

AN ORDINANCE TO AMEND the Walton County Land Development Ordinance adopted 5-3-16 and amended as per attached errata dated 04/03/2023

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 04/03/2023.

**Errata #1            Amend Article 6 to delete Private Drive-Agricultural Subdivision (PDAS) and Private Drive Subdivision (PDS)**

**Errata #2            Amend All Articles related to residential dwellings to add regulations for slopes on residential lots.**

**Errata #3            Amendment to Article 4 Part 1 Section 110 Agricultural District "A"**

Adopted by the Walton County Board of Commissioners on this 6<sup>th</sup> day of June, 2023.

---

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

**PC ACTION 5/4/2023:**

**Amendment: OA23030030 – Amendment to Walton County Land Development Ordinance per Errata Sheet dated 04/03/2023**

**1. Errata #1 Amend Article 6 to delete Private Drive-Agricultural Subdivision (PDAS) and Private Drive Subdivision (PDS)**

**Charna Parker explained the amendment is to remove the Private Drive Agricultural Subdivision which allows for 5 lots each being 5 acres or more on a gravel-based road, and the regular Private Drive Subdivision which allows for 15 lots of 5 acres each and is required to have a road which is paved to county standards. With the new guidelines that have been added to the ordinance which allows 2-acre lots with open ditch there is no longer a need for this type of developments.**

**Errata #2 Amend All Articles related to residential dwellings to add regulations for slopes on residential lots.**

**Charna Parker explained this amendment will add guidelines in our ordinance for an issue that we currently deal with administratively but have no actual enforcement. We require builders to grade single family lots that have topographical issues so that the slopes in the yard are no more than 3 to 1. This will give us the enforceability needed to assure compliance. These regulations will be added to the Single-Family Residential requirements under each zoning category.**

**Errata #3 Amendment to Article 4 Part 1 Section 110 Agricultural District "A".**

**Charna Parker explained this amendment is one that is open for discussion. Currently the "A" zoning district; what we consider a Commercial Agricultural zoning requires a minimum lot size of 5-acres. Anyone that wants to do commercial agricultural uses has to apply for a rezone to A. The minimum house size in the A is 1100 square feet. If approved, this amendment would change the minimum house size to 1400 square feet to be the same as A1 and A2 and the lot**

size to 2 acres. The Board could consider changing the minimum lot size to 3, or 4 acres if they so chose. The reason this is being brought up for discussion is that we have had some requests for uses such as organic farms, bee colonies etc. proposed however the citizen does not have the 5 acres required to rezone the property to A. One thing to consider in changing this guideline is that certain commercial agricultural uses are better suited on a larger lot. One example is a commercial kennel which is allowed in B2 on 2 acres; however it is required to have 5-acres in the A zoning district.

**Speaking:** No one

**Recommendation:** Timothy Kemp made a motion to recommend approval as submitted with a second by Wesley Sisk. The motion carried unanimously.

**Errata #1      Amend Article 6 to delete Private Drive-  
Agricultural Subdivision (PDAS) and Private Drive  
Subdivision (PDS)**

The amendment is to delete Private Drive Subdivisions, both the agricultural and regular.  
The only Private Drive Subdivision allowed will be those that are "Gated".

**~~Private Drive Agricultural Subdivision (PDAS) (2)~~**

~~A. Purpose and Intent~~

~~The purpose of the Private Drive Agricultural Subdivision development is to authorize, subject to certain standards, the development of residential subdivisions composed of a small number of large acreage lots in which a street providing access to lots in the development is not dedicated to the public, but is held in common ownership by the owners of the lots. Private drives and streets are not maintained by Walton County. This development is only available in the A Agricultural, A1 Rural Estate, A2 Rural Estate, and R1 Residential Zoning Districts.~~

~~B. Principal Uses and Structures~~

~~Single family detached residential dwellings permitted under the underlying zoning district.~~

~~C. Accessory Uses and Structures~~

~~Accessory uses permitted under the underlying zoning district.~~

~~D. Conditional Uses~~

~~Conditional uses as permitted under the underlying zoning district.~~

~~E. Property Development Standards~~

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

- ~~1. No more than five (5) lots shall be permitted in the subdivision.~~
- ~~2. Each lot must contain a minimum of twenty (20) acres.~~

3. ~~Minimum floor area of the primary dwelling shall be 1,800 square feet.~~
4. ~~Private drainage easements, drainage structures, ditches, and pipes shall be constructed to the same standards for public facilities permitted in the underlying zoning district, but shall be maintained in perpetuity by land owner or by a mandatory homeowner association.~~
5. ~~No lot in a Private Drive Agricultural Subdivision shall have direct access to a public street.~~
6. ~~The design and construction of private drives shall comply with the following unless approved by the Director:~~ \_\_\_\_\_ (1/4/2022)

Surface Type	Min. Easement Width	Min. Surface Width	Min. Shoulder Width	Max. Grade (1/4/2022)	Aggregate Base Required	Min. Asphalt Thickness	Zoning
Gravel	60 Feet	16 Feet	4 Feet	12%	4" Min.	N/A	A & A1
Asphalt	60 Feet	16 Feet	4 Feet	12%	4" Min.	1 ½" E-Mix	A2 & R1

- ~~Private drives shall have a maximum length of 2,000 feet, unless otherwise approved by the Director. The termination of any private drive shall include a cul-de-sac turnaround area with a minimum outside radius of forty (40) feet.~~
- ~~Private Drive Roads shall comply with the minimum requirements of the Standard Design and Construction Details as shown on diagram 3.03.~~
- 7. ~~The private street easement shall be a cross easement granting access to all lot owners and any other contiguous property that requires access to such street in order to access a public street adjacent to the property developed as a Private Drive Agricultural Subdivision.~~
- 8. ~~Building setbacks are measured from the adjacent side of the private street easement line.~~
- 9. ~~Gated entrances will be allowed only if the gate restricting access to the public provides adequate space outside the public right of way to provide for queuing of at least two standard vehicles in addition to a paved turnaround area.~~
- 10. ~~Gated communities must provide approved access by emergency vehicles.~~
- 11. ~~All streets within Private Drive Agricultural Subdivisions must provide approved street name signs, traffic control signs, and lots within the Private Drive Agricultural Subdivision shall display approved street numbers.~~
- 12. ~~A 50 foot non-buildable buffer shall be maintained around the perimeter of the subdivision.~~

- ~~13. A 100 foot non-buildable buffer shall be maintained adjacent to existing public streets that abut the subdivision.~~
- ~~14. Minimum lot width shall be 150' with water, 200' with well. Setbacks shall be: 40' front, 15' sides and 40' rear.~~
- ~~15. Streets, roadside ditches, cross drain pipes, and required storm water management facilities shall be maintained entirely by a mandatory homeowner's association. Other drainage ways, drainage structures, lakes, and dams may be maintained by either a homeowner's association or the individual homeowner.~~

## **Private Drive Subdivision (PDS) (2)**

### **A. Purpose and Intent**

~~The purpose of the Private Drive Subdivision development is to authorize, subject to certain standards, the development of residential subdivisions in which a street providing access to lots in the development is not dedicated to the public but is held in common ownership by the owners of the lots. Private drives and streets are not maintained by Walton County. This development is only available in the A Agricultural, A1 Rural Estate, A2 Rural Estate and R1 Residential Zoning Districts.~~

### **B. Principal Uses and Structures**

~~Single family detached residential dwellings permitted under the underlying zoning district.~~

### **C. Accessory Uses and Structures**

~~Accessory uses permitted under the underlying zoning district.~~

### **D. Conditional Uses**

~~Conditional uses as permitted under the underlying zoning district.~~

### **E. Property Development Standards**

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

- ~~1. No more than fifteen (15) lots shall be permitted in the subdivision.~~
- ~~2. Each lot must contain a minimum of five (5) acres.~~
- ~~3. Minimum floor area of the primary dwelling shall be 1,800 square feet.~~

4. ~~Private drainage easements, drainage structures, ditches, and pipes shall be constructed to the same standards for public facilities permitted in the underlying zoning district, but shall be maintained in perpetuity by land owner or by a mandatory homeowner association.~~
5. ~~No lot in a Private Drive Subdivision shall have direct access to a public street.~~
6. ~~The design and construction of private drives shall comply with the following unless approved by the Director:~~

Surface Type	Min. Easement Width	Min. Surface Width	Min. Shoulder Width	Max. Grade (1-4-2022)	Zoning
Asphalt	60 Feet	16 Feet	4 Feet	12%	A, A1, A2 & R1

~~Private drives shall have a maximum length of 2,000 feet, unless otherwise approved by the Director and shall be paved as per "standard for local streets" as outlined in Article 9 of this Ordinance. The termination of any private drive shall include a cul-de-sac turn-around area with a minimum outside radius of forty (40) feet.~~

(4-1-14)

~~Private Drive Roads shall comply with the minimum requirements of the Standard Design and Construction Details as shown on diagram 3.03.~~

7. ~~The private street easement shall be a cross-easement granting access to all lot owners and any other contiguous property that requires access to such street in order to access a public street adjacent to the property developed as a Private Drive Subdivision.~~
8. ~~Building setbacks are measured from the adjacent side of the private street easement line.~~
9. ~~Gated entrances will be allowed only if the gate restricting access to the public provides adequate space outside the public right of way to provide for queuing of at least two standard vehicles in addition to a paved turnaround area.~~
10. ~~Gated communities must provide approved access by emergency vehicles.~~
11. ~~All streets within Private Drive Subdivisions must provide approved street name signs, traffic control signs, and lots within the Private Drive Subdivision shall display approved street numbers.~~
12. ~~A 50 foot non-buildable buffer shall be maintained around the perimeter of the subdivision.~~

- ~~13. A 100-foot non-buildable buffer shall be maintained adjacent to existing public streets that abut the subdivision.~~
- ~~14. Minimum lot width shall be 150' with water, 200' with well. Setbacks shall be: 40' front, 15' sides and 40' rear.~~
- ~~15. Streets, roadside ditches, cross drain pipes, and required storm water management facilities shall be maintained entirely by a mandatory homeowner's association. Other drainage ways, drainage structures, lakes, and dams may be maintained by either a homeowner's association or the individual homeowner.~~



**Errata #2            Amend All Articles related to residential dwellings  
to add regulations for slopes on residential lots.**

*The amendment is to add regulations to all residential dwellings in all zoning districts and developments regarding slopes allowed on the residential lots.*

*Articles affected:*

*Article 4, Part 1 Section 110, 120, 130, 140, 150, 160, 170*

*Article 6 Rural Open Ditch Minor Subdivision and Rural Public Road Minor Subdivision, and Guest House requirements.*

*Regulations to be Added:*

**All lot grading for residential dwellings shall not exceed a 3:1 slope.**

**Exceptions to this requirement shall be at the discretion of the Development Director on a case-by-case basis.**

## **Errata #3 Amendment to Article 4 Part 1 Section 110 Agricultural District “A”**

*This amendment is proposed to change the minimum lot size of the “A” Agricultural District from 5 acres to 2 acres and the minimum house size from 1100 to 1400 to be in alignment with the house size requirements in A1 and A2.*

### **Section 110 Agricultural District (A)**

#### **A. Purpose and Intent**

The (A) Agricultural District is composed of areas presently having a rural character and devoted primarily to farm operations within Walton County, including the raising of soil crops, livestock, fish, fowl, and commercial timber. Such areas are outlined in the Walton County Comprehensive Land Use Plan. Intensive development of land is unlikely to occur in the near future and is discouraged in these areas. For this reason, only minimum restrictions are imposed upon agricultural uses within this district.

#### **B. Principal Uses and Structures**

Principal uses and structures shall be allowed in accordance with Article 5, Part 1 of this Ordinance.

#### **C. Accessory Uses and Structures**

Accessory uses and structures shall be permitted in the (A) Agricultural District in accordance with Article 5, Part 2 of this Ordinance.

#### **D. Conditional Uses**

Conditional uses shall be permitted in the (A) Agricultural District in accordance with Article 5, Part 1 of this Ordinance. Conditional uses shall be subject to the additional use standards established in Article 6 of this Ordinance.

#### **E. Property Development Standards**

- 1. Minimum Lot Area: The minimum lot area shall be ~~five (5)~~ two (2) acres.**

2. Minimum Lot Width at Building Line: The minimum lot width at the building line shall be three hundred (300) feet.
3. Minimum Yard Requirements:
  - a. Front: Fifty (50) feet
  - b. Side: Twenty (20) feet
  - c. Rear: Forty (40) feet
4. Minimum House Size: The minimum floor area of the primary dwelling s shall be ~~one thousand one hundred (1,100)~~ one thousand four hundred (1,400) square feet.
5. Maximum Height: The maximum height of buildings shall be thirty-five (35) feet.
6. Maximum Impervious Surface Coverage: The maximum impervious surface shall be fifteen (15%) percent of the lot.