

Article 16 – Overlay Zoning District Regulations

16.3 Highway 20 East Overlay District

16.3.1 Statement of Significance

Highway 20 traverses the County east and west providing access to Forsyth County and Bartow County. It also intersects with Interstate 575 providing connectivity to the northern and southern portions of the County and cities within the County. Only the Cumming Highway portion east of Canton Marketplace, within the County's jurisdiction, to the Forsyth County line was included in the Corridor Overlay Zone. The Highway 20 widening was identified as a challenge for growth in the Cherokee County Comprehensive Plan, specifically for the Free Home area.

16.3.2 Intent

The intent of the Highway 20 East Overlay District is to set standards for development and design that contribute to community character. The overlay encourages commercial and residential uses to provide a mix of activities and public spaces. The overlay may support large-scale and aesthetically compatible office/industrial complexes where appropriate. The overlay is intended to establish a cohesive and coordinated design language articulated through streetscape, trail connections, and architectural requirements to create an attractive corridor.

16.3.3 Boundaries

The Highway 20 East Overlay District shall include those properties that are identified on the Highway 20 East Overlay Map.

For land in the Highway 20 East Overlay District, the regulations governing development in this article shall apply in addition to the regulations governing development in the underlying zoning district. In the event of an express conflict between the zoning standards governing a base zoning district and those governing this overlay district, the zoning standards governing the overlay district shall control. If parcels that are currently residentially zoned and are located outside of the overlay boundary with frontage on Highway 20 are rezoned to commercial, then the overlay standards shall apply. If parcels are located outside of the overlay district boundary but are assembled as part of a development with property within the overlay district boundary, the overlay standards shall apply to all properties in the planned development. When a standard or code requirement is not covered by this overlay, the regulations contained elsewhere within the Cherokee County Zoning Ordinance shall apply.

16.3.4 Development Size

For the purposes of this ordinance, a small site development or planned commercial development is any parcel or planned development up to 5 acres in size. A large site development or planned commercial development is any parcel or planned development over 5 acres in size cumulatively. If a single parcel is assembled with other parcels thereby creating a large site development or planned commercial development, then the

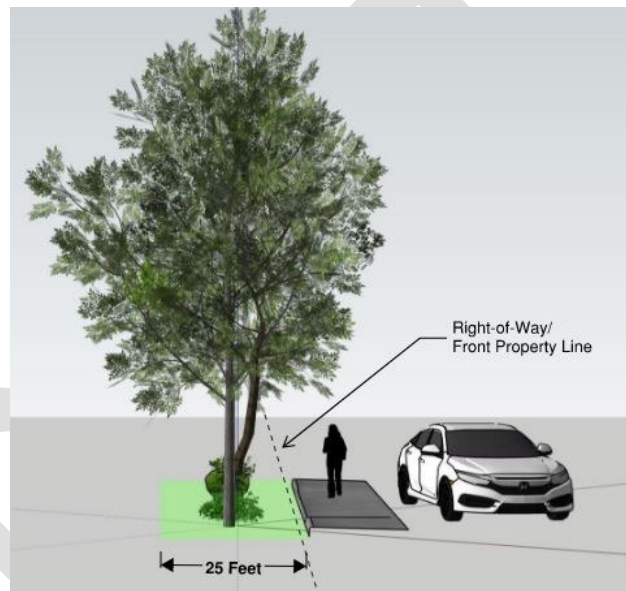
large site development standards shall apply to any new construction, development, or redevelopment.

16.3.5 Site Design Standards

The following minimum dimensions and requirements shall apply to all development within the Highway 20 East Overlay District. Residential subdivisions shall meet the requirements of Section 16.3.5 A, G, H (2) and (3), J, K and L below.

A. Streetscape Elements

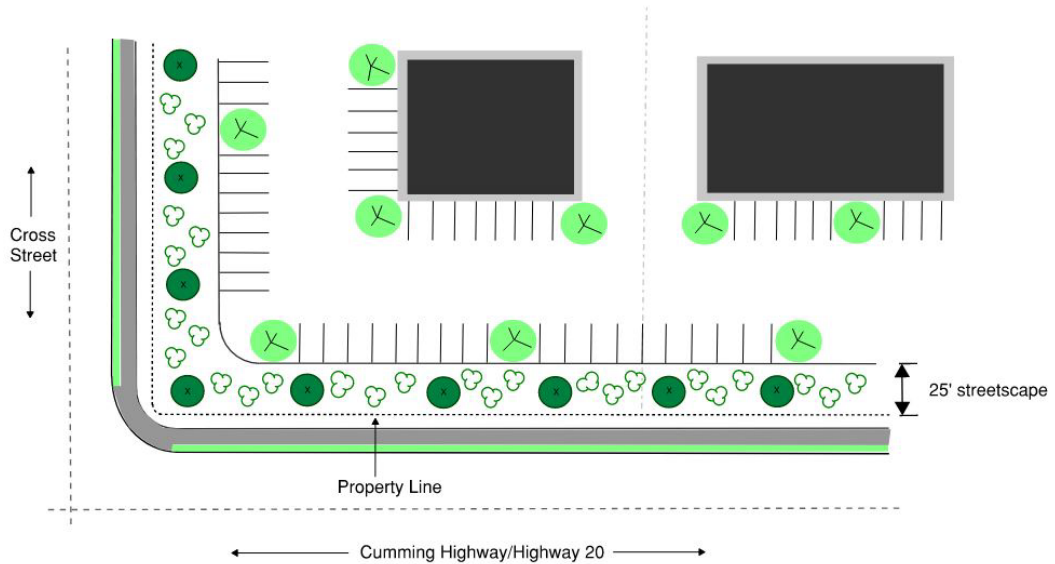
1. A minimum 25 foot deep landscape strip, measured from the front property line, shall be provided along Highway 20 and intersecting cross street frontages except where driveways may be required.



Streetscape Cross View

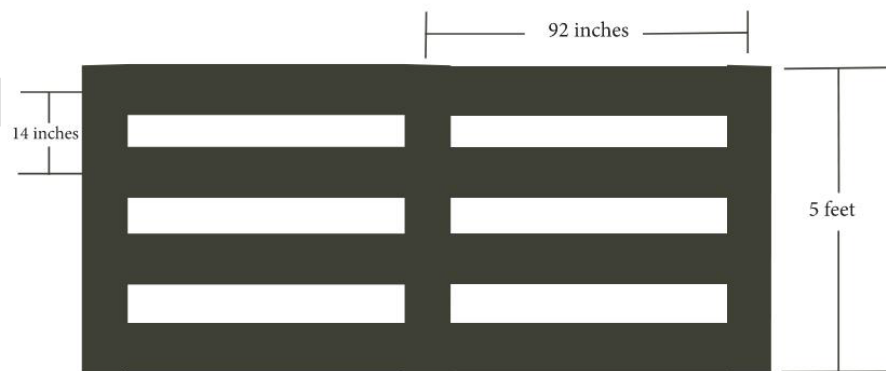
2. A double staggered hedge row no less than three (3) feet in height at the time of installation shall be provided to screen vehicular parking areas, loading areas, drive aisles, and dumpsters from view from Highway 20 and intersecting cross streets.
 - i. Alternatively, a landscaped berm of no less than three (3) feet in height may be provided in lieu of a double staggered hedge row.

- An overstory tree not less than 3" DBH as indicated in the Tree Preservation and Replacement Ordinance shall be planted every 40 feet on center along the entire roadway frontage of Highway 20 and intersection cross-streets within the landscape strip.



Streetscape Diagram

- In addition to the required landscaping aforementioned, a fence may be installed within the landscape strip. If used, the fencing shall be four board style dark colored fences consisting of: six inch by six inch (6" x 6") by five foot tall posts, set ninety-two (92) inches on center; one (1) inch thick, six (6) inch wide rough cut fence boards spaced fourteen (14) inches on center. Fence materials shall be comprised of treat lumber, fiber cement, or steel.





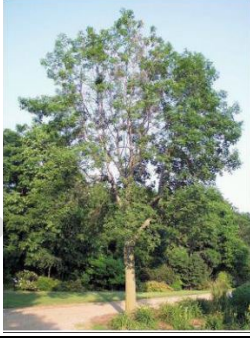


- i. Alternatively, a decorative wall a maximum of five (5) in height clad in masonry may be used in lieu of the fence, generally as shown in the figure below.



5. If the streetscape plantings or berm do not adequately screen vehicular parking areas, loading areas, drive aisles, and dumpsters, then supplemental plantings may be required as determined by the Cherokee County Arborist. If there are unique circumstances or practical difficulties with meeting the streetscape requirement, then the Planning and Zoning Director, or designee can administratively alter these requirements to suit the project and site.

6. A detailed planting plan is required that provides the type (common and specific names), sizes, spacing, quantities of plants to be used. Invasive plant species shown on the Georgia Exotic Pest Council (EPPC) Invasive Plant List shall be prohibited within the Highway 20 East Overlay District. Additionally, the following species shall be prohibited within the Highway 20 East Overlay District.

DISEASE PRONE AND PROHIBITED PLANT MATERIALS	
TREES	 <p>Photo © Hertzler and George</p>
	Leyland Cypress
	<i>Cupressocyparis leylandii</i>
PEST PRONE PLANT MATERIALS	
TREES	
	Canadian Hemlock <i>Tsuga canadensis</i>
	
	Green Ash <i>Fraxinus pennsylvanica</i>

B. Open Space

1. Intent:

- i. Open space shall be defined as any area not covered by a building, structure, parking lot, utility or mechanical, loading dock or driveway.
- ii. All development shall provide usable open space. Public right-of-way, detention ponds, and preserved vegetation alone are not considered usable open space.
- iii. All open space shall be conveniently located and readily accessible.

2. Percentage

- i. Minimum open space for sites for up to 5 acres: 5%
- ii. Minimum open space for sites 5-10 acres: 7%
- iii. Any development that exceeds 10 acres in size cumulatively requires a minimum of 10% open space.

3. Public Amenities

- i. For large site developments, public amenities shall be included in open space to make them active and usable open space. Public amenities include but are not limited to fountains, public art installations,

recreational amenities, seating, courtyard/plaza/square, passive or active park, pocket park, rain gardens, bioswales, trails/walking paths, and walkway parking medians.

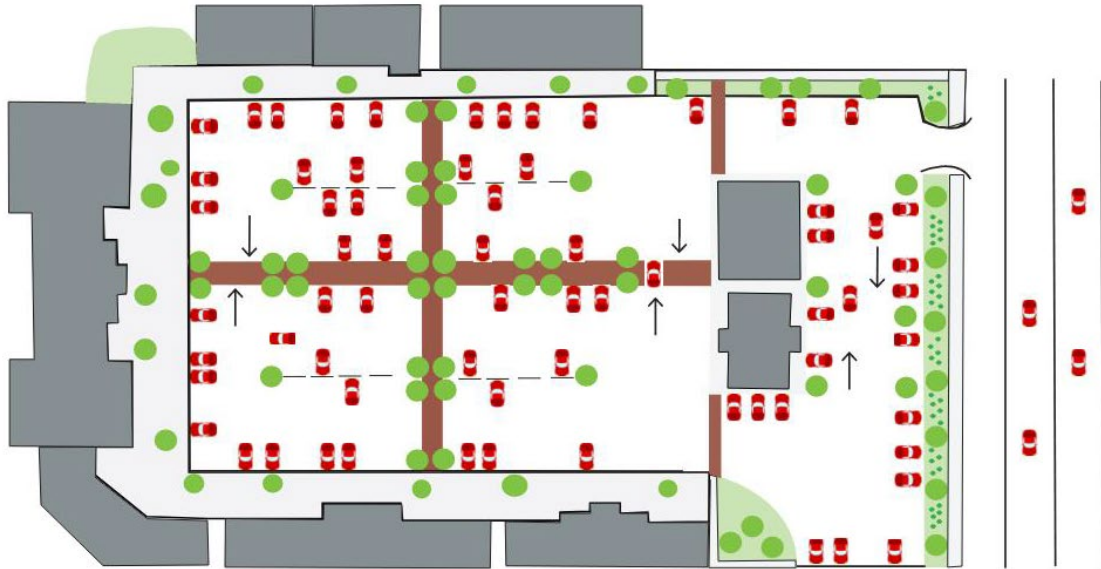
- ii. Public amenities can be counted towards the overall open space percentage requirement.

C. Pedestrian Access

1. All site development and construction shall be oriented to prioritize pedestrian movements.
2. A safe pedestrian access must be provided from Highway 20 and intersecting cross streets to the primary building or site.
3. Pedestrian connections shall be provided between adjacent and connecting developments and to adjacent public streets.
4. Decorative walkways within landscape medians and around larger parking pods are encouraged to provide safety and space for pedestrians. The material for these connections shall be a decorative paving material (i.e., stamped or textured concrete, pavers, or color concrete) to delineate the pedestrian crossing.



5. A pedestrian connectivity plan must be approved by the Planning and Zoning Director, or their designee. This plan must provide the proposed pavement design, indicate proposed pedestrian walkways within the site, and indicate connections to other sites.

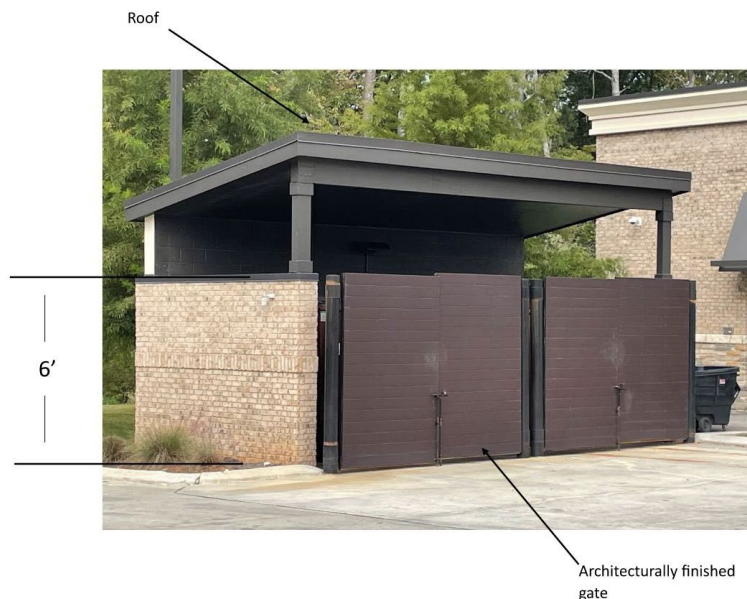


D. Retaining Walls

1. All walls on a property shall complement the architectural style and design of the primary building.

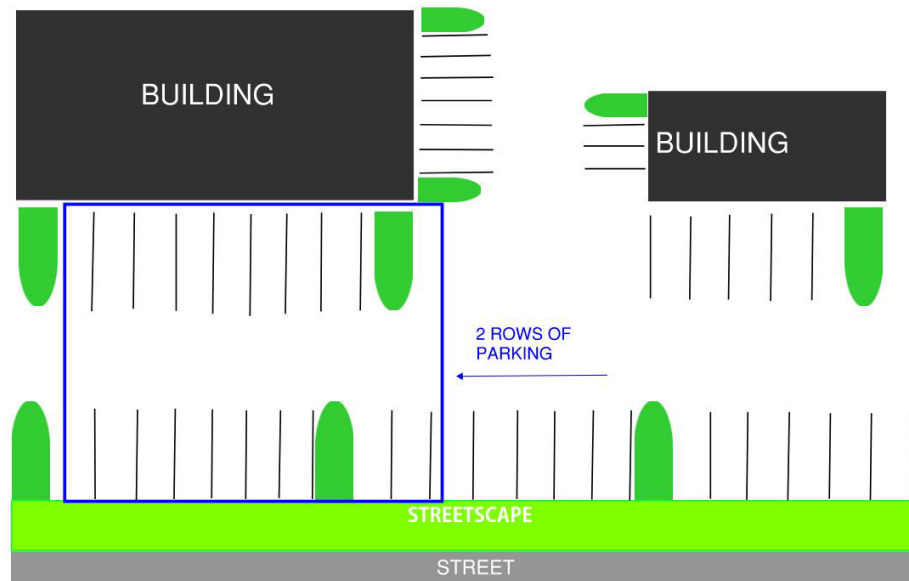
E. Dumpster Screening

1. All garbage dumpsters and other similar areas devoted to the storage of waste materials shall be screened on three (3) sides with a minimum six (6) foot high wall constructed of permanent materials such as brick, stone, textured block, or split-faced concrete block.
2. All dumpsters and other similar areas shall be gated on the fourth side, and the gate shall be architecturally finished.
3. All dumpsters and other similar screened areas shall be roofed.



F. Parking

1. Parking areas shall be distributed around the site, rather than being concentrated in large lots, unless these lots are screened from the public right-of-way by buildings. A maximum of two (2) rows of parking may be located between the primary structure and any streets. All other surface parking shall be located to the side or rear of the building.



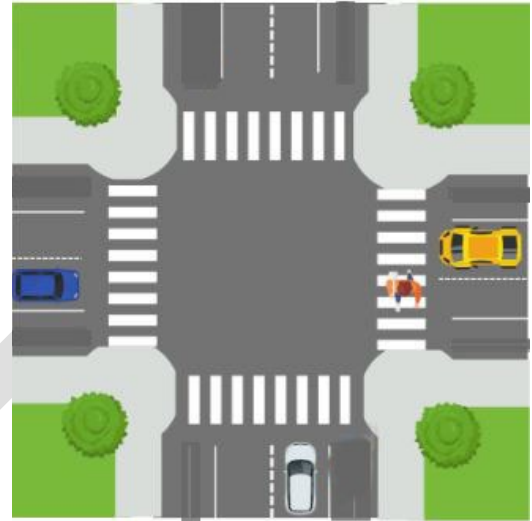
2. Bioswales within parking medians are encouraged. A planting plan is required for bioswales that provides appropriate plant species in quantities sufficient enough to establish 80% vegetative cover within two years of installation, and a minimum of three species each of shrubs and grass/herbaceous ground cover. Invasive plant species shown on the Georgia Exotic Pest Council (EPPC) Invasive Plant List shall be prohibited as well as the additional species found in Section 16.3.5, A, #6 of this ordinance shall be prohibited.
3. Parking lots for adjoining non-residential uses must provide interparcel vehicular access to allow for two-way vehicular traffic and must meet fire access standards.
 - i. A recorded cross-access easement will be required for these joint accesses.

G. Traffic Access Requirements

1. Cherokee County will not approve proposed plans for land disturbance, development or redevelopment, or a residential subdivision subject to this section unless it receives a letter from GDOT District 6 that the proposed project or activity does not have a negative impact on the roadway project.
2. Driveways on Highway 20 should be shared to limit the number of access points along the corridor. The minimum driveway spacing shall meet GDOT standards.

H. Entries and Intersections

1. To shorten pedestrian crossing distances within sites, sidewalk or curb extensions shall be utilized along internal access drives and at speed tables.



2. The corners of street intersections, particularly gateways and site entries, should be distinguished by landscape accent treatments, such as but not limited to ground cover, herbaceous ornamentals, shrubs, understory, and/or overstory trees.
 3. These materials shall be clustered and maintained to provide adequate sight distance to and from the entryway and allow for tree pruning.
- I. Drive-Thru Facilities and Queuing Lanes
1. Drive-thru windows and menu board(s) shall not be located between the building and the street(s).
 2. Drive-thru structures and components shall be incorporated into the overall design of the primary building on the property.
 3. Queuing spaces shall not be located in a manner that will block any designated parking space(s).
- J. Utilities
1. All site utilities shall be located underground.
- K. Signage
1. Freestanding Signs
 - i. All freestanding signs shall be of a monument style consistent with Article 11.
 - ii. The maximum copy area for a small site development and residential subdivisions shall be 32 square feet with a maximum sign height of 6 feet.
 - iii. The maximum copy area for a large site development shall be 50 square feet with a maximum sign height of 10 feet.

- iv. If the sign lists multiple tenants, the sign shall be of a uniform background, lettering style, and color.



L. Greenway/Trails Access

- 1. Trails or a connection to proposed trails are encouraged. Trails can count towards the minimum open space requirement.
- 2. Where the trail access is provided, required parking minimum for the development may be reduced by up to 20%.

16.3.6 Architectural Standards

The following minimum dimensions and requirements shall apply to all development within the Highway 20 East Overlay District Ordinance. Single Family Residential subdivisions shall be exempt from this section.

A. Building Materials

- 1. All facades shall be primarily brick, stone, cast stone, stucco, siding, cementitious siding, glass, tile or a combination thereof. If utilizing a combination of materials, two of these materials are required along all street frontages.
- 2. The heavier exterior building materials shall be below the lighter exterior building materials.



- 3. Architectural elements that add visual interest, scale, and character shall be provided. Architectural elements include but are not limited to awnings/canopies, shutters, window/door detailing, trellises, brackets, and dormers.

B. Building Height

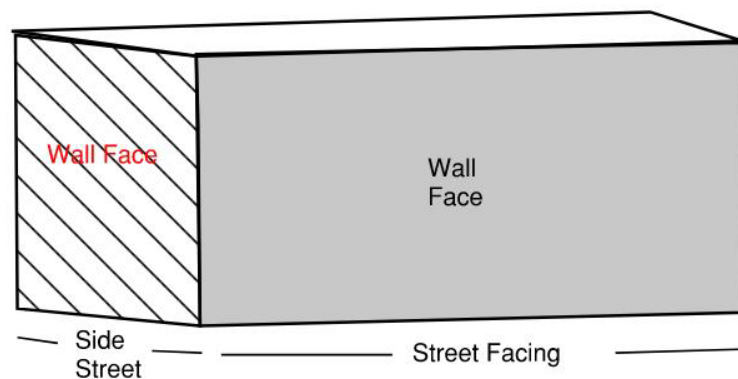
1. The maximum height of any building shall not exceed 2 stories in height. Measurement shall be from grade (or crown of the road) to the ridge (pitched roof) or parapet (flat roof).

C. Roofs

1. Pitched roofs shall be finished in either architectural or dimensional shingles or standing seam metal roofs.
2. Buildings with flat roofs shall incorporate parapets or other architectural elements to break up long horizontal rooflines.
3. Rooftop mechanical equipment shall be screened from view by an enclosure matching the exterior of the building which is located, or by parapet wall.

D. Windows

1. A minimum of 50% of the wall face along Highway 20 shall contain windows or doorways. A minimum of 25% of the wall face along a side street shall contain windows or doorways.



2. Windows shall be articulated with accent trim, sills, shutters, and/or other elements similar to the architectural style of the building.
3. A development may propose an alternative in lieu of meeting the transparency percentages above if it demonstrates that the alternative helps to promote a pedestrian-oriented building or site. These alternatives can include architectural details, display windows or display cases, wall art, raised planting bed, vertical trellis, or any other element as approved by the Director of Planning and Zoning, or their designee.

E. Multi-Tenant Buildings

1. Within a multi-tenant building, the building façade shall create an interruption by two or more of the following features:

- Projection or recess in the wall plane;
- Change in material, texture, or pattern;
- Change in roof line;

- Columns, piers, pilasters, other equivalent structure and/or decorative elements;



2. Fifty (50%) of the wall area of the building shall consist of brick, stone, siding or cementitious siding. If multiple establishments are contained within one contiguous structure, the percentage pertains to the entire façade rather than individual façade fronts.

16.3.7 Relationship to Adaptive Reuse

It is encouraged to revitalize properties that have vacant, defunct, or underutilized buildings, and to transform such previously developed properties into a more functional and attractive mixed commercial and residential community. An adaptive reuse project is any change of use from a building's current use to a new use. Adaptive reuse of existing residential buildings to commercial uses shall be exempt from the architectural building materials, windows, multi-tenant buildings, and orientation of Section 16.3.6 above. To preserve the character of these properties along the corridor, the residential appearance of the building shall not be altered, unless in accordance with this ordinance.

16.3.8 Use Restrictions

The purpose of these use restrictions in this section is to promote aesthetic quality and to ensure compatibility with adjacent uses, surrounding neighborhoods and businesses. Climate controlled storage facilities, outdoor storage, high density residential, automotive services, small to medium flex office warehouses, and major retail (big box stores) can be accessible from Highway 20 but should be located behind commercial development which generates a higher traffic volume and requires greater visibility along the major roadway. Additionally, these uses must be setback at least 100 feet from the front property line along Highway 20 and must be screened from public rights-of-way with additional vegetation or by other buildings. These uses may be incorporated into a mixed-use large site or planned commercial development, if meeting the intent above.

If at least 50% or more of the site or building is screened by other buildings or vegetation from view of public rights-of-way, then the building may utilize textured concrete block,

split faced concrete block, or metal wall panels on the side and rear of the building. Additionally, three stories shall be allowed. Measurement shall be from grade (or crown of the road) to the ridge (pitched roof) or parapet (flat roof).

16.3.9 Relationship to Office or Industrial Complexes

The overlay may support a Corporate Park, Research and Development Park, Technology Park, Corporate Campus, or similar type of development when appropriate. The purpose for these developments in the overlay is to promote compatible, master-planned, high quality and an aesthetically unified plan. For the purpose of these requirements, a park/complex is defined as: a development that contains a minimum of 7 acres and contains 3 or more buildings planned, organized, and managed to function as a unified whole. These developments must be accessed through a shared access from Highway 20, be setback at least 100 feet from the front property line along Highway 20 and must be screened at least 50% from view of public rights-of-way with additional vegetation or by other buildings.

The following standards shall apply:

1. The development must meet the streetscape elements in accordance with this ordinance.
2. The development must have an interconnected sidewalk network between the buildings within the development, parking areas, plazas, and open space.
3. The development must contain a minimum in accordance with Section 16.3.5 of this ordinance. Building placement that creates opportunities for usable and shared open space, such as plazas, patios, or outdoor seating, is encouraged. Trails or a connection to proposed trails are encouraged. Trails can count towards the minimum open space requirement. Where trail access is provided, required parking minimum for the development may be reduced by up to 20%.
4. Each development shall provide a well-defined entry sequence for pedestrian and vehicular uses from the street to the building.
5. Parking areas shall be distributed around the site, rather than being concentrated in large lots, unless these lots are screened from the public right-of-way by buildings or vegetation. Shared parking is encouraged, and visitor parking should be configured on small lots located near the front or sides of the buildings. Parking areas shall have perimeter landscaping.
6. Distributive functions such as loading, unloading, storage, and packaging shall be limited to ten (10) percent of the total building area and five (5) percent of the total lot area. These functions shall be located to the side and rear of the building and screened from view of public right-of-way(s).
7. Dumpsters and other similar areas shall be screened in accordance with this ordinance.
8. Roll-up doors should be oriented away from public street views and away from adjacent residential areas.
9. Buildings within the same park should be designed to provide a unified image. Methods to achieve this include using similar architectural styles and materials, complimentary roof forms, signs, and colors. If at least 50% or more of the site or building is screened by other buildings or vegetation from view of public right-of-way(s), then the building may utilize textured concrete block, split faced concrete block, or metal

wall panels on the side and rear of the building. Additionally, three stories shall be allowed. Measurement shall be from grade (or crown of the road) to the ridge (pitched roof) or parapet (flat roof).

10. Larger masses should be located at the centers of building compositions, with smaller forms stepping outwards and down. Design buildings should follow the natural terrain and help break up the building mass. Techniques that should be used to 'break up' the massing of a building include stepping the building height, furring out walls to create offsets in the wall plane, adding battens or reveals to wall surfaces, and insets or other variations in plane.

16.3.10 Implementation

At the time of the adoption of this Ordinance, all previously developed properties shall be deemed to be in compliance with this Ordinance, until such time that any improvement which requires a land development permit or building permit is requested. Tenant finishes and minor repair are excluded. Such permit shall only be granted if the improvements proposed meet the standards herein, and if the streetscape along any frontage adjacent to Highway 20 or intersecting cross streets is brought into compliance.