

ORDINANCE 6632-2020

AN ORDINANCE AMENDING CHAPTER X, SEC. 10.140 (2) OF THE LAND DEVELOPMENT ORDINANCE OF THE CITY OF WOODSTOCK, GEORGIA ESTABLISHING POWERS AND DUTIES OF THE DEVELOPMENT PROCESS COMMITTEE.

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 Assembly¹; 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, and which are not inconsistent with the Constitution or any charter provision applicable thereto²; and

Whereas, the City Council of the City of Woodstock, Georgia desires to amend Chapter X of the Code of Woodstock, Georgia as set forth herein.

NOW, THEREFORE, BE IT RESOLVED THAT THE COUNCIL ORDAINS, by the lawful authority vested in them as follows:

Replace Subsection 10.140 (2) of Chapter 10 of the Land Development Ordinance for the City of Woodstock, Georgia with the following:

2. *Powers and Duties* If the City Manager establishes a Development Process Committee (DPC), the DPC may:
 - a. Review all applications for annexations, rezoning and variances including public input meeting comments, then meet with applicant to determine appropriate recommendation.
 - b. Provide the recommendation in writing to the Mayor and Council via the Planning Commission.
 - c. Review applications for administrative variances for the following:
 1. Reduction of parking spaces up to twenty (20) percent of the required number of spaces;
 2. Reduction of Buffer and Setbacks up to twenty (20) percent from the required buffer and setbacks;

¹ 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."

² 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 hereto. 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."

- 3 Tree and Landscaping up to twenty (20) percent of any tree or landscaping requirements,
- 4 To relocate fences that are required either by code or as a condition of zoning in order to maximize the effectiveness of said fence in terms of privacy, safety and/or aesthetics
- 5 To allow D2 Streets (with parking on only one side)
- 6 To allow parking lot surfaces other than asphalt or concrete in the Downtown District
- 7 To allow minor architectural administrative variances for both residential and commercial development in the Downtown District, under the following conditions.
 - a. Code sections and subsections eligible for administrative relief are limited to those found in Sections 7.729 Street Façade Requirements and all subsections therein, 7.730 (1) Building Requirements, and the definitions for Storefront Treatment and Residential Treatment which each have several subsections, as found in Section 7.722.
 - b. Only two code subsections shall be approved for any individual building. If relief is needed to more than two subsections, the applicant should enter the public hearing process
 - c. An administrative variance request for architecture shall only apply to one building

An administrative variance shall not add to an existing variance. The DPC shall make a finding of approved or denied and the finding shall be signed by the City Manager or designee. If the determination is to deny an administrative variance application, the applicant may choose to enter the public hearing process for a full variance with the same request

- d. Hold pre-application meetings for site plans and subdivisions of land, providing assistance to applicant for designing to comply with City codes
- e. Review all plats for compliance with the provisions of the Land Development Ordinance and approve preliminary and final subdivision plats when in compliance. Variances or waivers shall be approved through the appropriate process before approval. The City Manager or designee shall sign to approve plats when such plats meet all requirements and have been signed as approved by all departments
- f. Perform such other duties as may be specified in the Land Development Ordinance, required by the City Manager or reasonably appropriate to effect the provisions of the City's ordinances
- g. Review and determine if crosswalks installed with new development shall include pedestrian activated equipment, signaling that pedestrians are entering the crosswalk for passage across the street.

This Ordinance shall take effect immediately upon its adoption.

PASSED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE CITY OF WOODSTOCK, GEORGIA, THIS 26 DAY OF September 2020.

First Reading Date: 09/14/2020

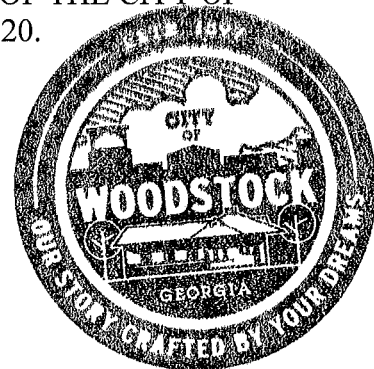
Second Reading Date: 09/28/2020



 DONNIE HENRIQUES, MAYOR



 RHONDA L. PEZZELLO, CLERK




DPC Memo

Jeff Moon <jmoon@woodstockga.gov>

Tue 10/13/2020 11:06 AM

To: Coty Thigpen <cthigpen@woodstockga.gov>, Rob Hogan <rhogan@woodstockga.gov>, Rhonda Pezzello <rpezzello@woodstockga.gov>, Dave Soumas <dsoumas@woodstockga.gov>, **Planning** <planning@woodstockga.gov>; Jeremy Parker <jparker@woodstockga.gov>, Janis Steinbrenner <jsteinbrenner@woodstockga.gov>; Duane Helton <dhelton@woodstockga.gov>, William Taylor <wtaylor@woodstockga.gov>, Brantley Day <bday@woodstockga.gov>, Jimmy Eley <jeley@woodstockga.gov>, Bobby Stilson <bstilson@woodstockga.gov>

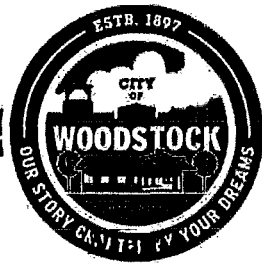
 1 attachments (65 KB)

City of Woodstock_20201013_094606.pdf;

All:

Based upon Council repealing the CPM dealing with the DPC last night, please see the attached memo. Please let me know if you have any questions.

Jeff



To: All Employees

From: Jeff Moon, City Manager *JM*

Date: October 13, 2020

RE: Development Process Committee Membership

Pursuant to Section 10.140 (1) of the City of Woodstock Land Development Ordinance (LDO), I hereby appoint the following positions to the Development Process Committee (DPC) for purposes of voting on staff recommendations on pending applications:

- City Manager or designee
- Assistant City Manager for Public Works or their designee
- Community Development Director or their designee
- Planner in Charge of the Application
- Fire Chief or their designee
- Engineering Manager or their designee
- Building Official or their designee

The Community Development Director, or their designee, shall serve as Chairperson of DPC meetings.

This memo shall remain in effect until rescinded or modified pursuant to Section 10.140 (1) of the LDO.