

As Approved

**AN ORDINANCE TO AMEND THE NEWTON COUNTY ZONING ORDINANCE; TO REPEAL CONFLICTING PROVISIONS; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR FURTHER PURPOSES**

**WHEREAS**, it is the intention of the Board of Commissioners of Newton County, Georgia that its Zoning Ordinance be comprehensive in its regulation of potential uses of land in Newton County; and

**WHEREAS**, a comprehensive treatment of all potential land uses promotes the health, safety, order, prosperity and general welfare of Newton County; and

**WHEREAS**, the current Zoning Ordinance of Newton County, Georgia (“Zoning Ordinance”) was adopted February 17, 2009; and

**WHEREAS**, Section 450-200 of the Zoning Ordinance, as amended, regulates residential construction in the Almon Overlay District, and Section 460-120 of the Zoning Ordinance, as amended, regulates residential construction in the Salem Overlay District; and

**WHEREAS**, in the Almon and Salem Overlay Districts, quality standards for all new residential construction will significantly contribute to providing a sense of place, a more attractive community, and property value protection; and

**WHEREAS**, the Board of Commissioners of Newton County, Georgia, as the governing authority of said County, deems it appropriate to amend these sections to provide a comprehensive use chart for each of the Overlay Districts.

**NOW THEREFORE, BE IT ORDAINED** by the Board of Commissioners, Newton County, Georgia, and it is hereby ordained by the authority of the Constitution of Georgia (1983), Art. IX, Sec. II, Par. I, II and IV, that the Zoning Ordinance, Newton County, Georgia is amended as provided herein:

**SECTION 1**

Section 450-200 subsections E. and F. of the Newton County Zoning Ordinance is amended by deleting said subsections in their entirety and inserting the following in lieu of:

**Sec. 450-200 NON-CONFORMING USES**

E. Residential Lots: Unless a subdivision is being redeveloped, in residential subdivisions where the Final Plat was recorded prior to the passage of the Overlay the Overlay standards for Residential

Development shall not apply provided development proceeds in accordance with the prior approved Final Plat.

F. Residential Buildings: Ordinary maintenance and repair are permitted on non-conforming residential structures. The following provisions would require a non-conforming residential building to follow the regulations specified in this Overlay:

1. Construction of a new primary residential structure on vacant or undeveloped residential lots within an existing subdivision: Residential construction must comply with the full Overlay design and building standards for residential structures.
2. Construction of an accessory structure or garage: The full Overlay standards shall not be applied in this case, but the accessory structure should match the primary structure in materials, color, and architectural style.
3. Relocation of a structure within the Overlay or from a location outside the Overlay to a location within the Overlay. New mobile homes moving into mobile home parks that existed prior to the establishment of the Overlay are exempt from this requirement.

## SECTION 2

Section 460-120 subsections E. and F., of the Newton County Zoning Ordinance is amended by deleting said subsections in their entirety and inserting the following in lieu of:

E. Residential Lots: Unless a subdivision is being redeveloped, in residential subdivisions where the Final Plat was recorded prior to the passage of the Overlay the Overlay standards for Residential Development shall not apply provided development proceeds in accordance with the prior approved Final Plat.

F. Residential Buildings: Ordinary maintenance and repair are permitted on non-conforming residential structures. The following provisions would require a non-conforming residential building to follow the regulations specified in this Overlay:

1. Construction of a new primary residential structure on vacant or undeveloped residential lots within an existing subdivision: Residential construction must comply with the full Overlay design and building standards for residential structures.
2. Construction of an accessory structure or garage: The full Overlay standards shall not be applied in this case, but the accessory structure should match the primary structure in materials, color, and architectural style.
3. Relocation of a structure within the Overlay or from a location outside the Overlay to a location within the Overlay. New mobile homes moving into mobile home parks that existed prior to the establishment of the Overlay are exempt from this requirement.

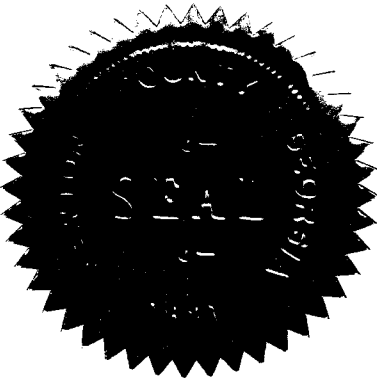
**SECTION 3**

All ordinances or regulations or parts thereof in conflict herewith are hereby repealed.

**SECTION 4**

This Ordinance shall be in force and take effect on November 16, 2016.

Adopted and approved by the Board of Commissioners on the 15<sup>th</sup> day of November, 2016, after a public hearing on said date.



NEWTON COUNTY BOARD OF COMMISSIONERS

By:

Handwritten signature of William K. Ellis in black ink.

William K. Ellis, Chairman

Attest:

Handwritten signature of Jackie Smith in black ink.

Jackie Smith, Clerk

Recommended for approval and adopted by the Newton County Planning Commission on the 25<sup>th</sup> day of October, 2016, after a public hearing on said date.

NEWTON COUNTY PLANNING COMMISSION

By:

Handwritten signature of Landis Stephens in black ink.

Landis Stephens, Chairman

Attest:

Handwritten signature of Crystal Dooley in black ink.

Crystal Dooley, Secretary