

**ORDINANCE TO IMPOSE A MORATORIUM ON
DEVELOPMENT ON RIDGEWALK PARKWAY**

CITY OF WOODSTOCK, GEORGIA

WHEREAS, the City of Woodstock (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;¹ 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 thereto;² and

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 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 Any such charter provision shall remain in force and effect until amended or repealed as provided in subsection (b) of this Code section.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.

WHEREAS, the Ridgewalk Parkway Corridor (hereinafter, "Corridor") includes properties within both the Technology Park Overlay District, which are generally zoned Light Industrial, as well as properties identified during the "Envision Ridgewalk" process, which are zoned "Form-Based Code," more particularly detailed under Exhibit "A;" and

WHEREAS, the Technology Park Overlay District was adopted in 2000 to provide for the development of a mixed use office and technology park combined with commercial and residential uses, setting a standard for development that fully integrates those uses that will create a vibrant activity center, oriented towards an exclusive office park environment targeted toward long term corporate clientele, with an emphasis toward corporate headquarters and campuses. The technology park overlay is intended to maintain the natural surroundings and give the appearance and feel of an area completely unique to the City; and

WHEREAS, with the planned construction of the new I-575 Ridgewalk Parkway Interchange (Exit 9), joined by the widening and associated improvements of Ridgewalk Parkway, the Mayor and City Council in 2011, studied future land use and development opportunities for the Corridor, with extensive public input, which became known as "Envision Ridgewalk;" and

WHEREAS, the Form-Based Code, Chapter XVIII of the City of Woodstock Land Development Ordinance," implements the "Envision Ridgewalk" plan, with the intent of encouraging infill development with compact pedestrian-oriented and mixed-use neighborhoods and town centers to reduce the length of automobile trips and provide for ordinary activities of daily living within walking distance of most dwellings, and to reinforce community identity, while providing a distribution of open space; and

WHEREAS, during the intervening years since the enactment of the Technology Park Overlay and Form-Based Code, a variety of development has occurred within the Corridor, including but not limited to the construction of commercial retail establishments, restaurants, single family units, apartments, church, and gasoline station; and

WHEREAS, the Mayor and City Council are concerned with the inconsistent pattern of development within the Corridor over the past 18 years, considering the intent of the Technology Park Overlay District and Form-Based Code, respectively; and

WHEREAS, the Mayor and City Council are concerned with the conglomeration of zoning districts, overlays, and future land use objectives in the Corridor, which may overlap, conflict, and only serve to confuse the development community while failing to provide the continuity and consistency originally envisioned for the Corridor; and

WHEREAS, it is the purpose of this Ordinance to provide the opportunity for Mayor and City Council to direct City staff to thoroughly review, study and analyze the Corridor, setting forth a land use study to determine best use of zoning districts, overlay districts, and development standards to ensure that development in the Corridor is consistent with the vision

and adopted Comprehensive Plan; and

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

WHEREAS, the governing body of the City of Woodstock has determined that exigent circumstances exist as to the lack of concise controls over the regulation of land use and design within the Corridor; and;

WHEREAS, the Mayor and City Council of the City of Woodstock have determined that the life, health, property, or public peace, safety and wellbeing of the citizens of the City could be negatively impacted thereby; and

NOW THEREFORE, the Mayor and the City Council of the City of Woodstock hereby ordain that a temporary moratorium is imposed as follows:

- 1.) No public hearing application, site plan review application, or building permit application will be accepted for projects on properties in the Corridor, as identified on Exhibit "A," except as follows:
 - a.) Projects with an active Land Disturbance Permit (LDP) at the time of adoption of this Moratorium; and
 - b.) Projects with an active public hearing application scheduled to be heard by the Planning Commission or Mayor & Council; and
 - c.) Site plan review applications that have been accepted by the City of Woodstock and are under review by City Staff at the time of adoption of this Moratorium; and
 - d.) Projects that propose to annex property into the City of Woodstock.

This moratorium is in effect from this date forth until January 31, 2019. It is anticipated that this moratorium shall last until January 31, 2019, but it is subject to change by the Mayor and City Council. During the time this moratorium is in place, the City staff is hereby directed to review the City's land use requirements and zoning ordinances and propose appropriate revisions thereto.

This Ordinance to Impose a Moratorium as detailed herein is effective immediately and shall remain in force until January 31, 2019.

This 8 day of October, 2018.
This 24th day of September, 2018.



DONNIE HENRIQUES, MAYOR
CITY OF WOODSTOCK, GEORGIA



RHONDA L. PEZZELLO, CLERK
CITY OF WOODSTOCK

DATE ADOPTED: September 24, 2018, effective October 8, 2018.

For Second Reading and Re-adoption October 8, 2018.

