

**Walker County
Planning Commission Meeting**

**August 15, 2024
6:00 P.M.**

Walker County Civic Center

AGENDA

I. CALL TO ORDER

II. ROLL CALL

III. READING AND APPROVAL OF MINUTES FOR JULY 18, 2024 MINUTES

IV. MOTION TO OPEN PUBLIC HEARING:

A. VARIANCE:

1. **Robert Carter:** Requests ten variances for property located at 217 Claire Street Rossville, GA. 30741. Tax map & parcel number 0-205-097 & 119A.
2. **Timothy Moore:** Requests a variance for property located at 0 Old LaFayette Road Rock Spring, GA. 30739. Tax map & parcel number 0-326-023B.

B. REZONE:

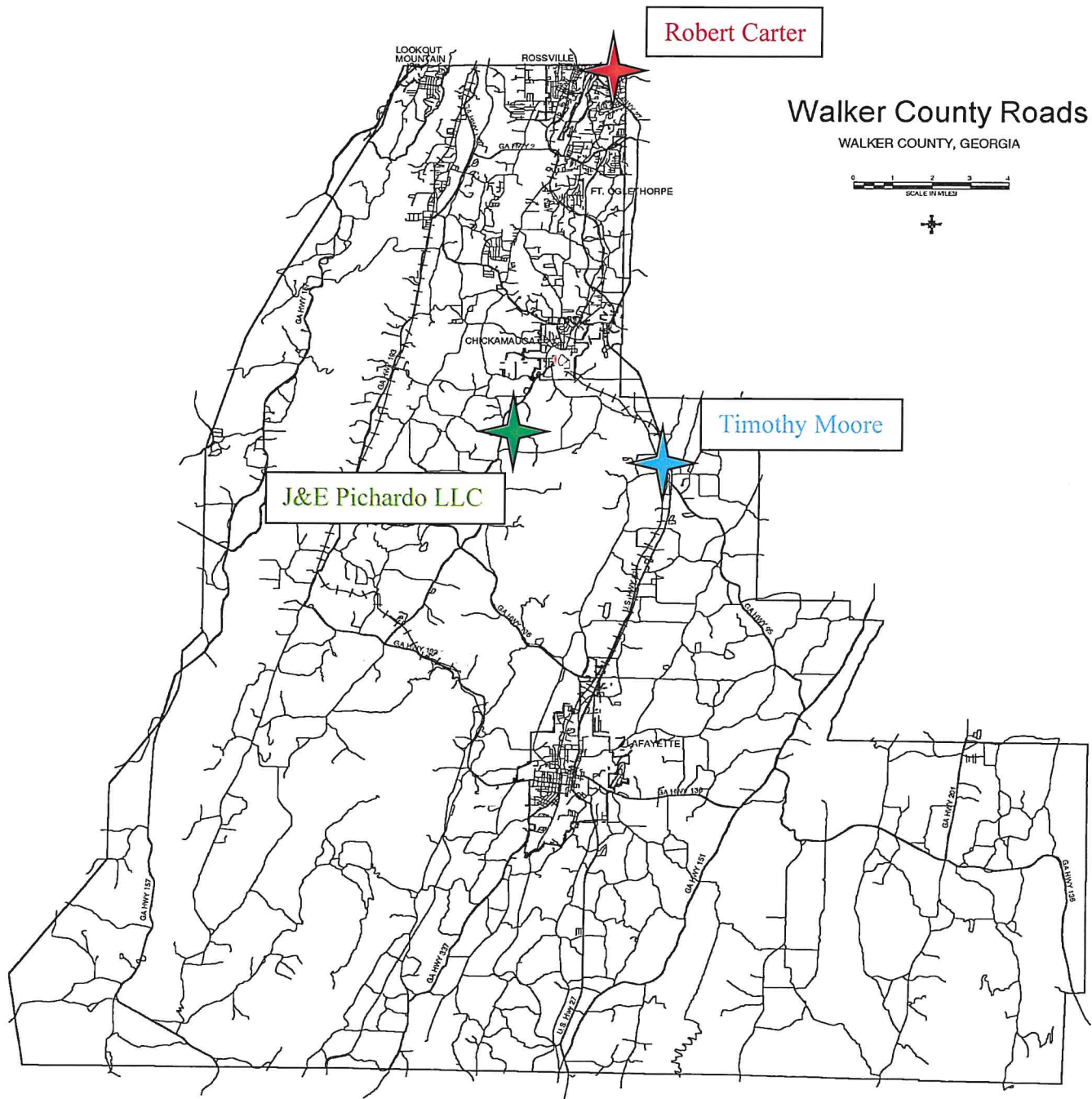
1. **J&E Pichardo LLC:** Requests a rezone from A-1 (Agricultural) to CN (Commercial Neighborhood) for property located at 0 S. Hwy 341 Chickamauga, GA. 30707. Tax map & parcel number 0-289-036.

V. MOTION TO CLOSE PUBLIC HEARING:

VI. MOTION TO GO INTO NEW BUSINESS:

- A. Robert Carter
- B. Timothy Moore
- C. J&E Pichardo LLC

VII. ADJOURNMENT:



Robert Carter

Walker County Roads

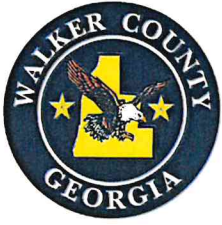
WALKER COUNTY, GEORGIA

0 1 2 3 4
SCALE IN MILES



J&E Pichardo LLC

Timothy Moore



Walker County Planning Commission
Minutes

July 18, 2024
Walker County Civic Center
6:00 PM

ATTENDEES:

Planning Commission Members

Will Ingram
Randy Pittman
Todd Holt
Michael Haney
Michael Hicks
Cindy Askew
Stan Porter
Jon Hentz
Zack Chapman

Walker County Planning Staff

Jon Pursley, Planning Director
Kristy Parker, Planning Commission Secretary

I. CALL TO ORDER:

Chairman Haney called the meeting to order at 6:00 P.M.

II. ROLL CALL

III. READING & APPROVAL OF THE JUNE 20, 2024 MEETING MINUTES:

Chairman Haney asked if there was a motion to approve or deny the minutes. Todd Holt made a motion to approve. Michael Hicks seconded the motion to approve. The vote was unanimous. Motion to approve minutes carried.

IV. MOTION TO OPEN THE PUBLIC HEARING:

Chairman Haney asked for a motion to open the public hearing. Stan Porter made a motion to open the public hearing. Zack Chapman seconded the motion. The vote was unanimous. Motion to open the public hearing carried.

V. PUBLIC HEARING:

Variance:

1. **Melissa Houser:** Chairman Haney asked if anyone was present for this property. Melissa Houser came forward and stated that they would like for their son to put a home on their property behind them. Jon Pursley explained the surrounding area and how there were several parcels around her that also do not meet the A-1 requirements. Zack Chapman spoke up and stated that there are also significant ag properties in the area such as chicken houses and other large tracts. Jon stated that out of twenty-five parcels only five meet the required acreage for A-1 zone. Cindy Askew brought up that we keep having these small parcels in ag zones that keep requesting variances and that there needs to be an overall consistency in how the Board is going to proceed with these. When you start adding more houses in an ag area it will have an effect on the ag area. Zack stated that the comprehensive plans state why there should not be concentrated housing in ag areas. Kristy Parker brought up that on this side of Hwy 151 the comprehensive plan actually shows it as being rural residential. Michael Hicks talked about how the Board needs to look at areas and the density in these zones. Stan Porter asked if they would have any other children wanting to build and Mrs. Houser said no he was their only child. Chairman Haney asked if there were any comments from the audience and there were none.
2. **Albert Siegel:** Chairman Haney asked if anyone was present for the Albert Siegel variance. Steve Berger came forward and stated that he was Mr. Siegel's son-in-law. He stated that they have a farm on Yankee Road, and they want to rebuild where the original farmhouse was located which is located at the entrance of the farm. Because of there being no feasible way to carve out five acres is why they are asking to cut out one acre. He stated that they have a working horse farm and would like the house up front for security reasons. Michael Hicks asked him to collaborate on why they could not cut out the five acres. Mr. Berger stated that due to where the barn and fencing are they would like to keep it within that front area. Todd Holt asked if all the family members were in favor of only dividing out the one acre and Mr. Berger said yes. Cindy Askew brought up the fact that there is no specified shape that the property would have to be in order to get the five acres. Mr. Berger stated that Mr. & Mrs. Siegel's house sits on a five-acre tract within the larger one. Mrs. Sandra Siegel came forward and explained how they want to put the larger tract in a trust so after they are gone the remainder of the family can enjoy the farm and go fishing. She stated that if they do the five acres at the front it would take up the whole front of the property and they want to keep the integrity of the land.

VI. MOTION TO CLOSE THE PUBLIC HEARING:

Chairman Haney asked if there was a motion to close the public hearing. Randy Pittman made a motion to close the public hearing. Todd Holt seconded the motion. The vote was unanimous. Motion to close the public hearing carried.

VII. MOTION TO GO INTO NEW BUSINESS:

Chairman Haney asked if there was a motion to open new business. Zack Chapman made a motion to open new business. Todd Holt seconded the motion. The vote was unanimous. Motion to open new business carried.

VIII. NEW BUSINESS:

1. Melissa Houser: Chairman Haney asked if there was a motion to approve or deny and if deny a reason why. Michael Hicks made a motion to approve due to the density around it. Stan Porter seconded the motion to approve. The vote was five members in favor of approving the request and three not in favor. Motion to approve carried.

2. Albert Siegel: Chairman Haney asked if there was a motion to approve or deny and if deny a reason why. Randy Pittman made a motion to approve. There was not a second. Chairman Haney asked if there was a motion to deny. Stan Porter made a motion to deny due to having the acreage to do the five acres. Cindy Askew seconded the motion to deny. Seven members voted in favor to deny and one against the deny motion. Motion to deny carried.

XI. ADJOURNMENT:

Chairman Haney asked if there was a motion to adjourn. Michael Hicks made a motion to adjourn. Rany Pittman seconded the motion. Vote was unanimous.

Date Submitted: _____ Planning Commission Chairman

Date Submitted: _____ Planning Commission Secretary

Date Submitted: _____ Planning Commission Director

**WALKER COUNTY
PLANNING & DEVELOPMENT
AGENDA ITEM**

Owner: Robert Carter

Petitioner: Safe Future Real Estate Investments, LLC

Location of Property: 217 Claire Street
Rossville, GA. 30741

Tax map & parcel number 0-205-097 & 119A

	PC Meeting Date:	8/15/2024
	Present Zoning:	R-2 (Residential)
APPLICANT'S INTENT:	To divide off property into ten lots with eight dwellings with less than one acre on a shared driveway and both easements less than the required fifty feet.	
DETAILS OF REQUEST:	Same as above	

Projected Area:





Walker County Planning Office
Rezoning, Conditional Use Variance & Variance Application

☐ Rezoning ☐ Conditional Use Variance ☒ Variance

Current Zoning:	Requested Change:	
R-2		
Map & Parcel	Date:	Fee:
0-205-097	6-26-24	\$1500

Applicant/Owner & Phone: Safe Future Real Estate Investments, LLC

Street Name & Number: 4157 Rovello Way

Mailing Address: 4157 Rovello Way / 217 Claire St - Rossville

City, State, Zip Code: Buford, GA 30519

Request: Two easements less than 50 feet in width

8 homes on less than one acre

and use of a shared driveway/easement

PLANNING COMMISSION RECOMMENDATION:

- _____☐ APPROVED AS SUBMITTED
_____☐ APPROVED WITH CONDITIONS
_____☐ TABLED
_____☐ DENIAL

BOARD OF COMMISSIONERS FINAL DECISION:

- _____☐ APPROVED AS SUBMITTED
_____☐ APPROVED WITH CONDITIONS
_____☐ TABLED
_____☐ DENIAL

The following disclosure is required of the applicant(s) by Section 36-67A of O.C.G.A. The following is for disclosure purposes only and does not disqualify the petition.

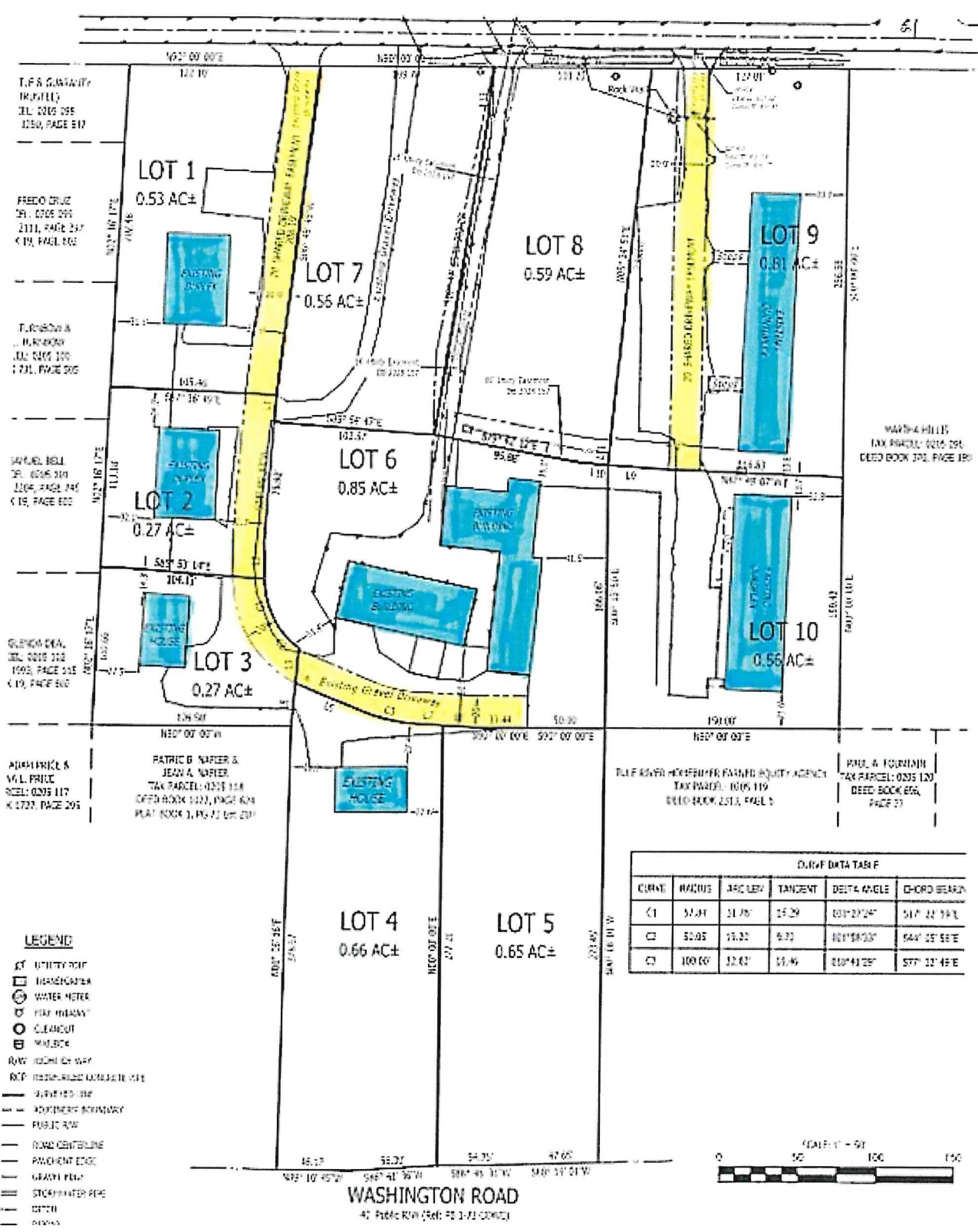
Within the past two years, have you made either campaign contributions totaling \$250.00 or more and/or given gifts having value of \$250.00 or more to a local government official who will be responsible for making a recommendation or decision on the application? YES ☐ NO ☒ If YES, then on a separate page, please furnish the following information:

- The name of the local government official(s) to whom cash contribution or gift was made.
- The total dollar amount(s) of each campaign made by the applicant to each local official during the two years immediately preceding the filing of the application.
- An enumeration and description of each gift having value of \$250.00 or more made by the applicant to each local government official within the past two years.

Signature of Applicant/Owner:

19/06/24

Quincy [Signature] 19/06/24
APPLICANT/OWNED



L.P. & GUARANTEE
H.W. (ILL.)
JUL 0205 095
1250, PAGE 517

FREDO DRIVE
JUL 0205 095
1211, PAGE 237
C19, PAGE 102

TURBOWAY &
J. H. RICHARDS
JUL 0205 100
1231, PAGE 200

MICHAEL BELL
JUL 0205 100
1204, PAGE 145
C19, PAGE 102

GLENN DEAL
JUL 0205 102
1093, PAGE 115
C19, PAGE 500

ADAM PRICE &
M.L. PRICE
JUL 0205 117
K1727, PAGE 205

PATRICIA NARBER &
JEAN A. NARBER
TAX PARCEL: 0205 118
OFF. BOOK 1103, PAGE 624
PLAT BOOK 1, PG. 72 COR. 201

BLUE RIVER HOMEOWNER ASSOCIATION
TAX PARCEL: 0205 119
DEED BOOK 2513, PAGE 5

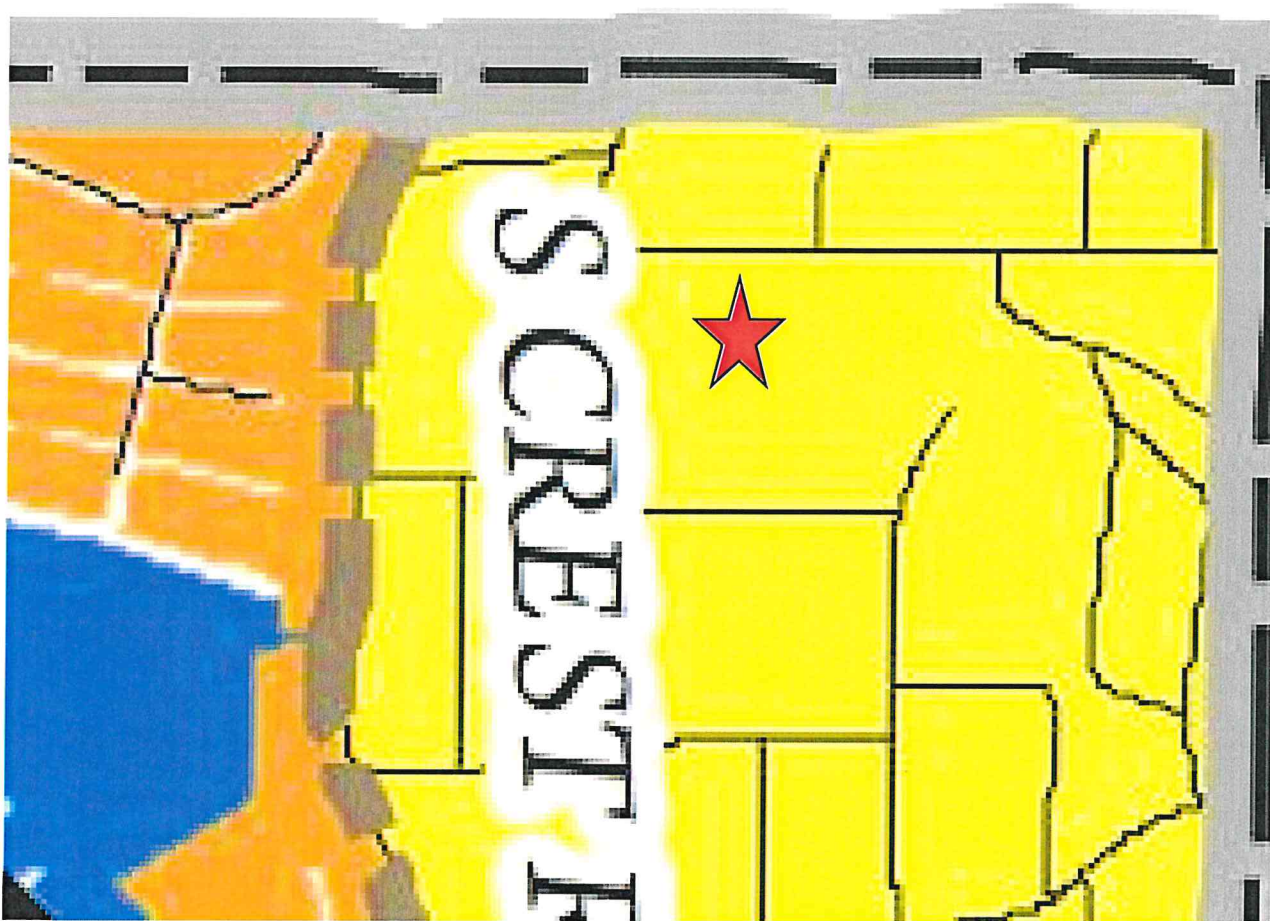
RUEL & TOWNSHIRE
TAX PARCEL: 0205 120
DEED BOOK 2513, PAGE 37

MARTHA HILLIS
TAX PARCEL: 0205 096
DEED BOOK 370, PAGE 180

Zoning Map:



Future Land Use Map:



— Roads —+— Railroads — Lakes & Ponds — Crossroad Community
 — Highways — Rivers & Streams — City Limits

Character Areas

Activity Center	Downtown Mixed Use	Historic Mill Redevelopment Area	Residential Redevelopment Area
Activity Destination District	Estate Residential	Industrial	Rural Residential
Agriculture / Forestry	Fairyland Proper	Lookout Mountain Neighborhood	School
Airport	Gateway Corridor	Mill Village	Town Center
County Suburban	Greenspace / Conservation Area	Missionary Ridge Residential	Traditional Neighborhood
Downtown Business District	Historic Downtown	Mixed Use	



Figure 55. Azalea Drive – Laurel Drive, LaFayette Georgia

Traditional Neighborhood: Chickamauga, LaFayette, and Rossville

***Description:** A neighborhood of well-maintained houses, possess a distinct identity through architectural style, lot, and street design, and has a higher rate of home-ownership. It is characterized by a high degree of pedestrian orientation, sidewalks, street trees, and street furniture (where appropriate). All new development should be constructed at the neighborhood scale and in compliance with established zoning and procedure*

Suggested Development Strategy:

1. Focus on reinforcing stability by encouraging more homeownership and maintenance or upgrade of existing properties.
2. There should be good vehicular and pedestrian/bike connections to the Town Center.
3. Wherever possible, connect to a regional network of greenspace and trails available to pedestrians, bicyclists, and other non-vehicular means of transportation.
4. Encourage compatible architecture styles that maintain the desired, local character, and do not include "franchise" or "corporate" architecture.
5. Discourage tourist-based industries
6. Permit accessory housing units, or new well-designed, similarly scaled infill multifamily residences to increase neighborhood density and income diversity.
7. Add traffic calming improvements, sidewalks, street trees, and increased street interconnection to improve walkability and slow traffic within the existing neighborhood.
8. Promote street design that fosters traffic calming where possible and needed.

Land uses:

- Residential

Key Word Objectives: Traditional neighborhood, Sense of place, Alternative multimodal transportation, regional identity, Heritage Preservation, Infill development, Open space preservation, Environmental protection

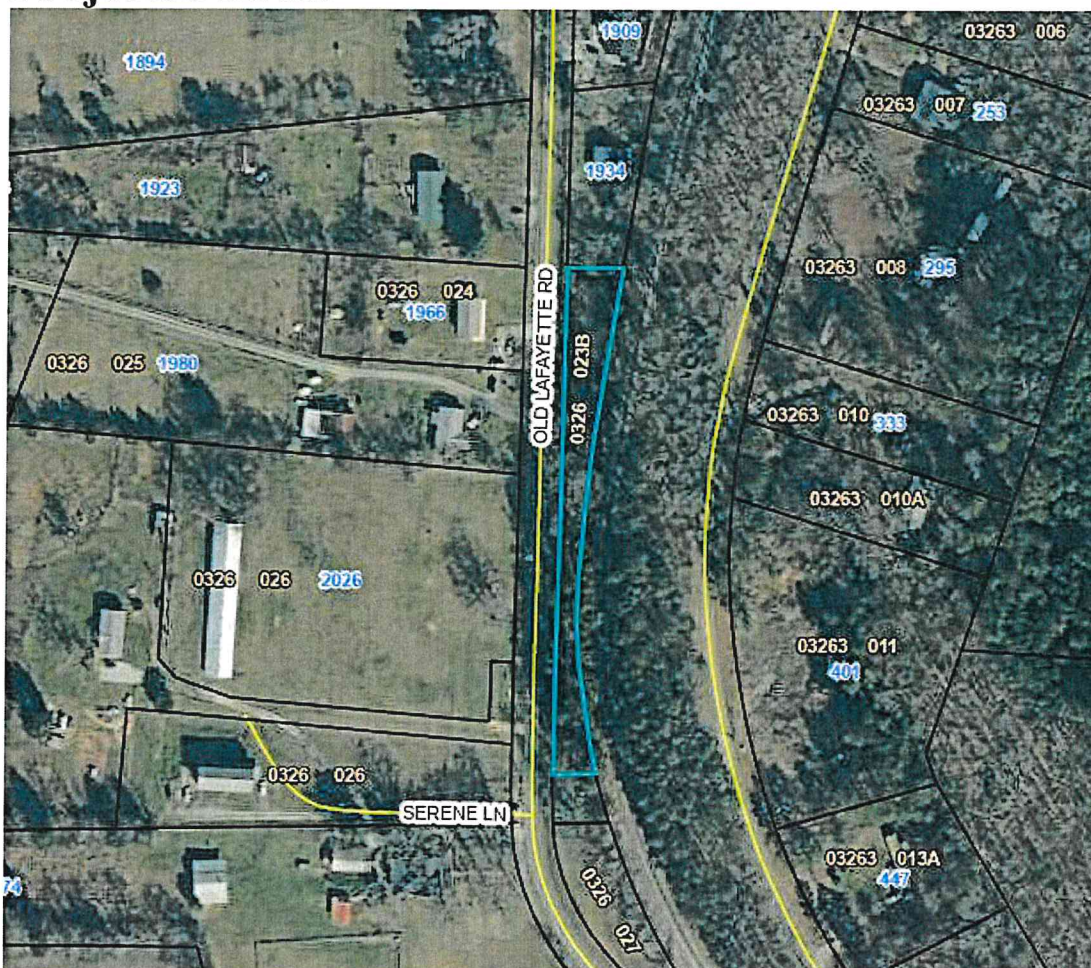
**WALKER COUNTY
PLANNING & DEVELOPMENT
AGENDA ITEM**

Owner: Timothy Moore
Petitioner: Same
Location of Property: 0 Old LaFayette Road
Rock Spring, GA. 30739

Tax map & parcel number 0-326-023B

	PC Meeting Date:	8/15/2024
	Present Zoning:	R-2 (Residential)
APPLICANT'S INTENT:	Would like to place a double wide manufactured home on the .60 acres. The property is on sewer.	
DETAILS OF REQUEST:	Requesting a front setback variance in order to place a double wide manufactured home on the property and will not be able to be 60' from the center of the county road.	

Projected Area:





Walker County Planning Office
Rezone, Conditional Use Variance & Variance Application

☐ Rezone ☐ Conditional Use Variance ☒ Variance

Current Zoning:	Requested Change:	
B-2		
Map & Parcel	Date:	Fee:
0-326-023B	7-2-24	150.00

Applicant/Owner & Phone: Timothy Moore
Street Name & Number: 1934 Old Lafayette Rd
Mailing Address: 1934 Old Lafayette Rd
City, State, Zip Code: Roch Spring, GA 30739
Request: Double wide Front Set back

PLANNING COMMISSION RECOMMENDATION:

☐ APPROVED AS SUBMITTED
☐ APPROVED WITH CONDITIONS
☐ TABLED
☐ DENIAL

BOARD OF COMMISSIONERS FINAL DECISION:

☐ APPROVED AS SUBMITTED
☐ APPROVED WITH CONDITIONS
☐ TABLED
☐ DENIAL

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Within the past two years, have you made either campaign contributions totalling \$250.00 or more and/or given gifts having value of \$250.00 or more to a local government official who will be responsible for making a recommendation or decision on the application? YES ☐ NO ☒ If YES, then on a separate page, please furnish the following information:

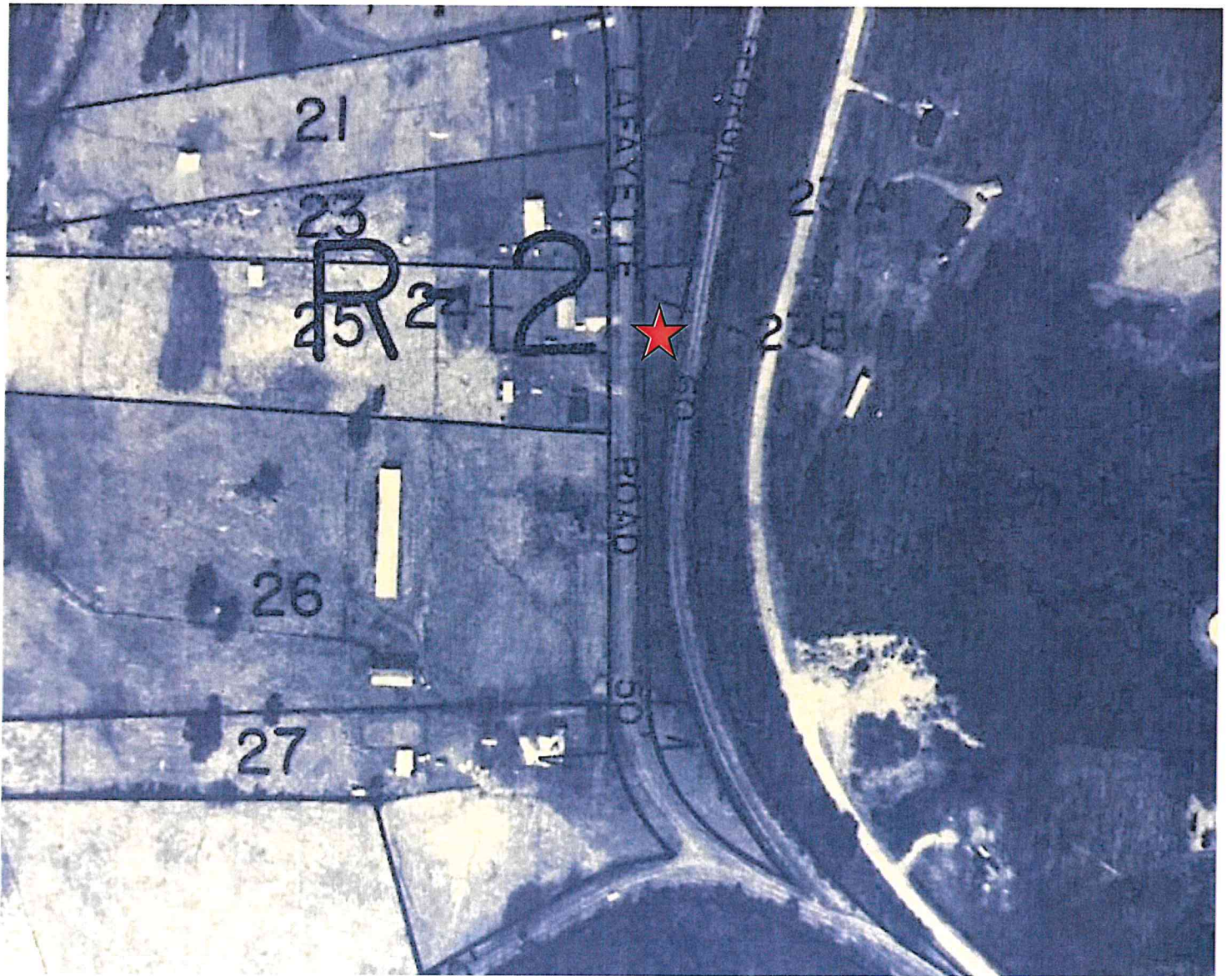
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- The total dollar amount(s) of each campaign made by the applicant to each local official during the two years immediately preceding the filing of the application.
- An enumeration and description of each gift having value of \$250.00 or more made by the applicant to each local government official within the past two years.

Signature of Applicant/Owner:

Timothy Moore
APPLICANT/OWNER

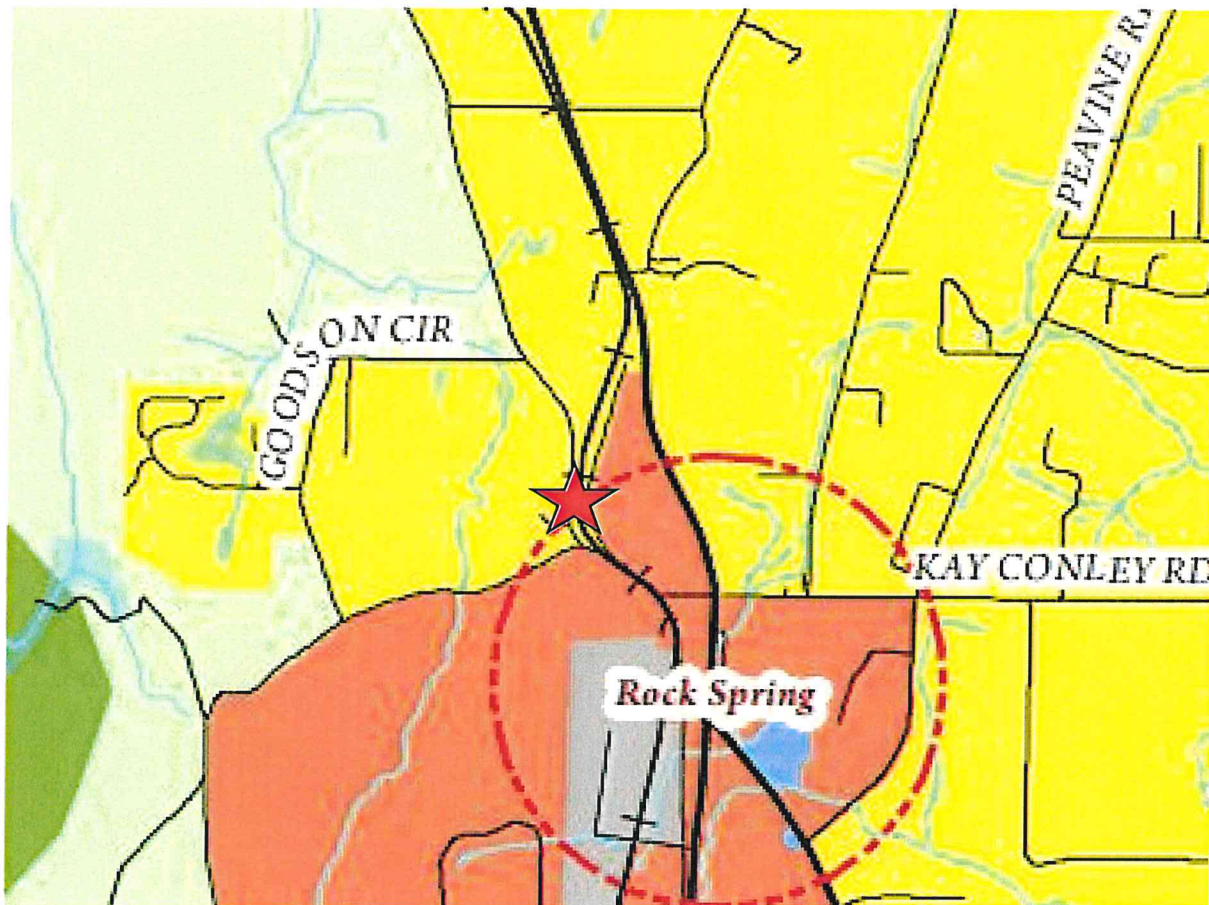
07-02-2024
DATE

Zoning Map:





Future Land Use Map:



— Roads + Railroads Lakes & Ponds Crossroad Community
 — Highways — Rivers & Streams City Limits

Character Areas

Activity Center	Downtown Mixed Use	Historic Mill Redevelopment Area	Residential Redevelopment Area
Activity Destination District	Estate Residential	Industrial	Rural Residential
Agriculture / Forestry	Fairlyland Proper	Lookout Mountain Neighborhood	School
Airport	Gateway Corridor	Mill Village	Town Center
County Suburban	Greenspace / Conservation Area	Missionary Ridge Residential	Traditional Neighborhood
Downtown Business District	Historic Downtown	Mixed Use	



Figure 52. Residential development in the Mountain View area

County Suburban: Walker County

Description: Location of predominately Post-WWII residential single family housing within subdivided parcels of large amounts of open space. County suburban housing is often found in proximity of public water. These locations are characterized by low pedestrian mobility, little or no transit, a high amount of open space, and a high to moderate degree of residential building separation. Smaller retail establishments may be found in these locations also. Public institutional uses may be found at these locations in the form of fire departments, public school, recreational facilities, and ect.

Suggested Development Strategy:

1. Provide only limited planned expansion of water and sewer infrastructure so to control the rate of growth.
2. Wherever possible, connect to regional network of greenspace and trails made available to pedestrians, bicyclists, and other non-vehicular means of transportation.
3. Encourage compatible architecture styles that maintain the desired, local character, and do not include "franchise" or "corporate" architecture.
4. Discourage tourist-based industries
5. Permit conservation subdivisions, accessory housing units, and well-designed multifamily residences to increase neighborhood density versus traditional suburban development
6. Add traffic calming improvements, sidewalks, street trees, and increased street interconnection to improve walkability and slow traffic within existing neighborhood.

Land uses:

- Single family residential
- Commercial
- Parks/Recreation/Conservation
- Public/Institutional

Key Word Objectives: Post- WWII housing, Subdivision, Building separation, Limited commercial, Public Water, Open space, Recreation, Conservation, Traditional neighborhood, Sense of place, Alternative multimodal transportation, regional identity, Heritage Preservation, Infill development, Open space preservation, Environmental protection

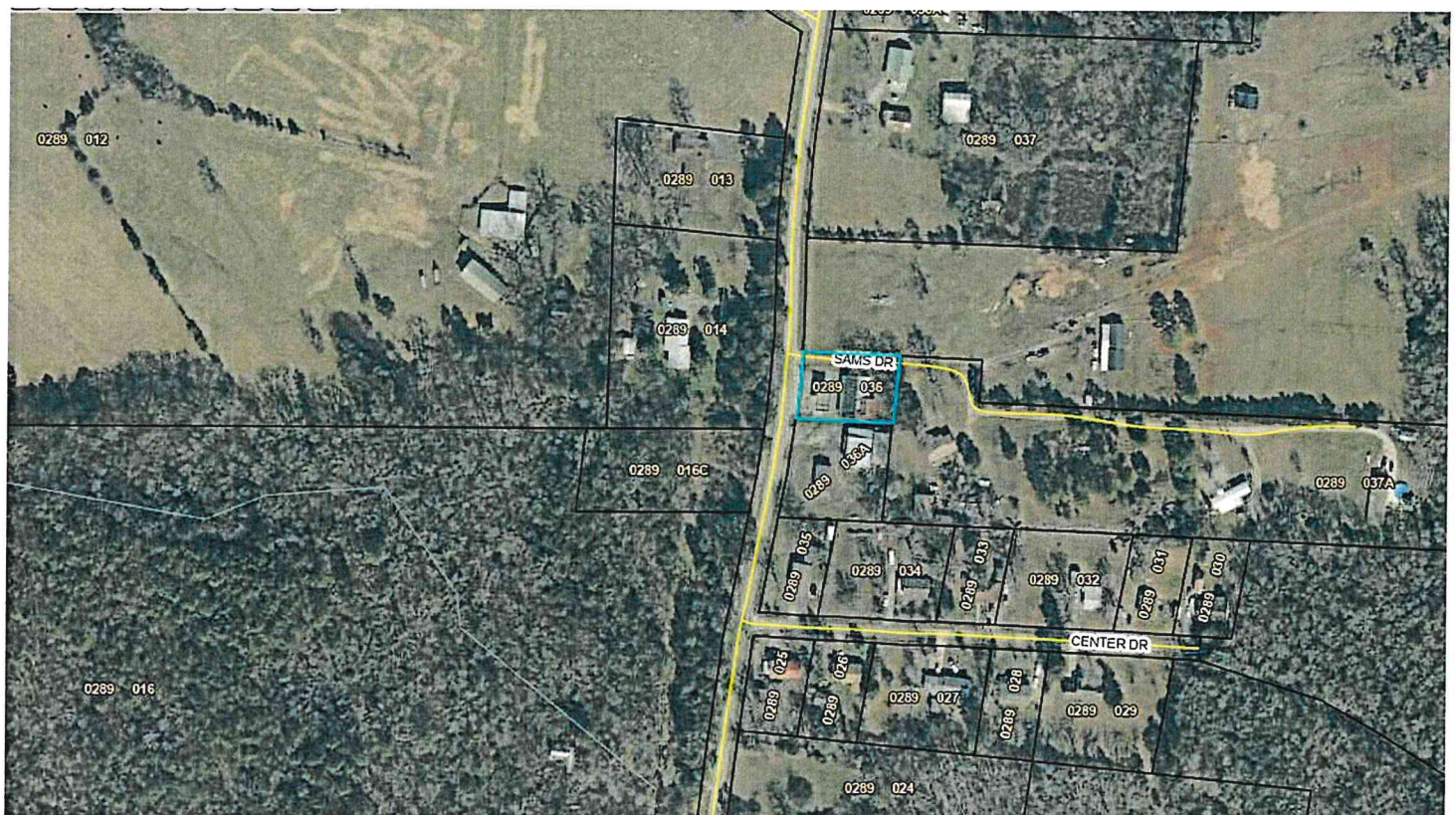
**WALKER COUNTY
PLANNING & DEVELOPMENT
AGENDA ITEM**

Owner: J&E Pichardo LLC
Petitioner: Jasminne Pichardo-Lino
Location of Property: 0 S. Hwy 341
Chickamauga, GA. 30707

Tax map & parcel number 0-289-036

	PC Meeting Date:	8/15/2024
	Present Zoning:	A-1 (Agricultural)
APPLICANT'S INTENT:	To rezone the property to put office space in the existing building	
DETAILS OF REQUEST:	The owner is requesting a rezone to commercial neighborhood in order to have an office at this location.	

Projected Area:





Walker County Planning Office
Rezone, Conditional Use Variance & Variance Application

☐ Rezone ☐ Conditional Use Variance ☐ Variance

Current Zoning:	Requested Change:	
A1	CN	
Map & Parcel	Date:	Fee:
3259 236	7-5-2021	300 ⁰⁰

Applicant/Owner & Phone: Jasmine Pichardo-Lino (J & E Pichardo LLC)

Street Name & Number: S 341 HWY 323-608-2654

Mailing Address: 2451 S HWY 341

City, State, Zip Code: Chickamauga GA 30707

Request: Zoning to commercial to put office there

PLANNING COMMISSION RECOMMENDATION:

- _____ ☐ APPROVED AS SUBMITTED
_____ ☐ APPROVED WITH CONDITIONS
_____ ☐ TABLED
_____ ☐ DENIAL

BOARD OF COMMISSIONERS FINAL DECISION:

- _____ ☐ APPROVED AS SUBMITTED
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_____ ☐ DENIAL

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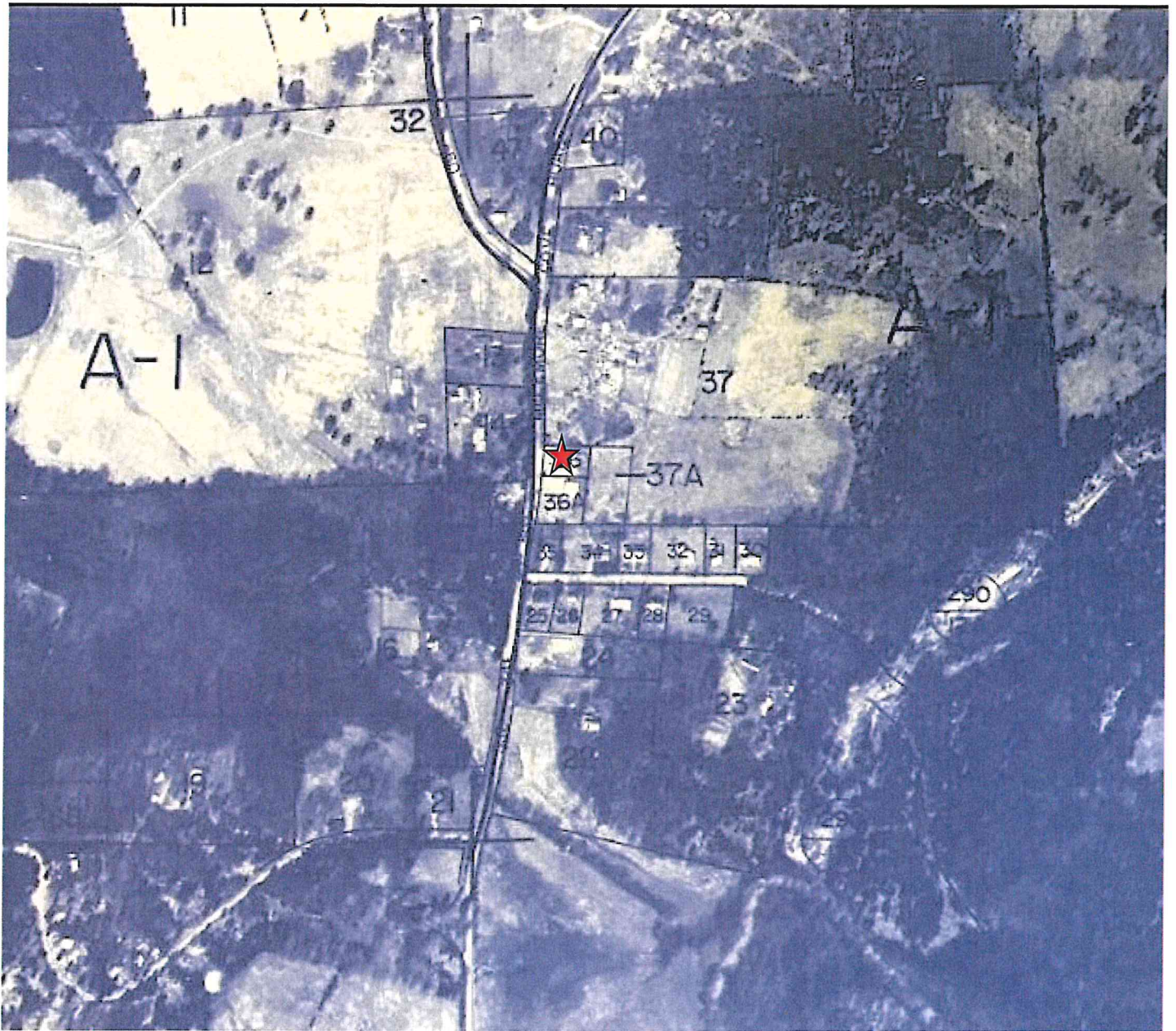
- The name of the local government official(s) to whom cash contribution or gift was made.
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- An enumeration and description of each gift having value of \$250.00 or more made by the applicant to each local government official within the past two years.

Signature of Applicant/Owner:

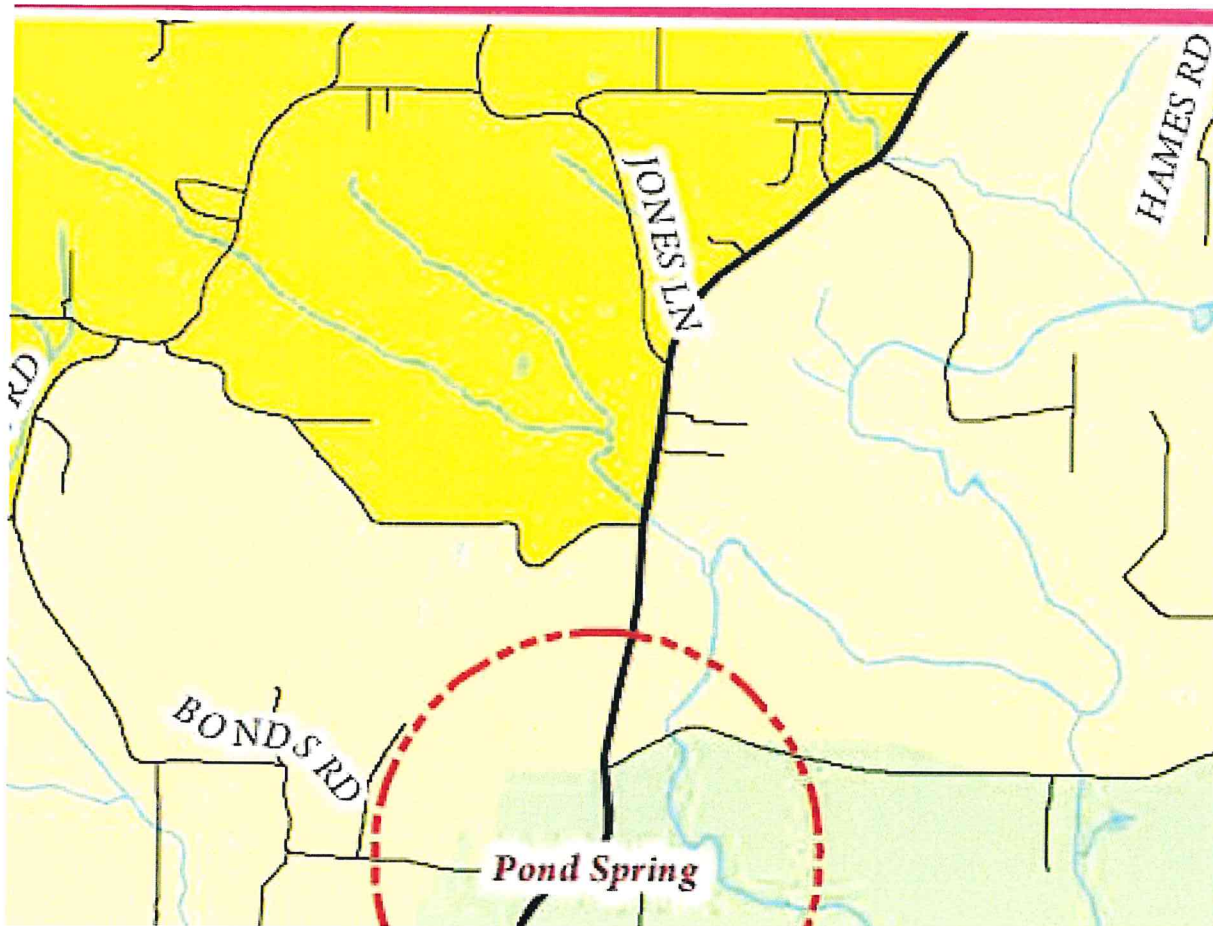
APPLICANT/OWNER

7/5/2024
DATE

Zoning Map:



Future Land Use Map:



— Roads + Railroads Lakes & Ponds Crossroad Community
 — Highways — Rivers & Streams City Limits

Character Areas

Activity Center	Downtown Mixed Use	Historic Mill Redevelopment Area	Residential Redevelopment Area
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Airport	Gateway Corridor	Mill Village	Town Center
County Suburban	Greenspace / Conservation Area	Missionary Ridge Residential	Traditional Neighborhood
Downtown Business District	Historic Downtown	Mixed Use	



Figure 51. Chamberlain Road, west of LaFayette

Rural Residential: LaFayette, Rossville, and Walker County

Description: A rural, mostly undeveloped lands consisting of large lots, open space, pastoral views, low pedestrian orientation, and a high degree of residential building separation. Residential building separation is greater than what exist in County Suburban Charter area. These locations may face development pressure for lower density subdivisions of one unit per one+ acres. Agricultural and forestry operations are more likely to be found dispersed among large lot residential property.

Suggested Development Strategy:

1. Permit and allow variances for conservation subdivisions designed to incorporate large amount of open space.
2. Allow limited commercial activities.
3. Preserve rural features and limit residential development to lot sizes of 1 to 5 acres (often designated as Residential-Agricultural or Agricultural Zoning Districts).
4. Whenever possible, connect to regional network of greenspace and trails available to pedestrians, bicyclists, and other non-vehicular means of transportation.
5. Limit the rate of water and sewer Infrastructure expansion in a practical, responsible matter.
6. Resurface and repair roads when needed.

Land uses:

- Residential
- Agriculture/Forestry
- Parks/Recreation/Conservation

Key Word Objectives: Conservation, Agriculture, Forestry, Single family residential, Low-density development, Conservation subdivision, Trails

CONSIDERATION OF ZONING CRITERIA

1. **Existing land uses and zoning of nearby property:** The zoning of the nearby property is currently zoned A-1 (Agricultural)
2. **Suitability of the subject property for the zone purposed:** Yes
3. **Extent to which property values of the subject property are diminished by the particular zoning restrictions:** None
4. **Extent to which the destruction of property values of the subject property promotes the health, safety, morals or general welfare of the public:** None that we know of.
5. **Relative gain to the public as compared to the hardship imposed upon the individual property owner:** Would provide the owner with office space and possibly services to the public.
6. **Whether the subject property has reasonable economic use as currently zoned:** Yes
7. **Length of time the property has been vacant as zoned considered in the context of land development in the vicinity of the property:** The tax records show the property has been owned by J&E Pichardo since December 2023.
8. **Whether the proposed zoning will be a use that is suitable in view of the use and development of adjacent and nearby property:** Yes.
9. **Whether the proposed zoning will adversely affect the existing use or usability of adjacent or nearby property:** No
10. **Whether the zoning proposal is in conformity with the policies and intent of the Comprehensive Plan:** The Future Land Use Map shows Rural Residential.
11. **Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.** Unknown.
12. **Whether there is other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal:** Requesting CN would allow for a more controlled use of the property instead of regular commercial zoning.

Sec. 22-147. Specific uses allowed.

(a) *Generally.*

- (1) *Definition and prescription.* This section defines and prescribes the specific uses allowed within each land use district.
- (2) *Accessory uses and structures.* Accessory uses and structures are allowed in any land use district in connection with any lawfully existing principal use. All accessory structures or uses shall meet the requirements for the land use district in which the structure or use is located as provided in division 3 of this article pertaining to site development standards.
- (3) *Interpretation of use regulations.* Whenever a use is not specifically mentioned in subsection (b) of this section, the Director of Planning shall make a determination as to whether the proposed use is of the same general type as the uses specifically allowed in the land use district. In making such a determination, the Planning Director shall be guided by the goals, objectives and policies of the County Comprehensive Plan and this section.

(b) *Types.*

(1) *Residential.*

- a. The residential use category includes single-family dwellings, accessory apartments, multifamily dwellings in a variety of housing types, modular and manufactured housing, manufactured home parks, family residential care homes, and community residential care homes, but specifically excludes trailers. (Recreational vehicle parks are considered commercial uses).
- b. While land may be designated for residential use, it does not follow that any housing type (single-family, apartment, townhouse, etc.) is allowed. Certain areas are limited to 1 or more housing types in order to preserve the established character of the area. Refer to the table of dwelling unit types set forth in section 22-149.
- c. Within an R-1 Residential District, the following additional requirements must be followed:
 1. Accessory buildings may be constructed, provided such shall be permitted only in a rear yard and shall not be less than 15 feet from the side and rear property lines. An accessory building may not be built on a vacant lot.
 2. No trailer, semi-trailer, truck bed, truck trailer, travel trailer, recreational vehicle, mobile home, or parts of any of the foregoing, regardless of whether movable or immovable, shall be used as a storage building.
 3. If property is located within an established subdivision, then any new construction of single-family residential structures must fit with the size and character of the existing homes.
 4. No person shall reside in a recreational vehicle on a subdivision lot for more than 7 days and must be able to provide proof of proper sewage disposal at an approved facility upon request.
 5. Vehicles with more than 2 axles are prohibited, except for residents of the subdivision, in which case the owner may park no more than 1 on his private property. Through traffic of vehicles with more than 2 axles is prohibited, except for garbage trucks, utility trucks for maintenance and repair of utilities, and trucks being used for moving in or out of a residence.

-
6. All junk vehicles must be out of sight from the County Road right-of-way, either located inside a garage, storage building, under a tarp, etc., and may not pose a threat to public health or safety even when not visible from the street.
- (2) *Institutional*. This type of use includes educational facilities (public or private), preschool and day care facilities (public or private), churches, cemeteries without funeral homes, nursing home facilities, institutional residential homes and all other similar institutional uses.
- (3) *Outdoor recreational*. These uses include areas for outdoor recreational activities such as picnicking, jogging, and cycling (non-motorized), arboretums, hiking, golf courses, playgrounds, ball fields, outdoor ball courts, stables, outdoor swimming pools and water-related or water-dependent uses, whether public or private. Specifically excluded from this group of uses are firing ranges, miniature golf courses, racetracks and similar recreational or quasi-recreational activities that are more intensive than the allowable outdoor recreational uses described.
- (4) *Professional services and offices*. This group of uses includes business and professional offices, examples are medical offices or clinic's, but specifically excludes methadone clinics, and those types related to drug treatment facilities in the unincorporated areas of Walker County. Government offices, financial institutions without a drive-up facility, and personal service business where the service is performed on an individual-to-individual basis as opposed to services which are performed on objects or personal property. Examples of personal service business are barber shops, beauty shops, or photography studios. This group of uses may include a dispatching/communications/office center for the distribution of goods, but specifically excludes the warehousing or actual distribution of goods.
- (5) *Neighborhood commercial*. This group of use includes limited commercial activities of a convenience nature and professional offices predominantly serving residential neighborhoods within a two-mile radius. Examples include the following specific uses, and all substantially similar types of uses:
- a. Convenience commercial retail establishments, including convenience stores, gasoline sales and service, combination gasoline sales and food marts and similar facilities.
 - b. Professional and office uses listed in subsection (b)(4) of this section.
 - c. Restaurants with drive-up and/or walk-up facilities.
 - d. Roadside produce stands, temporary or permanent.
 - e. Animal care facilities including veterinary clinics, kennels or other animal boarding facilities with no outdoor runs. Kennels include the commercial raising, breeding, and boarding of dogs. Requirements in section 22-154 must be met.
- (6) *General commercial*. A wide variety of general commercial, commercial recreational, entertainment and related activities is included in this group of uses. All uses are subject to approval by authorities involved in the type of development or use proposed, such as Environmental Health Services, Emergency Services, Georgia DOT, etc. Examples include professional and office uses listed in subsection (b)(4) of this section, as well as the following specific uses, and all substantially similar types of uses:
- a. Arcades, billiards/pool parlors, bowling alleys, indoor recreation centers, indoor firing and shooting ranges (however, must meet the requirements in section 22-155), and gymnasiums/spas/health clubs.
 - b. Community centers and fraternal lodges.
 - c. Commercial or trade schools, such as dance and martial arts studios.
 - d. Department stores and other retail sales stores, such as shoe stores, clothing stores, pharmacies, florists, and bookstores.

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- e. Farm and garden supplies, building supplies, vehicle parts and accessories.
 - f. Financial institutions with drive-up facilities.
 - g. Flea markets or similar outdoor or indoor/outdoor sales complexes. All merchandise outside must be stored inside an approved enclosed secured structure from dusk till dawn, excluding 7 day or less annual event yard sales.
 - h. Funeral homes, cemeteries and mortuaries.
 - i. Gasoline sales and service, combination gasoline sales and food marts and similar facilities.
 - j. Grocery stores, supermarkets and specialty food stores (such as meat markets and bakeries).
 - k. Hospitals.
 - l. Hotels, motels, or bed and breakfasts.
 - m. Marinas.
 - n. Miniature golf, and golf driving ranges.
 - o. Outdoor areas, rodeo grounds, livestock auction facilities, racetracks (i.e., auto, dog, go-kart, horse, motorcycle), and similar activities. However, must meet the requirements in section 22-155.
 - p. Plant nurseries.
 - q. Recreational vehicle and travel trailer parks. However, must meet the requirements in section 22-151.
 - r. Restaurants (standard sit-down, high turnover sit-down and restaurants with drive-up facilities).
 - s. Roadside produce stands, temporary or permanent.
 - t. Service businesses, such as blueprint, printing, catering, tailoring, travel agencies, upholstery shops, laundries/dry cleaners and light mechanical repair stores (such as camera, TV or bicycle repair shops).
 - u. Shopping centers.
 - v. Storage yards for equipment, machinery and supplies for building and trade contractors, and garbage haulers.
 - w. Taverns, bars, lounges, nightclubs, and dancehalls.
 - x. Theaters and auditoriums.
 - y. Vehicle sales, rental, service and repair, including truck stops, body shops, road services, car wash facilities and the sale, rental, repair and service of new or used automobiles, boats, buses, farm equipment, motorcycles, trucks, recreational vehicles and mobile homes.
 - z. Animal care facilities including animal hospitals, veterinary clinics, kennels or other animal boarding facilities. Kennels include the commercial raising, breeding, and boarding of dogs. However, must meet the requirements in section 22-154.
- (7) *Public service.* This group of activities includes those uses which provide essential or important public services and utilities. Uses include the following, and substantially similar activities, based upon similarity of characteristics:
- a. Broadcasting stations, and transmission towers.

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- b. Emergency service activities, such as buildings, garages, parking and/or dispatch centers for ambulances, fire, police and rescue, but specifically excluding maintenance of service vehicles.
 - c. Liquefied propane (LP) gas storage and/or distribution facility for up to 1,000 gallons. An LP gas storage and/or distribution facility for over 1,000 gallons is an industrial use.
 - d. Maintenance facilities and storage yards for schools, government agencies and telephone and cable companies.
 - e. Utility facilities, such as water plants, wastewater treatment plants, and electricity substations.
- (8) *Utility.* Utility uses include essential utility facilities, such as utility rights-of-way, electricity substations serving less than 230 kilovolts (KV) and associated with the local distribution of electricity, and private water and wastewater treatment plants, provided that they are for the sole use of the particular private development and are not intended to serve a subregional or regional system.
- (9) *General agricultural.*
- a. Agricultural uses include croplands, pastures, aquaculture, feedlots and buildings which are accessory to these agricultural uses. This category of uses does not include processing or distribution plants for agricultural products and supplies.
 - b. Low density residential use is allowed (refer to the table of allowable uses set forth in section 22-148).
 - c. Indoor and outdoor firing ranges; however, must meet the requirements in section 22-155.
 - d. Animal care facilities including animal hospitals, veterinary clinics, kennels or other animal boarding facilities. Kennels include the commercial raising, breeding, and boarding of dogs. However, must meet the requirements in section 22-154.
 - e. Commercial livestock uses (including riding stables and schools) when located on lands of 10 acres or more, provided that if the property adjoins a residential area, the stable must have a minimum of 400 feet of buffer between the residential property line and the nearest stable area.
 - f. Bed and breakfast designed to fit in with the existing homes in the area. Must conform to the existing character of the surrounding area and meet requirements of the Walker County Environmental Health Services. Bed and breakfast establishments cannot be designed to share a private drive with another any other dwelling.
 - g. Recreational vehicle, travel trailer parks and campgrounds. However, must meet the requirements in section 22-151.
 - h. Retail selling of products raised on the premises shall be considered a permissible activity, provided that space necessary for the parking of customers' vehicles shall be provided off the public rights-of-way.
 - i. Vineyards, farm wineries (locations for the production of wine) that are located on the same property as the vineyard and are suitable for the area. Large wine production or processing facilities that are of a commercial or industrial nature are not suitable for the Agricultural Zoning District. Farm wineries must meet all requirements of section 4-209, brewpubs and farm wineries.
- (10) *Low intensity agricultural.* Low intensity agricultural uses include croplands, pastures, aquaculture, plant nurseries and buildings which are accessory to these agricultural uses. This category of uses does not include feedlots, poultry, hog and dairy operations, and processing or distribution plants for agricultural products and supplies. Low density residential use is allowed.

- (11) *Silvicultural*. Silvicultural uses include forestry and buildings which are accessory to this use. Low density residential use is allowed.
- (12) *Industrial*. This type of use includes those wholesale and retail businesses for manufacturing, processing, storing or distributing goods. Included in this category are uses which require primarily outdoor storage or the industrial activity itself is conducted outdoors. Such uses include, for example, LP gas storage and/or distribution, junkyards or salvage yards, waste-to-energy incinerators, recycling centers, landfills, hazardous waste collection and handling centers.
- (13) *Mining*. The types of uses in this group include borrow pits, surface mining, rock quarries, strip mining and any extraction activity. Buildings and businesses for the refinement, processing, packaging and transportation of extracted materials are included in this group of uses.

(Code 2005, § 34-234; Ord. of 7-20-1994, § 3.03; Ord. of 5-1998(1), § 303(B); Ord. of 1-29-2009(4); Ord. of 3-3-2011(1), § 34-234; Ord. of 10-18-2012(1); Ord. of 8-1-2013(2))

Sec. 22-148. Allowable and prohibited uses.

Allowable uses within each land use district are as follows:

Land Use	Land Use District									
	A-1						C-1	CN		
Residential	A						P	A		
Institutional	A						A	A		
Outdoor recreational	A						A	A		
Professional service and office	P						A	A		
Neighborhood commercial	A						A	A		
General commercial	P						A	P		
Public service	A						A	A		
Utilities	A						A	A		
Low intensity agriculture	A						P	P		
General agriculture	A						P	P		
Silvicultural	A						P	P		
Industrial	P						P	P		
Mining	A						P	P		

Notes:

A—Allowed use, must meet all applicable development and compatibility standards.

P—Prohibited use

(Code 2005, § 34-235; Ord. of 7-20-1994, § 3.04; Ord. of 1-29-2009(2), § 34-235)