

ORDINANCE 007 -23

AN ORDINANCE AMENDING CHAPTER II (DEFINITIONS) AND CHAPTER VII (PERFORMANCE ZONING STANDARDS) OF THE CITY OF WOODSTOCK LAND DEVELOPMENT ORDINANCE TO CREATE DEVELOPMENT, SIGNAGE, AND DESIGN STANDARDS FOR ELECTRIC VEHICLE CHARGING STATIONS.

(ZONE TEXT AMENDMENT #007-23 – CITYWIDE)

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 Georgia 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 create Chapter VII, Article V, Section 7.522 of the Code of Woodstock, Georgia as set forth herein.

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

Section 1. That the Woodstock Land Development Code Table of Contents shall be amended by creating “Chapter VII, Article V, Section 7.522. Electric Vehicle Charging.”

Section 2. Chapter II- Definitions, of the Land Development Code, as amended, is hereby further amended by inserting the following definitions:

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 Any such charter provision shall remain in force and effect until amended or repealed as provided in subsection (b) of the Code Section.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 35-35-6.”

Electric Vehicle (EV): An automotive-type vehicle for on-road use, such as passenger automobiles, buses, trucks, vans, neighborhood electric vehicles, electric motorcycles, and the like, powered by an electric motor that draws current from a rechargeable storage battery, fuel cell, photovoltaic array, or other source of electric current which is charged by being plugged into an electrical source. For the purpose of this ordinance, off-road, self-propelled electric vehicles, such as industrial trucks, hoists, lifts, transports, golf carts, tractors, boats, and the like, are not included.

Electric Vehicle (EV) Charging Station: An electric vehicle supply equipment station in a public or private parking space that delivers electricity or transfers electric energy to a battery or other energy storage device in an electric vehicle.

Electric Vehicle Charging Station, Publicly Accessible: An EV Charging Station that is accessible to and available for use by the general public.

Electric Vehicle Parking Space: Any parking space that is clearly identified to be used exclusively for the parking of an electric vehicle.

Electric Vehicle Supply Equipment (EVSE): The conductors, including the ungrounded, grounded, and equipment grounding conductors, and the electric vehicle connectors, attachment plugs, and all other fittings, devices, power outlets, or apparatus installed specifically for the purpose of transferring energy between the premises wiring and the electric vehicle.

Equipment Compound: An area surrounding or near the base of a wireless support structure within which are located wireless communication facilities.

Section 3. That Chapter VII (Performance Zoning Standards), Article V (Use Districts and Regulations) be amended to read as follows:

Section 7.522 Electric Vehicle Charging Stations.

1) General.

- a. Electric vehicle Charging Stations are permitted as accessory uses in all zoning designations in the City of Woodstock
- b. Any new private or publicly accessible electric vehicle Charging Station must obtain an electrical permit through the City of Woodstock before development.

2) Equipment Requirements.

- a. Vehicle charging equipment compounds shall be designated and located so as to not impede pedestrian, bicycle, or wheelchair movement or create safety hazards on sidewalks.
- b. Wheel stops, bollards, curb and gutter, or similar device shall be installed in order to separate vehicles from EVSE.

c. Digital screens installed on electric vehicle charging equipment shall be placed so as to not be visible from the public right-of-way.

d. Installation of EVSE and EVSE infrastructure shall meet National Electrical Code Article 625 as of its current or amended version.

I. The City of Woodstock shall receive manufacturer's specifications for all electric vehicle Charging Stations to ensure compliance with Article 625.

e. When cords and connectors are not in use, retraction devices or locations for storage shall be located sufficiently above the pedestrian surface and the parking lot as to reduce conflicts with pedestrians and vehicle maneuvering. Cords, cables, and connector equipment shall not extend across the path of travel in any sidewalk or walkway.

f. The City of Woodstock reserves the right to require screening and/or stealthing be provided to publicly accessible electric vehicle Charging Stations and related equipment.

3) Electric Vehicle Charging Station Design Requirements

a. Publicly accessible electric vehicle Charging Stations shall contain information identifying voltage and amperage levels, the type of use, and relevant safety information.

b. Publicly accessible electric vehicle Charging Stations shall contain information regarding any associated fees for use.

c. EV signage is limited to a maximum of 1.5 square feet in size per electric vehicle parking space.

d. Electric vehicle Charging Stations are limited to a digital user interface of eight and a half inches (8.5") by eleven inches (11").

e. Advertising is permitted as a part of the digital user interface and must be oriented towards the vehicle or user of the station and not towards the general public or the public right-of-way.

f. Any publicly accessible electric vehicle charging station that is installed within the City shall meet the design requirements listed herein.

Section 4. Should any provisions of this Ordinance be declared invalid by a Court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any provision thereof other than the provisions specifically declared to be invalid. The Mayor and Council hereby declare that it would have passed this Ordinance and each subsection, sentence, clause, and phrase thereof, irrespective of the fact that any

one or more subsections, sentences, clauses, or phrases may be declared illegal, invalid or unconstitutional.

Section 5. This Ordinance shall take effect immediately upon its adoption.

Section 6. This Ordinance shall not apply to any projects that have been deemed complete by the City of Woodstock as of the effective date of this Ordinance.

PASSED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE CITY OF WOODSTOCK, GEORGIA, THIS 11th DAY OF December, 2023.

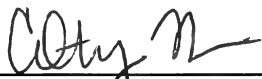
Advertisement Run in Cherokee Tribune: November 23, 2023

First Reading Date: November 27, 2023

Second Reading Date: December 11, 2023



MICHAEL CALDWELL, MAYOR
CITY OF WOODSTOCK, GEORGIA



COTY THIGPEN, INTERIM CITY CLERK
CITY OF WOODSTOCK, GEORGIA

REVIEWED FOR LEGAL CONTENT

ELDON L. BASHAM
CITY ATTORNEY