Butts County	\$17.58
Hall County	\$17.27

MSA = Metropolitan Statistical Area; HMFA = HUD Metro FMR Area.

105

Work Hours Per Week At
Minimum Wage To Afford a **2-Bedroom
Rental Home** (at FMR)

91

Work Hours Per Week At
Minimum Wage To Afford a **1-Bedroom
Rental Home** (at FMR)

2.6

Number of Full-Time Jobs At
Minimum Wage To Afford a
2-Bedroom Rental Home (at FMR)

2.3

Number of Full-Time Jobs At
Minimum Wage To Afford a
1-Bedroom Rental Home (at FMR)

Context of housing laws in Georgia

- Georgia law favors landlords over tenants – few tenant protections
- State law leans heavily against regulation – no writ of habitability, no right to cure, rent regulation is preempted
- Current housing issues greatly exacerbated by COVID-19
- National eviction moratorium in place through Dec 31, 2020



Proposed housing legislation 2019

Some of the proposed housing-related legislation we saw last year:

- Bad:
 - Design standards
 - Short-term rental preemption
 - State LIHTC cuts
- Good:
 - Healthy housing
 - Lead paint standards
 - Eviction protections / right to cure

*(Of this list, only healthy housing passed)

Likely housing legislation 2020

Some of the housing-related legislation we will likely see next year:

- Design standards
- Short term rental preemption
- State LIHTC cuts
- Definition of family changes
- Eviction protections / right to cure



Housing policy that would actually help!

There are many things that would actually help housing affordability and provide safety and stability to Georgians:

- Eviction protections / right to cure
- Contract-for-deed regulation
- Allow local gov'ts to abate property taxes without replacement revenue
- Expand state-funded voucher programs
- Source of income protections

New state-wide housing policy initiative launching September 30 – see <http://georgiaact.org/everyone-deserves-a-place-to-call-home/> after that date!

STATE HOUSING POLICY FOR GEORGIA

**EVERYONE DESERVES
A PLACE TO CALL
HOME**

Georgia's children and families need safe, stable, and affordable housing to succeed.
Our state legislature has the ability to help.

For policies that could help, visit <https://tinyurl.com/EDP2CH>

Created in coalition with GeorgiaACT



Review of Recent Changes in the National Environmental Policy Act (NEPA)

Emily Ritzler
WSP USA

Council of Environmental Quality Final NEPA Rule

- Issued on July 15, 2020
- Effective date of regulations is September 14, 2020

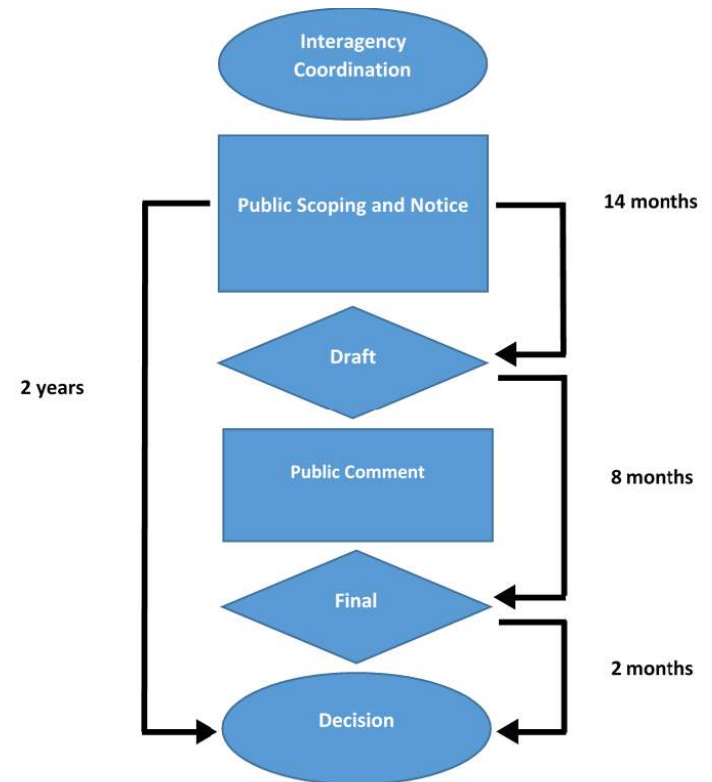


Key Changes

- NEPA Process
 - One Federal Decision
 - Time and page limits
- Clarifies Definitions and Agency Roles
 - Federal Action
 - Environmental Effects
- Modernization of communication

One Federal Decision

- Codify Executive Order
- 1-year timeline for Environmental Assessment
- 2-year timeline for Environmental Impact Statement
- Establishes page limits



Environmental Effects

- The regulations remove the concepts of “cumulative” and “indirect” effects, stipulating that a “but for” causal relationship is insufficient to make an agency responsible for an effect under NEPA.

NEPA Thresholds and Applicability

- Agencies now have the discretion to determine whether compliance with another environmental statute (e.g., Clean Water Act) could satisfy the requirements of NEPA.



Questions and Answers

If you are interested in joining the Policy and Advocacy Committee contact either:

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