

ORDINANCE NUMBER \_\_\_\_-20\_\_

**AN ORDINANCE AMENDING CHAPTER VII (PERFORMANCE ZONING STANDARDS) OF THE LAND DEVELOPMENT ORDINANCE OF THE CITY OF WOODSTOCK, GEORGIA, AMENDING DOWNTOWN DISTRICT STANDARDS**

**Whereas**, the City of Woodstock, Georgia (hereinafter sometimes referred to as the “City”) is a municipality duly formed and existing pursuant to Georgia law; and

**Whereas**, the 1983 Constitution of the State of Georgia provides for the self government of municipalities without the necessity of action by the General Assembly<sup>1</sup>; and

**Whereas**, the City of Woodstock, Georgia, has the legislative power to adopt clearly reasonable ordinances, resolutions or regulations relating to its property, affairs and local government for which no provision has been made by general laws or which are expressly allowed by general laws, and which are not inconsistent with the Constitution or any charter provision applicable thereto<sup>2</sup>; and

**Whereas**, the governing body of the City has determined that it is in the best interest of the City and its citizens to adopt the following; and

**NOW THEREFORE BE IT RESOLVED, THE MAYOR AND COUNCIL OF THE CITY OF WOODSTOCK, GEORGIA HEREBY ORDAINS:**

**Section 1.** That Chapter VII – Performance Zoning Standards, Article VII – Downtown District Standards, Section 7.721 of the Land Development Code, as amended, is hereby further amended as follows:

12. Plan for and maintain first class sustainable neighborhoods.

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<sup>1</sup> Ga Const , 1983, Article IX, Section II, Paragraph II provides in pertinent part as follows

“The General Assembly may provide by law for the self government of municipalities and to that end is expressly given the authority to delegate its power so that matters pertaining to the municipalities may be dealt with without the necessity of action by the General Assembly “

<sup>2</sup>O C G A § 36-35-3 (a) provides as follows

“(a) The governing authority of each municipal corporation shall have legislative power to adopt clearly reasonable ordinances, resolutions, or regulations relating to its property, affairs, and local government for which no provision has been made by general law and which are not inconsistent with the Constitution or any charter provision applicable thereto Any such charter provision shall remain in force and effect until amended or repealed as provided in subsection (b) of this Code section This Code section, however, shall not restrict the authority of the General Assembly, by general law, to define this home rule power further or to broaden, limit, or otherwise regulate the exercise thereof The General Assembly shall not pass any local law to repeal, modify or supersede any action taken by a municipal governing authority under this Code section, except as authorized under Code Section 36-35-6 ”

**Section 2.** That Chapter VII – Performance Zoning Standards, Article VII – Downtown District Standards, Section 7.723 of the Land Development Code, as amended, is hereby retitled, from “Code Compliance Certificate (CCC)” to, “General Provisions.”

**Section 3.** That Chapter VII – Performance Zoning Standards, Article VII – Downtown District Standards, Section 7.723 of the Land Development Code, as amended, is hereby further amended as follows:


4. Should development proposed for a site directly adjacent to an existing residential subdivision include a higher residential density and/or commercial use, the developer shall post signs along each public street frontage abutting the site, giving notice to the public of the proposed development. Signs shall be placed concurrent with the first submittal of project site plans to the City of Woodstock, in accordance with Chapter III, and remain until the first certificate of occupancy is issued for a structure on the premises. Signs shall be no less than six (6) square feet in size, including the following project details and information:
  - a. Name of proposed development; and
  - b. Website address for project info.

Effective Date. This Ordinance shall take effect immediately upon adoption by Mayor and City Council.

PASSED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE CITY OF WOODSTOCK, GEORGIA, THIS 13 DAY OF February, 2017.

1st Reading: 1/23/17 2nd Reading: 2/13/17

  
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DONNIE HENRIQUES, MAYOR

  
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RHONDA L. PEZZELLO, CLERK

Approved as to form:

  
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ELDON L. BASHAM, CITY ATTORNEY