

AN ORDINANCE OF WALTON COUNTY, GEORGIA OA24060019-14

AN ORDINANCE TO AMEND the Walton County Land Development Ordinance adopted 5-3-16 and amended as per attached errata dated 07/03/2024.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF WALTON COUNTY, GEORGIA, and it hereby ordained by the authority of the same, following a duly held and advertised Public Hearing by the Walton County Planning Commission and the Walton County Board of Commissioners to amend the Walton County Land Development Ordinance adopted 5-3-16, as amended as per errata sheet dated 07/03/2024.

Amendment #14–Section 6-1-_____ Fences and Retaining Walls

Adopted by the Walton County Board of Commissioners on this 1st day of October 2024.

David G Thompson, Chairman
Walton County Board of Commissioners
Walton County, Georgia

Attest:

Rhonda Hawk, County Clerk
Board of Commissioners
Walton County, Georgia

Charles Ferguson
County Attorney
Walton County, Georgia

Portion hi-lighted in yellow is proposed to be added which are exceptions to height of fences, design standards and guidelines for retaining walls greater than 4 feet in height.

Section 6-1- _____ Fences and Retaining Walls

Fences and Retaining Walls.

Height of Fencing No fence shall be more than eight (8) feet in height or be constructed on public right-of-way or future street right-of-way. If a fence is to be located adjacent to a public road and within the required setback within a *residential zoning district*, the fence shall not exceed six (6) feet in height. Should a fence be erected in error within the right-of-way Walton County shall not be responsible for replacing or repairing the illegal structure.

Exceptions are as follows:

A. A fence or wall enclosing a sports court may be a maximum of 12 feet in height within a required rear or side yard setback.

B. The Board of Commissioners may condition the approval of a rezoning or special use permit to require that walls or fences of a height in excess of these regulations shall be placed in any yard where such walls or fence is necessary to provide screening.

C. Subdivision entrance features may be a maximum of 10 feet in height.

D. Any fence pre-existing the Ordinance which is damaged or removed shall not be replaced in kind and must be replaced in accordance with the requirements of the Ordinance.

Fence Design Standards.

A. Any fence which extends into the required front yard on property less than 1 acre in area shall be constructed of brick, stone, wood, wrought iron, or split rail.

B. No wall or fence constructed of woven wire or metal fabric (chain link, hog wire or barbed wire) shall extend into a front yard. Woven wire or metal fabric fences may extend into a front yard when property contains a minimum of 2 acres and is used for agricultural purposes.

C. Electric and barbed wire fences shall be prohibited except on lots which meet or exceed the minimum requirements for raising and keeping of livestock (2 acres) or industrially zoned properties.

D. Exposed concrete blocks, tires, scrap metal, sheet metal, plastic/fiberglass sheeting, vinyl siding or fabric, plywood, pallet material, junk or other discarded items shall be prohibited as fence material.

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E. Posts shall be anchored in concrete and for privacy fencing shall face inward to the subject property.

F. Temporary chain link security fences up to 8 ft. in height may be erected to surround a non-single-family residential property up to 30 days prior and 30 days following completion of demolition, rehabilitation, or new construction.

Height of Retaining Walls. No retaining wall shall exceed 4 feet in height within 10 feet of a front property line.

Retaining Wall Design Standards.

- A. When permanent grades are proposed with a resulting slope steeper than one foot vertical for every two feet of horizontal displacement (2:1), an appropriate retaining structure shall be designed by a registered professional engineer to be constructed of reinforced concrete or other masonry materials designed by a registered professional engineer in compliance with applicable regulations of the U.S. Occupational Safety and Health Administration. An engineered design may be substituted for the reinforced concrete design if the specific vendor has a pre-qualified acceptance from the Building Official. All structural components of the wall shall meet the minimum building codes for the proposed use.
- B. When the necessity for an earth retaining structure is required for a vertical displacement of thirty (30) inches or less, appropriate landscaping timbers, or approved equal, may be employed if no permanent structure is supported by the soil retained by the retaining wall. The use of railroad cross ties or other timber product will only be allowed in these instances as per detail.
- C. All wall design details must show complete dimensions for line and grade. Wall design will consider foundation drainage and select backfill material for the proposed conditions.
- D. Walls shall be located in such a fashion as to not encroach upon existing or proposed drainage easements or drainage courses or floodplains to encumber the natural flow of surface run-off of stormwater. Walls shall be located at a distance from such water courses to allow for anticipated future maintenance of the easement to prevent a safety hazard to maintenance workers or to jeopardize the structural integrity of the wall.
- E. Walls that are not attached to the permitted structure and require a foundation shall be permitted as a free-standing structure and shall be inspected as prescribed by the permitting procedure. Walls will be inspected for conformance with the approved design. Any deviation from the approved design will require the engineer of record to submit a certification of the non-conforming structure along with supporting calculations to indicate that the construction is consistent with the initial design parameters. In the event the inspector has not been provided ample opportunity to inspect

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the structure, the contractor must provide a certification of the construction by the engineer of record and geotechnical reports for concrete testing for strength, reinforcing steel specifications. Failure to comply with the requirements of this Section will require that the remaining work cease and/or removal of non-conformance until the adequacy of structural integrity is demonstrated to the satisfaction of the Director.

- F. Retaining walls that are proposed for the purpose of stormwater retention must be designed in such a way that the walls are capable of a hydro-static load as measured from the top of the foundation footing to the highest elevation along the top of the wall. The hydrological design must allow for a free board dimension of one foot and an emergency overflow capacity equal to the allowable peak discharge for the 100-year storm event. The routing calculations should not take into account the existence of the emergency overflow. Place the overflow device above the projected 100-year flood elevation within the detention area.
- G. Any construction that may impact or be within the right-of-way of an existing or proposed water or sanitary sewer easement must be approved by the utility providing service.
- H. Retaining walls visible from the public right-of-way shall be constructed of decorative concrete modular block or shall be faced with stone, brick, or textured cement masonry.
- I. Any retaining wall higher than 4 feet shall be designed by a professional engineer and approved and permitted by the Department. Walls will be inspected for conformance with the approved design. Any deviation from the approved design will require the engineer of record to submit a certification of the non-conforming structure along with supporting calculations to indicate that the construction is consistent with the initial design parameters. In the event the inspector has not been provided ample opportunity to inspect the structure, the contractor must provide a certification of the construction by the engineer of record and geotechnical reports for concrete testing for strength, reinforcing steel specifications. Failure to comply with the requirements of this Section will require that the remaining work cease and/or removal of non-conformance until the adequacy of structural integrity is demonstrated to the satisfaction of the Director.