



ORDINANCE O-02-21

AN ORDINANCE AMENDING CERTAIN SECTIONS OF CHAPTER 22 OF THE CODE OF WALKER COUNTY, GEORGIA REGARDING LAND DEVELOPMENT; TO PROVIDE FOR AN EFFECTIVE DATE; TO REPEAL ANY AND ALL CONFLICTING ORDINANCES AND PARTS OF ORDINANCES; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR OTHER PURPOSES

WHEREAS, Walker County desires to amend its Land Development Code regarding tiny homes; private driveways; and required road frontage; and

THEREFORE, BE IT ORDAINED by the Board of Commissioners of Walker County that the Code of Walker County, Georgia is amended as follows:

1.

Section 22-26(2)(b)(2) is deleted in its entirety and replaced with the following:

~~Any residential structure below 500 square feet must present plans and get approval from the Chief Building Official before any building permit is issued;~~

Any residential structure with less than 500 square feet is to be defined as a "Tiny Home." A Tiny Home is only allowed as a conditional use in the following zones: A-1, R-A, R-1, R-2, and R-3. A property owner must comply with the requirements and procedure for obtaining a conditional use, as set forth in this Code.

(i) A Tiny Home must meet all of the minimum requirements of the International Residential Code, the Electrical Code, the Energy Code, and all other applicable building codes that have been adopted by Walker County and are in effect as of the date that the building permit is issued.

(ii) A Tiny Home must be constructed on a permanent foundation. The only two types of a Tiny Home that shall be constructed in a R-3 zone or an A-1 zone are either a site-built structure or a residential Industrialized (modular) structure. The only type of Tiny Home that shall be constructed in a R-1 zone is a site-built structure.

(iii) A Tiny Home shall not be built within a 500 foot radius of an existing single or multi-family structure. A Tiny Home shall not be built within a 300 foot radius of an existing Tiny Home.

(iv) A Tiny Home built on a metal frame with wheels will only be allowed in an approved mobile home park. A Tiny Home is not allowed in a recreational vehicle park.

2.

The following section of 22-115 is deleted in its entirety and replaced with the following:

~~Applicant means any person seeking to install a manufactured home in the unincorporated area of Walker County.~~

Applicant means any person seeking a permit, license, zoning amendment, variance or other service from the Walker County Planning Office.



3.

The following section of 22-181 depicted in the Development Standards chart is deleted in its entirety and replaced with the following:

<i>District</i>	<i>Required Road Frontage First Dwelling Unit (ft)</i>
R-1	100
R-2	100

<i>District</i>	<i>Required Road Frontage First Dwelling Unit (ft)</i>
R-1	75
R-2	75

4.

Section 22-401(3) is deleted in its entirety and replaced with the following:

~~Abut on a permanent recorded easement or right-of-way which serves no more than 4 separate single-family residential dwellings, lots, or tracts and provides access to a publicly accepted and maintained road, provided that the following criteria is met:~~

~~a. Easements or rights-of-way utilized for access must be at least 30 feet in width for 1- or 2-residential dwellings, lots, or tracts or a minimum width of 50 feet for common easements serving 3 or more residential dwellings, lots, or tracts. No lot or tract smaller than 5 acres shall be approved on any private drive, easement, or right-of-way within the Unincorporated limits of Walker County and no multifamily structures shall be approved on private drives; or~~

Abut on a private drive, or a permanent recorded easement or right-of-way which serves no more than seven separate single-family residential dwellings, lots or tracts and provides access to a publicly accepted and maintained road, provided that the following criteria are met:

a. A private drive, easement or right-of-way utilized for access must be at least 50 feet in width. Each parcel of property that accesses the private drive, easement or right-of-way must be a minimum of three acres. A maximum of seven parcels may access the private drive, easement or right-of-way. No additional private drive, easement or right-of-way may be created from the original private drive, easement or right-of-way or any parcel that has access thereto. Each private drive, easement or right-of-way must satisfy the County: (1) Fire Department dead end road requirements; (2) setback requirements; and (3) storm water and soil erosion plan requirements. All deeds and plats are required to set forth the private drive, easement or right-of-way.

5.

This ordinance is effective immediately upon its adoption.

6.

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.



7.

If any section, clause, sentence, or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this ordinance.

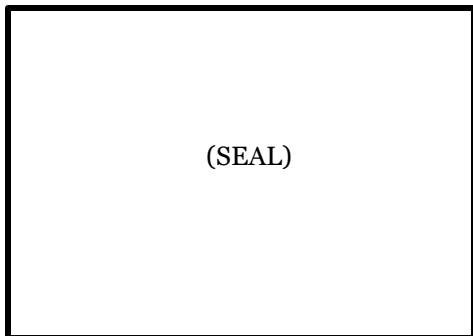
PASSED AND ADOPTED this ____ day of _____, 2021.

ATTEST:

WALKER COUNTY, GEORGIA

REBECCA WOODEN, County Clerk

SHANNON K. WHITFIELD, Chairman



The foregoing Ordinance received a motion for passage from Commissioner _____, second by Commissioner _____, and upon the question the vote is _____ ayes, _____ nays to adopt the Resolution.

DRAFT