

Sec. 7.21. - Allatoona overlay district.

7.21.1 *Title.* This section shall be known as the "Allatoona overlay" or may be internally cited as "this overlay."

7.21.2 *General purpose.* Recognizing that the Allatoona Lake is a precious environmental resource that also generates hundreds of thousands of annual visitors to the county, and that the area adjacent to the lake and especially Interstate 75 is subject to considerable traffic and other development pressures, the purpose of this overlay is to enable and support the implementation of the following policies: that the harmonious and orderly development and redevelopment of the Allatoona Lake area should be secured through these regulations; and that the overlay area be a focal point for high-quality development and redevelopment.

7.21.3 *Applicability.*

- (A) This overlay applies within the area be shown on the map labeled "Allatoona Overlay District" which is adopted herewith, and shall be signed by the zoning administrator, dated July 10, 2019 and kept in the offices of the zoning administrator and accessible to the public. Such map is incorporated by reference as if set forth fully herein. An additional official copy shall be spread upon the minutes of the county clerk.
- (B) Parcels within this overlay shall be subject to both the requirements of this section and the requirements of their underlying zoning district, subject to the conflict provisions in paragraph (C) immediately below.
- (C) When requirements of this overlay conflict with any requirement of the underlying zoning or any other provision of the zoning ordinance, the requirements of this overlay shall prevail.

7.21.4. *Conformance requirements.*

- (A) All buildings, structures or land, in whole or in part, must be used or occupied, in conformance with this overlay. All buildings or structures, in whole or in part, must be erected, constructed, moved, enlarged or structurally altered in conformance with this overlay.
- (B) Nothing in this overlay shall require any change in the plans, construction or intended use of a building or structure for which a lawful permit has been issued or a lawful permit application has been accepted before the effective date of this overlay, provided that the construction under the terms of such permit is diligently followed until its completion.

7.21.5 *Conflicting provisions.*

- (A) It is not the intent of this overlay to interfere with or abrogate or annul any easements,

covenants or other agreements between parties; provided, however, that where this overlay imposes a greater restriction upon the use of property, or requires more space than is imposed or required by other resolutions, rules or regulations, or by easements, covenants or agreements, the provisions of this overlay shall govern.

- (B) Nothing herein shall be construed as repealing or modifying the conditions of operation or conditions of site development accompanying those zoning approvals, variances, or use permits issued prior to the existence of this overlay; however, modification or repeal of these past conditions of approval may be accomplished through a zoning change.

*7.21.6 Use restrictions.* For parcels zoned C-1 general business in this overlay, the only uses permitted as of right shall be those listed in the following subsections of section 7.11.8 of the zoning ordinance (A), (B), (C), (D), (E), (H), (L), (M), and (N). Any other use listed in section 7.11.8 shall be treated as a conditional use and require an application. Any use listed in section 7.11.9 shall remain a conditional use.

*7.21.7 Development requirements.*

- (A) Any undeveloped C-1 lots shall be developed with sidewalks, as set forth in the standard details of the county.
- (B) Any C-1, CN, O-I, I-1 or I-2 lot to be developed shall have a minimum of 20 foot landscaped buffer strip paralleling road frontage. Minimum one tree and four shrubs per 40 feet of road frontage. All parking areas shall be to the rear of the primary structure and screened from the right-of-way.
- (C) Non-conforming A-1 lots that have frontage on Glade Road, Red Top Mountain Road, New Hope Church Road, and Kings Camp Road must put up a masonry or ornamental steel fence with post lighting to place or replace a manufactured home, whether on an individual lot or an existing nonconforming mobile home park. This requirement can also be satisfied by a 20 foot landscaped buffer, designed to be opaque year-round. Non-conforming lots rezoned to R-1 are exempt from this requirement, granted the home is built to the architectural requirements of section 7.4.9.
- (D) R-1 zoning district area and frontage requirements shall not apply for nonconforming A-1 lots seeking to apply to rezone to R-1.
- (E) The following materials are prohibited for new residential structures (including single-family homes, multi-family homes, modular homes and manufactured homes), and are prohibited for accessory structures in residential zoning districts: vinyl siding, unfinished cinder blocks, metal siding, aluminum siding.

(Ord. of 9-11-2019(1).)