

AN ORDINANCE TO AMEND the Walton County Land Development Ordinance adopted 5-3-16 and amended as per attached errata dated 01/04/2022

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 03/04/2022

Errata #1 – Will remove community sewer throughout the ordinance and will rename the Walton County Water and Sewer Authority to the Walton County Water Department

Errata #2 – Amendment to Article 6 Rural Public Road Minor Subdivision to clarify “frontage” on existing county maintained road and add driveway requirement to be added to final plat.

Errata #3 – Amend Article 5 to add as permitted Slaughter House as a permitted use in “A” zoning district with supplemental regulations Article 6.

Errata #4 – Amendment to Article 2, 4 and 6 – Article 2 Definitions – Amend definition of flag lot; Article 6 Add Supplemental Regulations for Flag lots; Article 4 part 3 Section 160 – Remove wording about flag lots

Errata #5 – Add Outside Storage of Commercial Vehicles to Article 5 and Supplemental Regulations in Article 6

Errata #6 – Amendment to Specific Regulations for Residential Dwellings in A, A1, A2, R1, R2, and R3 zoning categories. And Article 6 regulations for guest houses to change roof pitch from 6:12 to 5:12.

Errata #7 – Article 4 Section 120 and 130 –Add minimum square footage for primary Residential structure in a curb and gutter platted subdivision in A1 and A2.

**Errata # 8 – Repeal Article 12 Part 2 Section 130 Notice of Tree
Harvesting and add new Article 12 Part 3 Timber Harvesting Operations**

Adopted by the Walton County Board of Commissioners this 3rd day of May, 2022.

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

AN ORDINANCE OF WALTON COUNTY, GEORGIA OA22030021

Errata #1 – Will remove community sewer throughout the ordinance and will rename the Walton County Water and Sewer Authority to the Walton County Water Department

This amendment will remove “private sewer” from the Land Development Ordinance. Sewer connection to a public system is still allowed but no private sewer. This will also change the name of the Walton County Water and Sewer Authority to the Walton County Water Department throughout the Ordinance.

Errata #2 – Amendment to Article 6 Rural Public Road Minor Subdivision to clarify “frontage” on existing county maintained road and add driveway requirement to be added to final plat.

This amendment is to clarify that in the Rural Public Road Minor Subdivision the lots must have the required “frontage” on an existing county road. The previous wording of “total access” has led to confusion in regard to a person having the required frontage but accessing through an easement. This will clarify the intent of the code. We are also adding requirements that the lots must meet the driveway separation of 125’ in most cases, and that the access points and culvert size for each lot be shown on the final plat. We have added a “dual driveway” to our standard designs that can accommodate shared driveways in a more suitable way that allows each property owner to have a separate driveway with one common cut off the existing road.

Errata #3 – Amend Article 5 to add as permitted Slaughter House as a permitted use in “A” zoning district with supplemental regulations Article 6.

The department has received a request to add slaughter house as a conditional use in the A zoning with certain supplemental regulations. This request has been made due to local restaurants wanting to serve local grown meats in their establishments. Slaughter houses are allowed in the M2 zoning with supplemental regulations. The supplemental regulations for the conditional use allowed in A will be minimum 25 acres, 300 feet from the slaughterhouse to the nearest residential dwelling, front setback of 150’ from all streets, and applicant must comply with all USDA and EPD guidelines. There was discussion of setting a minimum number of animals slaughtered per year which we will leave up to the board.

Errata #4 – Amendment to Article 2, 4 and 6 – Article 2 Definitions – Amend definition of flag lot; Article 6 Add Supplemental Regulations for Flag lots; Article 4 part 3 Section 160 – Remove wording about flag lots

We previously added 5 acre or larger flag lots permitted by right in the A, A1, A2 and R1 zoning districts however we realize we may need to tighten this up a little so we are proposing to re-word the allowance for flag lots and add supplemental regulations in article 6. This basically says that in the division of property where the minimum lot width cannot be met the lot must be at least 5 acres to be approved; it goes further to state that this allowance is not intended for flag lots to be incorporated into “subdivision design” but rather the exception, it is to be utilized in situations where it is not feasible to develop internally with a street. This will still allow flag lots for lot remnants just not incorporate into development. This lots are approved at the discretion of the director and could require Board of Appeals approval if the request does not meet the intent of the code.

Errata #5 – Add Outside Storage of Commercial Vehicles to Article 5 and Supplemental Regulations in Article 6

There has been a lot of interest lately in tractor trailer and other commercial vehicle parking. This use is being added as permitted by right in B3, M1 and M2 and by conditional use in B2. We are also adding supplemental regulations for screening, setbacks, no vehicle maintenance, washing or repair, no vehicle will be allowed to sit and run idle from 7pm to 7am unless it is located in an industrial park and not adjacent to a single family dwelling. We are also adding guidelines for the lighting to prohibit the lights from shining on adjacent property.

Errata #6 – Amendment to Specific Regulations for Residential Dwellings in A, A1, A2, R1, R2, and R3 zoning categories. And Article 6 regulations for guest houses to change roof pitch from 6:12 to 5:12.

We recently changed the roof pitch on all houses to 6:12 however there has been concerns that not all homes can easily meet that pitch. We are going to look at reverting this back to the 5:12 pitch.

Errata #7 – Article 4 Section 120 and 130 –Add minimum square footage for primary Residential structure in a curb and gutter platted subdivision in A1 and A2.

This amendment will change the minimum square footage in curb and gutter subdivisions being developed in A1 and A2 from 1,400 square feet heated to 1,800 one story and 2,000 for two story. This will not affect an individual building on a lot that is not a part of a subdivision.

Errata # 8 – Repeal Article 12 Part 2 Section 130 Notice of Tree Harvesting and add new Article 12 Part 3 Timber Harvesting Operations

This amendment will repeal Article 12 Part 2 Section 130 Notice of Tree Harvesting and replace it with the state required guidelines for Tree Harvesting. This has been submitted and reviewed by the county attorney.

Recommendation: Timothy Kemp made a motion to recommend approval of all of the Erratas with a second by Brad Bettis. The motion carried unanimously.

Errata #1 will remove community sewer throughout the ordinance and will rename the Walton County Water and Sewer Authority to the Walton County Water Department

1-Article 4 Part 1 A1

Section 120 A1 E. 1.b, 2

1. Minimum Lot Area:

- a. The minimum lot area shall be two (2) acres.
- b. The minimum lot area for lots served by public or community water and public sewer shall be one (1) acre. (9-7-04)

2. Minimum Lot Width at Building Line: The minimum lot width at the building line shall be one hundred fifty (150) feet with public water; two hundred feet (200) with well and (100) feet with public/community water and public sewer.

2-Section 130 A2 E. 1.c and 2.c

E. Property Development Standards

1. Minimum Lot Area:

- a. The minimum lot area shall be one and one half (1.5) acres where water and individual septic tank are used.
- b. The minimum lot area shall be two (2) acres where private well and individual septic tank is used.
- c. The minimum lot area shall be 32,670 (3/4 acre) where public or community water and public sewer are used.

2. Minimum Lot Width at Building Line: The minimum lot width at the building line shall be:

- a. One hundred (100) feet where public or community water and public sewer are used; and
- b. One hundred and fifty (150) feet where public or community water and individual septic tank are used; and
- c. Two hundred (200) feet where private well and individual septic tank are used.

3-Section 140 R1 E. 1.a, 2

E. Property Development Standards

1. Minimum Lot Area: The minimum lot area shall be:

- a. 21,780 square feet where public or community water and **public** sewer are used; and
- b. One (1) acre where public or community water and individual septic tank are used; and
- a. Two (2) acres where both private well and individual septic tank are used.

2. Minimum Lot Width at Building Line: The minimum lot width at the building line shall be:

- a. One hundred (100) feet where public or community water and **public** sewer are used; and
- b. One hundred and fifty (150) feet where public or community water and individual septic tank are used; and
- c. Two hundred (200) feet where both private well and individual septic tank are used.

4-Section 150 R2 E. 1.a and 2.a

E. Property Development Standards for each duplex or single-family detached dwelling: (2-6-07)

1. Minimum Lot Area: The minimum lot area shall be:

- a. Thirty thousand (30,000) square feet where public or community water and **public** sewer are used; and
- b. One (1) acre where public or community water and individual septic tank are used; and
- c. Two (2) acres where both private well and individual septic tank are used.

2. Minimum Lot Width at Building Line: The minimum lot width at the building line shall be:

- a. One hundred (100) feet where public or community water and **public** sewer are used; and
- b. One hundred and fifty (150) feet where public or community water and individual septic tank are used; and
- c. Two hundred (200) feet where both private well and individual septic tank are used.

5- Section 160 R3 A.

A. Purpose and Intent

The R3 Multi-Family Residential District is mainly comprised of multi-family residential buildings including zero lot line development where surrounding land uses are compatible with high density residential development or suitable transitions are provided. Appropriate areas should have adequate public facilities including community or public water and/or **public** sewer systems. Since lot requirements are reduced and density is increased, it is critical that all factors relating to drainage, topography and other environmental factors be examined carefully to ensure suitability.

6-Section 170 MHP D. 1, 4

(No new applications shall be accepted for this zoning district.)

D. Density

1. Within a Manufactured Home Park District not more than two (2) dwelling units per gross acre shall be permitted if public water and **public** sewer are available. For purposes of computation of density, areas set aside for buffer zones; greenbelts and/or recreation area may be counted within the gross acreage.
2. Manufactured Home and Mobile Home Site Requirements: Each manufactured home or mobile home shall be located on a separate lot or undivided home site, as appropriate, as follows:
3. Each site shall provide a minimum width of forty-five (45) feet at the pad location.
4. Each site shall contain a minimum of seventeen thousand (17,000) square feet if public water and sewer ~~or community water and sewer~~ are available.

7-Section 220 Town Center District N.2.c

N. Review and Approval Procedures

c. A statement from the Walton County Water ~~and Sewer Authority~~ Department and the Environmental Health Department that the water supply and wastewater treatment methods and systems proposed for the development are appropriate and adequate.

8-Part 2 Overlay Zoning Districts

Section 110 2400 Residential Overlay District E. 3

3. Density for lots serviced by public sewer systems shall be:

Section 120 OSC B.4.

For lots serviced by public Sewer:

9-Article 4 part 2 Section 140 RND Residential Neighborhood Development Overlay E,1,j

E. General Requirements

The Residential Neighborhood Development Overlay district shall satisfy the following requirements:

j. There are adequate provisions for community facilities such as water, public sewer, recreation, and open space.

Section 150 Residential Airpark Overlay District (AO) C. 5a.

For lots serviced by public Sewer:

9- Article 6 Dwelling, Multi-Family C.

C. Utilities

All complexes shall be required to tie into the public water system and public ~~or community~~ sewerage system.

10-Article 10 Part 2 Section 130

Section 130 Community or Private Water Supply Systems

Any proposed subdivision or development, which is not required to connect to public water systems under the provisions of Section 120 of this Part, may use community water supply systems, provided the systems are approved and permitted by the Environmental Protection Division of the Georgia Department of Natural Resources, and all system components, including installed fire hydrants, are inspected and found to fully comply with the design and construction standards of the Walton County Water and Sewer Authority Department or provider for public water systems. Such systems must be operated by licensed personnel until such time as Walton County accepts such systems to be connected and dedicated to the Walton County Water and Sewer Authority Department or provider.

11-Section 150 Determination of Available Capacity

The Walton County Water and Sewer Authority Department or provider or other Municipal water service provider shall be responsible for determining the adequacy of the proposed water supply and pressure.

12-Section 170 Sanitary Sewer Systems

A. Public Sewer System

When connection to a public sewer system is permitted or required by sub-section C, the developer shall install and connect to the public sewage collection system within the proposed subdivision or development, or feasible portion thereof, in accordance with the standards and specifications of the County or provider of other Municipal sewer service provider.

~~B. Community or Private Sewer Collection Systems~~

~~When public sewer service is not available, the subdivision shall be properly designed to accommodate the installation and proper operation of both a primary and secondary septic drain field on each lot.~~

CB. Required Sewer Connections

Connection to an operational public sewer system shall be mandatory in new subdivisions or developments which are located within the distances outlined in the following table. Distance

shall be measured from the nearest point on the property to an operational sanitary sewer located in the same or adjacent drainage basin.

REQUIRED SEWER CONNECTION DISTANCES

Development Type	Distance from Sewer Main
Non-Subdivision Developments	500 feet
Subdivisions:	
under 25 lots/units	500 feet
25 to 50 lots/units	1,000 feet
51 to 75 lots/units	1,500 feet
76 to 100 lots/units	2,000 feet
over 100 lots/units	2,500 feet

DC. System Design and Placement

Prior to issuance of a building permit, the developer shall coordinate the design and placement of sewer infrastructure with the Walton County Water **and Sewer Authority** Department or provider.

ED. On-Site Septic Systems

When an individual septic system is proposed for each lot within a subdivision, the developer shall provide appropriate soil survey data and information in compliance with the regulations of the Walton County Health Department. Each lot shall have suitable soils and sufficient area to accommodate the installation and proper operation of both a primary and secondary (replacement) septic drain field. A separate permit must be obtained from the Walton County Health Department, for each individual lot located within any development.

Errata #2 Amendment to Article 6 Rural Public Road Minor Subdivision to clarify “frontage” on existing county maintained road and add driveway requirement to be added to final plat.

Rural Public Road Minor Subdivision (2)

A. Purpose and Intent

The purpose of the Rural Public Road Minor Subdivision development is to authorize, subject to certain standards development of lots *which have ~~total access from~~ required frontage on an existing county maintained road*. This development is only available in the A1 Rural Estate, A2 Rural Estate and R1 Residential Zoning Districts.

E. Property Development Standards

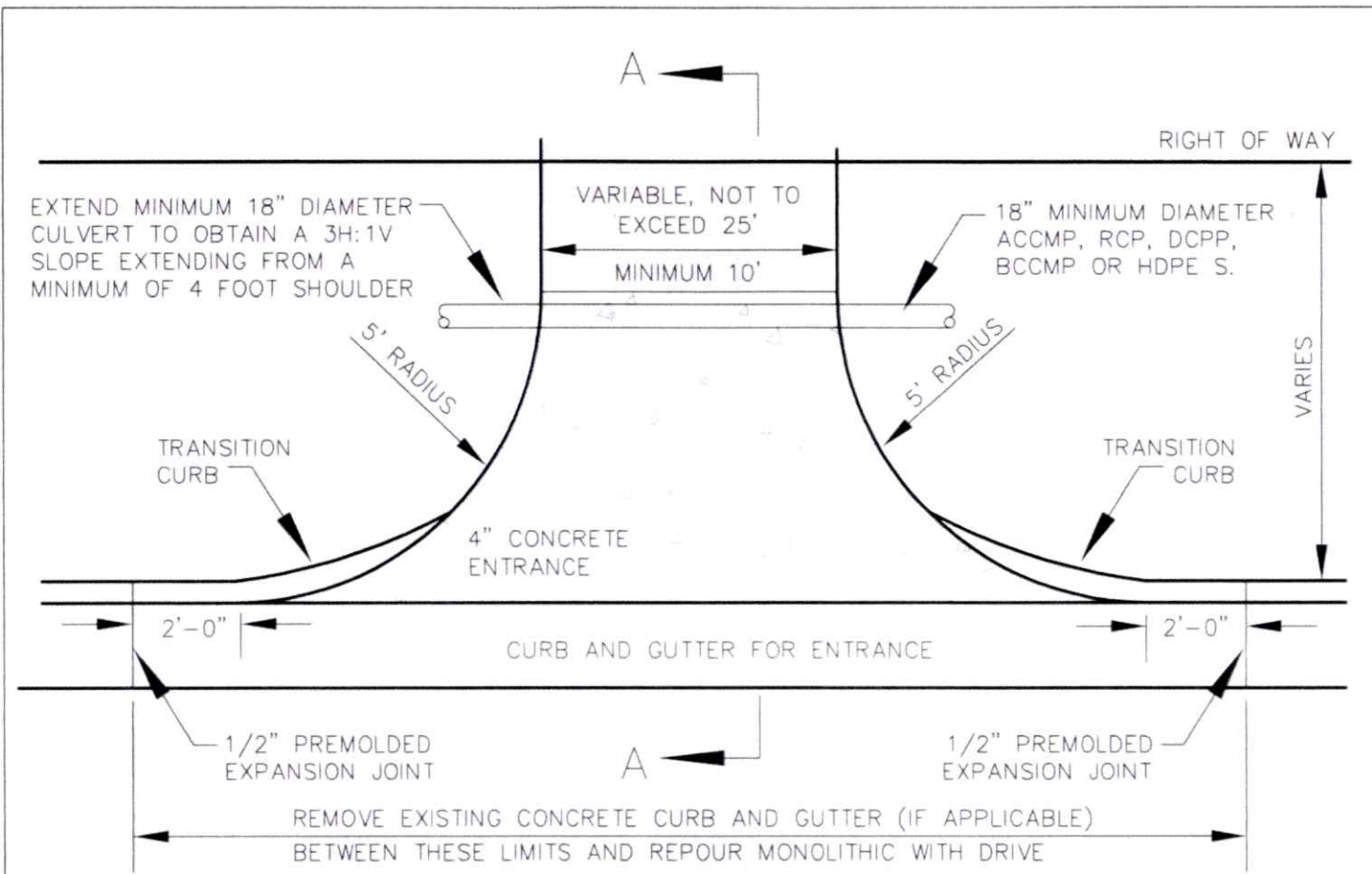
Property development standards shall be as permitted under the underlying zoning district with the following exceptions:

1. Minimum Lot Area: 2 acres
2. Minimum Lot Width at Building Line: The minimum lot width at the minimum required building line shall be:
 - a. Two hundred (200) feet where both private well and individual septic tank are used. One hundred fifty *(150) feet* where public or community water and individual septic tank are used

3. Driveway separation must comply with Article 9, Section 110.D.4

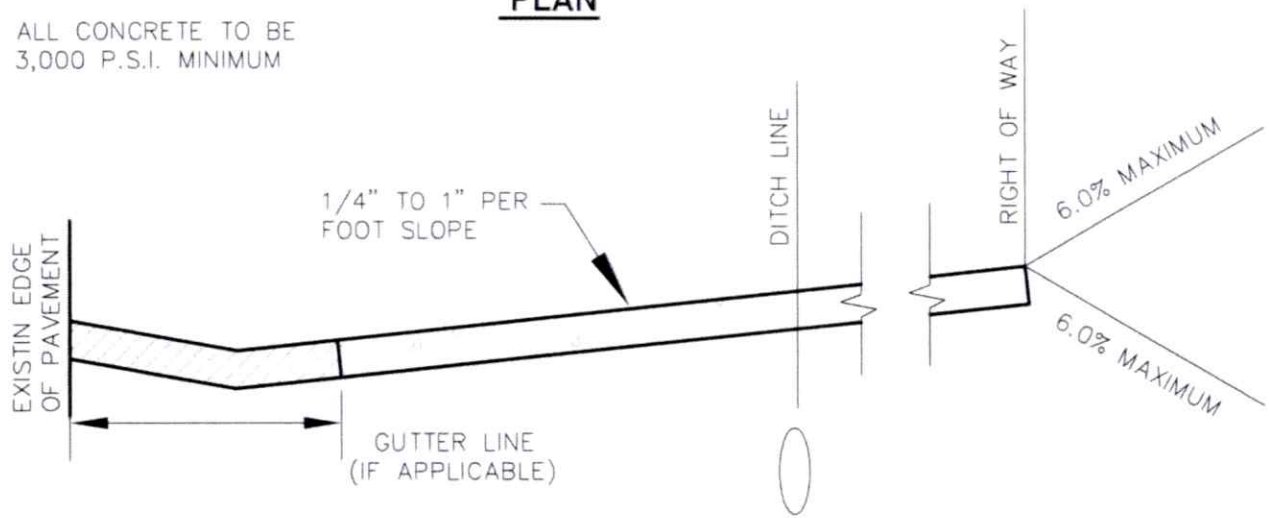
a. All driveway access points and culvert pipe size for each lot must be shown on the final plat and approved by the department.

b. Dual driveways may be required at the discretion of the director. (See standard design detail 3.16B)



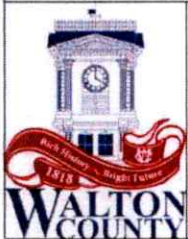
PLAN

NOTE: ALL CONCRETE TO BE 3,000 P.S.I. MINIMUM



SECTION A-A

NOTE: INSTALL MINIMUM 18" DIAMETER CULVERT AT LOW POINT OF DRIVEWAY, AS REQUIRED BY WALTON COUNTY.



**WALTON COUNTY
GEORGIA**

**STANDARD DESIGN AND
CONSTRUCTION DETAILS**

**RESIDENTIAL
DRIVEWAY - CURB & GUTTER**

3.16

Errata # 3 Amend Article 5 to add as permitted Slaughter House as a permitted use in “A” zoning district with supplemental regulations in Article 6

Permitted Uses:

NAICS Code	Principal Uses	Suppl. Reg	A	A1	A2	R1	R2	R3	MHP	OI	B1	B2	B3	TC	MUBP	M1	M2
311611	Slaughterhouse	Yes	<u>C</u>														P

Slaughterhouse

Allowed by Conditional Use in A and add separate supplemental regulations for slaughterhouses located in “A” and M2 as follows:

M2 Supplemental Regulations:

- A. The front yard setback shall be seventy-five (75) feet from all street right-of-way lines.
- B. The slaughterhouse shall comply with the wholesale and industrial off-street loading and unloading space as required by this Ordinance.
- C. The applicant shall comply with off-street automobile parking requirements contained in this Ordinance for wholesale business.
- D. There shall be a minimum distance of one thousand feet from the slaughterhouse to the nearest residential dwelling.
- E. The applicant shall comply with all site plan requirements as required by this Ordinance **as well as USDA and EPD regulations.**

“A” Conditional use Supplemental Regulations:

A. Property size shall be minimum 25 acres.

B. There shall be a minimum distance of 300 feet from the slaughterhouse to the nearest residential dwelling.

C. The front yard setback shall be 150’ feet from all street right-of-way lines.’

D. There shall be a minimum 5,000 animal slaughtered per year.

E. The applicant shall comply with all site plan requirements as required by this Ordinance as well as USDA and EPD

regulations.

FOR REFERENCE

Definitions:

FARMING, COMMERCIAL: Any primary use of a tract or parcel of land for the purpose of raising commercial agriculture products, nursery stock, including, but not limited to, soil crops, fish, fowl, timber or livestock, regardless of the quantity or value of production. See also **ANIMAL FEEDING OPERATION, SLAUGHTERHOUSES** and **GREENHOUSE, NURSERY AND FLORICULTURE PRODUCTION**.

SLAUGHTERHOUSES: Establishments primarily engaged in slaughtering animals and may include the preparation of meats.

Permitted Uses:

NAICS Code	Principal Uses	Suppl. Reg	A	A1	A2	R1	R2	R3	MHP	OI	B1	B2	B3	TC	MUBP	M1	M2
311611	Slaughterhouse	Yes	C														P
	Farming, General	Yes	P														

Supplemental Regulations:

Farming, General (1)

No building or structure containing livestock, manure, or other odor-producing substances shall be located within 200 feet of an existing dwelling or within 100 feet of a property line or 50 feet from a street right-of-way line.

Errata #4 Amendment to Article 2, 4 and 6

Article 2 Definitions-Amend definition of flag lot

FLAG LOT (or PANHANDLE LOT): A prohibited lot not meeting minimum frontage requirements and where access to the lot from a public road is achieved by a narrow strip of land. For exceptions see Article 6 Flag Lots.

Article 6 Add supplemental Regulations for Flag lots

Flag Lots

In A, A1, A2 and R1 zoning districts, if a division of property creates a situation where the minimum lot width cannot be obtained, a lot of 5-acres or more will be required. The front setback will be established by the approved recorded plat and the side and rear setbacks will be per the underlying zoning.

This allowance is not intended for “flag lots” to be incorporated into subdivision design but rather the exception; it is to be utilized in situations where it is not feasible to develop internally when the minimum required road frontage is not available. Lot splits shall be reviewed and approved at the discretion of the development director.

Article 4 part 3 Section 160 Remove wording about flag lots

Section 160 Minimum Lot Size and Maximum Lot Coverage

1. Facility - Public Sewer and Public Water

Land Development District and Type of Dwelling	Minimum Lot Area (Square Feet)*	Minimum Lot Size per Dwelling Unit (Square Feet)**	Minimum Lot Width (Feet)***	Maximum Impervious Surface (%)
A Agricultural	5 ac	5 ac	300	15
A1 Single-Family	43,560 (1 ac)	43,560 (1 ac)	100	15
A2 Single-Family	32,670 (3/4 ac)	32,670 (3/4 ac)	100	15
R1 Single-Family	21,780	21,780 (7-6-04)	100	40
R2 Two-Family	30,000	15,000	100	40
R3 Multi-Family	10 ac.	1/6 acre	150	40
MHP Per Unit	20 ac.	17,000.	100	25
O-I	15,000	NA	100	75
B1	15,000	NA	100	75
B2	15,000	NA	100	75
B3	15,000	NA	100	75
M1	15,000	NA	100	75
M2	15,000	NA	100	75

2. Facility - Public Sewer and Well

Land Development District and Type of Dwelling	Minimum Lot Area (Square Feet)*	Minimum Lot Size per Dwelling Unit (Square Feet)**	Minimum Lot Width (Feet)***	Maximum Impervious Surface (%)
A Agricultural	5 ac	5 ac	300	15
A1 Single-Family	87,120 (2 ac)	87,120 (2 ac)	150	15
A2 Single-Family	87,120 (2 ac)	87,120 (2 ac)	150	15
R1 Single-Family	87,120 (2 ac)	87,120 (2 ac)	150	40
R2 Two-Family	87,120 (2 ac)	43,560 (1 ac)	150	40
R3 Multi-Family	NA	NA	NA	NA
MHP	87,120 (2 ac)	87,120 (2 ac)	100	25
O-I	25,500	NA	100	75
B1	25,500	NA	100	75
B2	25,500	NA	100	75
B3	25,500	NA	100	75
M1	25,500	NA	100	75
M2	25,500	NA	100	75

**See district for restrictions on subdivisions.

*** The minimum lot width shall be measured at the minimum required front setback. For lots located on cul-de-sacs or eyebrows, the minimum lot width at the minimum required front setback line shall not be not less than fifty (50) feet. The minimum road frontage for all lots shall be forty (40) feet. (5-2-06)

***Lots 5 acres or larger shall be allowed in the A, A1, A2 and R1 zoning districts with a minimum 40' frontage on an existing county road. The required front, side and rear yard setbacks will be measured at the point where the lot widens into the buildable area.**

3. Facility – Septic Tank and Public Water

Land Development District and Type of Dwelling	Minimum Lot Area (Square Feet)*	Minimum Lot Size per Dwelling Unit (Square Feet)**	Minimum Lot Width (Feet)***	Maximum Impervious Surface (%)
A Agricultural	5 ac	5 ac	300	15
A1 Single-Family	87,120 (2 ac)	87,120 (2 ac)	150	15
A2 Single-Family	65,340 (1.5 ac)	65,340 (1.5 ac)	150	15
R1 Single-Family	43,560 (1 ac)	43,560 (1 ac)	150	40
R2 Two-Family	43,560 (1 ac)	21,780 (0.5)	150	40
R3 Multi-Family	NA	NA	NA	NA
MHP	43,560 (1 ac)	43,560 (1 ac)	150	25
O-I	25,500	25,500	100	75
B1	25,500	25,500	100	75
B2	25,500	25,500	100	75
B3	25,500	25,500	100	75
M1	25,500	25,500	100	75
M2	25,500	25,500	100	75

4. Facility - Septic Tank and Well

Land Development District and Type of Dwelling	Minimum Lot Area (Square Feet)*	Minimum Lot Size per Dwelling Unit (Square Feet)**	Minimum Lot Width (Feet)***	Maximum Impervious Surface (%)
A Agricultural	5 ac	5 ac	300	15
A1 Single-Family	87,120 (2 ac)	87,120 (2 ac)	200	15
A2 Single-Family	87,120 (2 ac)	87,120 (2 ac)	200	15
R1 Single-Family	87,120 (2 ac)	87,120 (2 ac)	200	40
R2 Two-Family	87,120 (2 ac)	43,560 (1 ac)	200	40
R3 Multi-Family	NA	NA	NA	NA
MHP	87,120 (2 ac)	87,120 (2 ac)	200	25
O-I	25,500	25,500	100	75
B1	25,500	25,500	100	75
B2	25,500	25,500	100	75
B3	25,500	25,500	100	75
M1	25,500	25,500	100	75
M2	25,500	25,500	100	75

**See district for restrictions on subdivisions.

*** The minimum lot width shall be measured at the minimum required front setback.

For lots located on cul-de-sacs or eyebrows, the minimum lot width at the minimum required front setback line shall not be not less than fifty (50) feet. The minimum road frontage for all lots shall be forty (40) feet. (5-2-06)

***Lots 5 acres or larger shall be allowed in the A, A1, A2 and R1 zoning districts with a minimum 40' frontage on an existing county road. The required front, side and rear yard setbacks will be measured at the point where the lot widens into the buildable area.**

Errata #5 Add Outside Storage of Commercial Vehicles to Article 5 and supplemental Regulations in Article 6

Permitted Uses:

NAICS Code	Principal Uses	Suppl. Reg	A	A1	A2	R1	R2	R3	MHP	OI	B1	B2	B3	TC	MUBP	M1	M2
	Outside Storage of Commercial Vehicles	Yes										C	P			P	P

Article 6

Outside Storage of Commercial Vehicles

Outside storage. (Conditional use in B2, allowed by right in B3, M1 and M2) Open storage of Operational recreational vehicles and dry storage of pleasure boats of the type customarily maintained by private individuals for their personal use, truck and/or trailers, antique cars and other vehicles shall be permitted provided the following conditions are met.

- (1) The area so designated shall be clearly delineated upon the site plan submitted for approval by the county.
- (2) The storage area shall be entirely screened from view from adjacent residential properties and public streets by a building or by the installation of an eight-foot high opaque wall or fence.
- (3) Vehicles shall not be stored within the area set aside for minimum building setbacks.
- (4) No vehicle maintenance, washing, or repair shall be permitted on site. Pleasure boats stored on site shall be stored upon wheeled trailers. No dry stacking of boats shall be permitted on site.
- (5) No vehicle shall be allowed to sit and run idle from 7:00pm to 7:00am unless located in an industrial park and not adjacent to any single family dwelling.

(6) Outdoor lighting fixtures designed or placed so as to illuminate any portion of a site shall meet the following requirements:

- a. Parking areas abutting residential uses shall only use cut-off luminaire fixtures mounted in such a manner that its cone of light does not cross any property line of the site.
- b. Only incandescent, fluorescent, metal halide, or color corrected high-pressure sodium may be used. The same type of lighting must be used for the same or similar types of lighting on any one site.
- c. Illumination shall be designed to restrict glare and shall be directed internally so as to minimize impact on adjoining properties.

Errata #6 Article 4 Amendment to Specific Regulations for Residential Dwellings in A, A1, A2, R1, R2, and R3 zoning categories. And Article 6 regulations for guest houses to change roof pitch from 6:12 to 5:12

Article 4 Sections 110, 120, 130, 140 Specific Regulations for Residential Units: Units shall have the following additional requirements:

- b. A minimum roof pitch of ~~6:5~~ 5:12, which means having a pitch equal to at least ~~six-five~~ (5) inches of vertical height for every twelve (12) inches of horizontal run. Any dwelling unit for which a building permit was obtained prior to the adoption of this Ordinance may be extended, enlarged or repaired as otherwise provided by this Ordinance with the same roof pitch as that allowed by the previous building permit.

Article 6

Guest House, Caretaker House (2)

Guest Houses are allowed by right in the A, A1, A2 and R-1 properties that are one-acre in size or larger.

Guest houses are an accessory use to the primary residence.

Caretaker Houses are allowed by right in the B-2, B-3, TC, MUBP, M-1 and M-2 zonings.

9-1-2020

D. Specific Regulations for Residential Units- Units shall have the following additional requirements: (7-6-2021)

- a. A minimum roof pitch of ~~6:5~~ 5:12, which means having a pitch equal to at least ~~six-five~~ (5) inches of vertical height for every twelve (12) inches of horizontal run. Any dwelling unit for which a building permit was obtained prior to the adoption of this Ordinance may be extended, enlarged or repaired as otherwise provided by this Ordinance with the same roof pitch as that allowed by the previous building permit.

Errata #7 Article 4 Section 120 and 130

Add minimum square footage for primary residential structure in a curb and gutter platted subdivision in A1 and A2.

Section 120 Rural Estate District (A1)

A. Purpose and Intent

The A1 Rural Estate District is intended to preserve the rural character of the area. This area is characterized by large acreage tracts devoted to agricultural uses and sparsely populated residential areas. For this reason this district may also serve as a buffer zone between the major agricultural uses and intensive land development districts.

E. Property Development Standards

1. Minimum Lot Area:

- a. The minimum lot area shall be two (2) acres.
- b. The minimum lot area for lots served by public or community water and sewer shall be one (1) acre. (9-7-04)

2. Minimum Lot Width at Building Line: The minimum lot width at the building line shall be one hundred fifty (150) feet with public water; two hundred feet (200) with well and 100 feet with public/community water and sewer.

3. Minimum Yard Requirements:

- a. Front: Fifty (50) feet.
- b. Side: Fifteen (15) feet.
- c. Rear: Forty (40) feet.

4. Minimum House Size: The minimum floor area of the primary dwelling shall be one thousand four hundred (1,400) square feet.

a. Minimum floor area of the primary dwelling in a platted A1 Subdivision with curb and gutter shall be 1,800 for 1-story and 2,000 for 2-story.

Section 130 Rural Estate District (A2)

A. Purpose and Intent

The A2 Rural Estate District is composed of areas having primarily a rural character, which will generally be maintained for some length of time. These areas are characterized by large acreage tracts devoted to agricultural uses and sparsely populated residential areas. For this reason they are intended to be used as a buffer zone between the major agricultural uses and intensive land development districts.

The conditions and regulations listed below apply to A2, except where noted.

E. Property Development Standards

1. Minimum Lot Area:

- a. The minimum lot area shall be one and one half (1.5) acres where water and individual septic tank are used.
- b. The minimum lot area shall be two (2) acres where private well and individual septic tank are used.
- c. The minimum lot area shall be 32,670 (3/4 acre) where public or community water and sewer are used. (9-7-04)

2. Minimum Lot Width at Building Line: The minimum lot width at the building line shall be:

- a. One hundred (100) feet where public or community water and sewer are used; and
- b. One hundred and fifty (150) feet where public or community water and individual septic tank are used; and
- c. Two hundred (200) feet where private well and individual septic tank are used.

3. Minimum Yard Requirements

- a. Front: Fifty (50) feet.
- b. Side: Fifteen (15) feet.
- c. Rear: Forty (40) feet.

4. Minimum House Size: The minimum floor area of the primary dwelling shall be one thousand four hundred (1,400) square feet.

a. Minimum floor area of the primary dwelling in a platted A2 Subdivision with curb and gutter shall be 1,800 for 1-story and 2,000 for 2-story.

Errata #8 Repeal Article 12 Part2 Section 130 Notice of Tree Harvesting and add new Article 12 Part 3 Timber Harvesting Operations

Article 12 Buffers, Landscaping, and Tree Protection

Part 2 Trees and Landscaping

~~Section 130 — Notice of Tree Harvesting Required~~

- ~~A. All persons or firms harvesting standing timber in any unincorporated area of Walton County for delivery as pulpwood, logs, poles, posts, or wood ships to any wood yard or processing plant located inside or outside this state shall provide notice of such harvesting operations to the Department prior to cutting any such timber if possible, but in no event later than 24 hours after entering onto the property. Further, such persons shall give notice of cessation of cutting within 24 hours after the job is completed.~~
- ~~B. Prior written notice shall be required of any person or firm harvesting such timber for each separate tract to be harvested thereby, shall be on forms provided by the GFC (Georgia Forestry Commission) Director and shall consist of:~~
- ~~1. A map of the area which identifies the location of the tract to be harvested and, as to those trucks which will be traveling to and from such tract for purposes of picking up and hauling loads of cut forest products, the main point of ingress to such tract from a public road and, if different, the main point of egress from such tract to a public road.~~
 - ~~2. A statement as to whether the timber will be removed pursuant to a lump sum sale, per unit sale, or owner harvest for purposes of ad valorem taxation under Code Section 48-5-7.5, O.C.G.A.~~
 - ~~3. The name, address and daytime telephone number of the timber seller is pursuant to a lump sum or per unit sale or of the timber owner if the harvest is an owner harvest and~~
 - ~~4. The name, business address, business telephone number and nighttime or emergency telephone number of the person or firm harvesting such timber.~~
 - ~~5. Notice may be submitted in person, by transmission of an electronic record via telefacsimile or by mail or email.~~

- ~~C. Prior to the issuance of said notice, the Department shall require surety in the amount of \$1,000.00. Said surety shall remain on deposit with the Department until the individual or business harvesting the timber shall indicate that all operations are complete in Walton County and request a refund of said surety. However, if upon inspection by Walton County, it is determined that repair work must be done, the harvester shall be given ten (10) working days to complete said work. If the harvesting entity has not made the necessary repairs, then repairs shall be made by the Department and the cost of such repairs deducted from the surety prior to refund.~~
- ~~D. Any subsequent change in the facts required to be provided for purposes of such notice shall be reported to the Department within three business days after such change.~~
- ~~E. Timber harvest on properties outside the A, A1 and A2 Zoning District shall be Select Harvest ONLY. Clear cuts are not to be allowed.~~
- ~~F. Violation of the notice requirements of any ordinance or resolution adopted pursuant to this Code section shall be punishable by a fine of \$500.00.~~

Part 3 Timber Harvesting Operations

An Ordinance to govern timber harvesting operations in the unincorporated portions of Walton County.

WHEREAS, timber harvesting operations occur in the unincorporated portions of Walton County on a recurring basis; and

WHEREAS, timber harvesting is an important component of the local economy in Walton County, providing revenue to landowners, business opportunities, and jobs for local residents; it is the intent of the Board of Commissioners of Walton County to facilitate this industry while at the same time protecting county infrastructure and the safety of the community; and

WHEREAS, timber harvesting in many instances requires the use of county-maintained roads in order to transport the product to market; and

WHEREAS, it is in the public interest to protect the county road system from damage caused by timber harvesting operations to the extent allowed by state law; and

WHEREAS, O.C.G.A. §12-6-24 authorizes and establishes the terms and conditions under which this Ordinance may be adopted and enforced; and

WHEREAS, it is the intent of the Board of Commissioners of Walton County to preserve and exercise where appropriate all powers and authority granted to it under state law, including but not limited to O.C.G.A. §32-4-42 and O.C.G.A. §40-6-371, that are not in conflict with O.C.G.A. §12-6-24, in order to protect the health, safety and welfare of the community.

NOW THEREFORE, BE IT ORDAINED AND RESOLVED BY THE BOARD OF COMMISSIONERS OF WALTON COUNTY, GEORGIA AS FOLLOWS:

1.

Section 110. Title. This ordinance shall be known as the Walton County Timber Harvesting Ordinance.

Section 120 Notice Required. All persons or firms harvesting standing timber in any unincorporated area of Walton County for delivery as pulpwood, logs, poles, posts, or wood chips to any woodyard or processing plant located inside or outside this state shall provide Notice of such harvesting operations to the Board of Commissioners of Walton County or the designated agent thereof prior to entering onto the property if possible, but in no event later than 24 hours after entering onto the property. Further, such persons shall give Notice of cessation of cutting within 24 hours after the job is completed.

Section 130 Form of Notice. The Notice of harvesting operations required by this Ordinance shall be provided for each separate tract to be harvested. Such Notice shall be made in such form as prescribed by rule or regulation of the Director of the Georgia Forestry Commission, and shall include the following information:

(a) A map of the area which identifies the location of the tract to be harvested and, as to those tracts which will be traveling to and from such tract for purposes of picking up and hauling loads of cut forest products, the main point of ingress to such tract from a public road and, if different, the main point of egress from such tract to a public road. If multiple points of ingress and/or egress will be used, all such points shall be identified;

(b) A statement as to whether the timber will be removed pursuant to a lump sum sale, per unit sale, or owner harvest for purposes of ad valorem taxation under O.C.G.A. §48-5-7.5;

(c) The name, address, and daytime telephone number of the timber seller if the harvest is pursuant to a lump sum or per unit sale or of the timber owner if the harvest is an owner harvest; and

(d) The name, business address, business telephone number, and nighttime or emergency telephone number of the person or firm harvesting such timber.

Section 140 Submission of Notice. Subject to the provisions of Section 1-06 of this Ordinance, the Notice required by this Ordinance may be submitted in person, by transmission of an electronic record via telefacsimile or e-mail, or by mail.

Section 150. Permissive Online Notice After Certain Date. Subject to the provisions of Section 1-06 of this Ordinance, upon notification published by the Director of the Georgia Forestry Commission that a state-wide notification website or platform is available for public use, persons or firms wishing to utilize said website or platform to provide the Notice required by this Ordinance may do so at their option, and Walton County will accept notifications submitted in this manner.

Section 160 Mandatory Online Notice After Certain Date. On and after a date specified and published by the Director of the Georgia Forestry Commission, use of the state-wide notification website or platform shall be mandatory and shall be the sole means of providing the Notice required by this Ordinance; on and after said date submission of the Notice by any of the means listed in Section 1-04 above shall cease and will no longer be deemed acceptable or in compliance with this Ordinance.

Section 170 Surety Required. The Notice required by this Ordinance shall not be or remain effective unless and until the person or firm providing such Notice has delivered

to the Board of Commissioners of Walton County or its designated agent a valid surety bond, executed by a surety corporation authorized to transact business in this state, protecting Walton County against any damage caused by such person or firm in the amount of \$5,000.00; provided, however, that at the option of the person or firm harvesting timber a valid irrevocable letter of credit issued by a bank or savings and loan association, as defined in O.C.G.A. §7-1-4, in the amount of \$5,000.00 may be provided in lieu of a surety bond. Such bonds or letters of credit shall be subject to the conditions set forth in Sections 1-08 and 1-09 of this Ordinance. No more than one bond or letter of credit shall be required from each person or firm harvesting timber, regardless of the number of tracts harvested in the county for so long as the bond or letter of credit remains in effect. The bond or letter of credit required herein shall be valid only for the calendar year in which it was delivered.

Section 180 Purpose of Surety; Right of County to Call Bond. The bond or letter of credit required by Section 1-07 of this Ordinance shall protect Walton County against any damage requiring re-ditching or repair of existing ditch structures or the removal of any harvesting residue, including tree tops, debris, logs, pulpwood and other materials, placed in or around the county's rights of way caused by such person or firm tendering the bond or letter of credit. The proceeds of such bond or letter of credit shall be available to reimburse the county for any cost incurred to repair such damages or remove such debris in or around the county's rights of way. The proceeds of such bond or letter of credit shall also be available to reimburse the county for any costs incurred to maintain or repair county roads damaged by the ingress or egress of motor vehicles engaged in the harvest operations located within 500 feet of any point of ingress or egress of the timber harvesting operation. The right of Walton County to call such bond or letter of credit in accordance with the provisions of Section 1-09 of this Ordinance shall be in addition to any other remedies available to the county at law or in equity for damage to county roads or rights of way.

Section 190 Damage; Claim on Surety. When damage results from a person or firm's harvesting activities, the Board of Commissioners of Walton County shall make and provide a written claim to the person or firm causing the damage within 30 business days after the Board of Commissioners becomes aware of the damage. Such claim may be given in person, by telefacsimile, email or mail. The claim shall describe the damage in detail and, in compliance with Section 1-10 (a) of this Ordinance, give the person or firm the opportunity to repair such damage within 30 days of the notification; provided, however, the County shall be authorized to repair the damage immediately if the Board of Commissioners or its designee determines the conditions present a threat to public safety, health or welfare and, upon making such repairs, shall present to the person or firm and the issuer of the applicable bond or letter of credit an itemized list of expenses incurred as a claim against the responsible party and the issuer of its bond or letter of credit. Upon the issuance of a claim as provided in this Section the Board of Commissioners of Walton County or its designee shall notify the issuer of the bond or letter of credit that a claim has been made and will be resolved or adjudicated according to the terms of this Ordinance.

Section 200 Response; Repair of Damage or Appeal of Claim. Within 30 days of receipt of the written claim described in Section 1-09, the person or firm against whom the claim is submitted may:

(a) Repair such damage at his or its own expense with the approval and supervision of the Board of Commissioners of Walton County or its designee. When repairs are completed to the satisfaction of the Board of Commissioners or its designee, the Board of Commissioners or its designee shall provide a written notification of satisfactory completion within five business days to the responsible person or firm and to the surety issuing the bond or the bank issuing the letter of credit, thereby terminating the claim.

(b) In the event of inclement weather or other factors preventing repair of the damage, request a 30 day extension to repair the damage from the Board of Commissioners of Walton County, provided that no extensions shall exceed 90 days from the date the claim was tendered. Approval of any extension shall be at the discretion of the Board of Commissioners of Walton County or its designee.

(c) Appeal the claim to the Magistrate Court of Walton County. Any such appeal must name the issuer of the bond or letter of credit as a party, who shall be served with all pleadings in the action and shall have the right to appear. The Magistrate Court will hear evidence and arguments within 30 days of the written appeal and issue a ruling within ten days of such hearing. Any such appeal shall toll the 30 day period, or any extension thereof, required by Section 1-09 of this Ordinance. If the Magistrate Court rules in favor of the person or firm against whom the claim was made, the county shall have no right to recover any proceeds of the bond or letter of credit, and judgment shall be entered against the county. If the Magistrate Court rules in favor of the county the court shall determine the amount of damages to which the county is entitled to recover and enter judgment accordingly; the Board of Commissioners of Walton County shall be authorized to call the bond or letter of credit and recover from the proceeds thereof an amount equal to the judgment entered by the court, up to the total amount of the bond or letter of credit. The portion of any judgment entered in favor of the county that exceeds the amount of the bond or letter of credit shall be subject to collection by any additional remedies at law or equity.

(d) In the event the person or firm against whom the claim has been submitted fails to take any of the actions allowed under subsections (a), (b) or (c) of this Section within the time required therein, such person or firm shall be deemed to have waived any and all rights to contest the call of the bond or letter of credit.

Section 210 Harvesting Operation Beyond Calendar Year. If the person or firm tendering a bond or letter of credit pursuant to the requirements of this Ordinance continues its timber harvesting operation beyond the calendar year in which the bond or letter of credit was issued, the person or firm continuing the timber harvesting operation shall tender a new bond or letter of credit within five (5) business days after the first day of the new calendar year.

Section 220 Revocation of Surety. In the event a bond or letter of credit tendered pursuant to the requirements of this Ordinance is revoked by the surety or bank, then a valid replacement bond or letter of credit must be delivered to the Board of Commissioners of Walton County within five business days after the date of revocation in order for timber harvesting operations to continue. In addition, if the person or firm tendering the bond or letter of credit caused its revocation, the amount of the bond or letter of credit required shall be increased to \$7,500 after the first revocation, and \$10,000 after a second revocation caused by the person or firm tendering the bond or letter of credit. The maximum amount of the bond or letter of credit shall not exceed \$10,000.

Section 230 Duration and Change of Operation. Submission of the Notice required by this Ordinance shall authorize the person or firm submitting same to undertake the timber harvesting operation described in the Notice and shall remain in effect until such time as the person or firm gives Notice that the harvesting operation is complete; provided, however, that any change in the facts required to be provided for purposes of such Notice, including but not limited to a change in the scope or extent of the operation, must be reported to the Board of Commissioners of Walton County within three business days after such change.

Section 240 Operation Without Providing Notice; Fine. Any person or firm that engages in a timber harvesting operation in the unincorporated portion of Walton County without complying with the Notice requirements of this Ordinance shall be subject to a citation and trial, and upon conviction shall be fined in an amount not to exceed \$1,500.00 for each violation.

Section 250 Zoning Requirements. This Ordinance applies to activities which qualify as forestry land management practices or agricultural operations under O.C.G.A. §12-7-17 (5) and (6) on land that is zoned for or used for forestry, silvicultural or agricultural purposes. It shall not authorize land disturbing activities incidental to development in conflict with the limitations set forth in O.C.G.A. §12-7-17 (6).

Section 260 No Fee for Notice; No Other Permit Required. Consistent with O.C.G.A. §12-6-24:

(a) no fee shall be charged to provide and submit the Notice required by this Ordinance; and

(b) no permit, including a driveway permit, shall be required of the person or firm engaged in a timber harvesting operation as defined by said Code section. Persons and firms providing the Notice required by this Ordinance may be asked to consult with county officials responsible for roads and public works for the purpose of minimizing damage to the county's roads, rights of way and infrastructure, and are urged to follow recommendations from county officials. Notwithstanding the forgoing, the person or firm conducting the timber harvest operation bears ultimate responsibility for their actions, and nothing in this Ordinance shall preclude the Board of Commissioners of Walton

County from taking any and all legal action necessary to protect its property and the health, safety and welfare of its citizens.

2.

Except as specified hereinabove, all remaining portions of the Code of Walton County, Georgia shall continue in full force and effect, and shall remain unaffected by this amendment.

3.

It is the express intent of the Walton County Board of Commissioners that this Ordinance be consistent with both federal and state law. If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

4.

All Ordinances and provisions of the Code of Walton County, Georgia which conflict with any part of this Ordinance are hereby repealed, including but not limited to Article 12, Part 2, Section 130 of the Walton County Land Development Ordinance and Subdivision Regulations.

5.

This Ordinance shall become effective immediately upon passage.

SO ORDAINED this _____ day of _____, 2022.

David G. Thompson, Chairman
Walton County Board of Commissioners

Attest: _____
Rhonda R. Hawk, County Clerk
Walton County, Georgia

[COUNTY SEAL]