

STATE OF GEORGIA

CITY OF WALNUT GROVE

ORDINANCE NO. 2022-02

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP, CITY OF WALNUT GROVE, GEORGIA, AS AMENDED; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

APPLICANT: 81 Investment Company, LLC

PROPERTY OWNER: 81 Investment Company, LLC and MFT Land Investments, LLC

REQUESTED ZONING: C2

LOCATION: Tax Parcel ID WG010040 and WG010042 more particularly identified in Exhibit "A"

SIZE: 24.062± Acres

PROPOSED DEVELOPMENT: Commercial Use

WHEREAS, the governing authority of the City of Walnut Grove, Georgia is the Mayor and Council thereof; and

WHEREAS, the governing authority of the City of Walnut Grove, Georgia desires to amend its official zoning map as it applies to the 24.062± acres tract of land located off Highway 81 (Tax Parcels ID WG010040 and WG010042) with a current zoning of Agriculture (AG); and

WHEREAS, the health, safety, and welfare of the citizens of Walnut Grove, Georgia, will be positively impacted by the adoption of this Ordinance.

IT IS HEREBY ORDAINED BY THE GOVERNING AUTHORITY OF THE CITY OF WALNUT GROVE, GEORGIA, and by the authority thereof:

Section 1. The 24.062± acre tract of land described in Exhibit "A" is hereby zoned to C2 subject to the following conditions:

1. Uses permitted in the C-2 district shall be allowed on the subject property.
2. C-2 uses that require a conditional permit shall follow the requirements for obtaining a Conditional Permit.
3. The City Engineer will approve all water and sewer designs prior issuance of any development permits.
4. Developer to construct the extension of Guthrie Cemetery Road from the current terminus to the roundabout shown on the PUD Concept Plan, located in the residential portion of the PUD. The roadway construction will be in accordance with standards outlined in the *Land Development Ordinance*.
5. Developer to construct the extension of Walnut Grove Parkway from the property line adjacent to the proposed County park to the southern boundary as shown on the PUD Concept Plan. The roadway construction will be in accordance with standards outlined in the *Land Development Ordinance*.
6. A 5-foot wide concrete sidewalk will be required along Hwy 81 along the right of way to the end of the commercial property frontages shown on the PUD Concept Plan, including in front of the Walton County Fire Station. The final designs to be approved by GDOT.
7. Developer to install a 35' wide landscape buffer along the common property line between the C-2 zoning and the adjoining AG zoned property to the north. The buffer shall

compliment any existing vegetation in the proposed open space between the two uses. The final design and plant materials to be installed will be presented during permitting.

8. All Stormwater management ponds and improvements to follow the guidelines of the *Land Development Ordinance*.

9. Exterior architecture of the proposed uses shall be in general conformance with the Design Guidelines outlined in the Downtown Overlay District (Section 911.D.9).

10. Mayor and Council to approve the proposed exterior architectural designs for all proposed uses prior to any building permits being issued.

11. All lighting on the C-2 properties shall be cut off type luminaries and designed not to shine on adjacent residential properties.

12. All entrance landscaping and signage off of Guthrie Cemetery Road extension into the commercial components to be shown on the construction plans and approved by the City Engineer.

13. Tree replacement and plantings shall follow the guidelines in the *Land Development Ordinance*.

Section 2. The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

Section 3. (a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the

greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.


(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section 4. Penalties in effect for violations of the Zoning Ordinance of the City of Walnut Grove at the time of the effective date of this Ordinance shall be and are hereby made applicable to this Ordinance and shall remain in full force and effect.

Section 5. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed

Section 6. This Ordinance was adopted on November 11, 2021. The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.

SO ORDAINED this 11th day of Novemebr 2021.


Mark Moore, Mayor

ATTEST:


Keegan Ramsey, City Clerk

APPROVED AS TO FORM:

Anthony O. L. Powell, City Attorney
Powell & Edwards, Attorneys at Law P.C.

EXHIBIT

“A”

81 Investments C2 Tract

All that tract or parcel of land lying and being in Land Lot 176 of the 4th Land District of Walton County, Georgia, being more particularly described as follows:

Beginning at the intersection of the easterly right-of-way of Georgia Highway 81 (right-of-way varies) and the northerly right-of-way of a 70' wide parkway at the State Route 81 and Guthrie Cemetery Road intersection improvement;

THENCE along said right-of-way of Georgia Highway 81 North 08 degrees 23 minutes 05 seconds East for a distance of 353.69 feet to a point;

THENCE leaving said right-of-way South 81 degrees 41 minutes 59 seconds East for a distance of 280.02 feet to the TRUE POINT OF BEGINNING;

THENCE North 08 degrees 18 minutes 20 seconds East for a distance of 199.89 feet to a point;

THENCE North 81 degrees 38 minutes 01 seconds West for a distance of 100.20 feet to a point;

THENCE North 08 degrees 22 minutes 54 seconds East for a distance of 221.34 feet to a point;

THENCE South 82 degrees 11 minutes 04 seconds East for a distance of 782.48 feet to a point;

THENCE South 07 degrees 29 minutes 58 seconds West for a distance of 887.29 feet to a point;

THENCE North 81 degrees 48 minutes 11 seconds West for a distance of 238.61 feet to a point;

THENCE South 07 degrees 32 minutes 52 seconds West for a distance of 369.00 feet to a point;

THENCE North 82 degrees 38 minutes 35 seconds West for a distance of 312.48 feet to a point;

THENCE South 08 degrees 44 minutes 30 seconds West for a distance of 427.68 feet to a point;

THENCE North 81 degrees 41 minutes 02 seconds West for a distance of 425.86 feet to a point;

THENCE North 08 degrees 15 minutes 30 seconds East for a distance of 428.17 feet to a point;

THENCE South 81 degrees 39 minutes 51 seconds East for a distance of 379.47 feet to a point;

THENCE North 08 degrees 20 minutes 13 seconds East for a distance of 373.08 feet to a point;

THENCE South 81 degrees 40 minutes 04 seconds East for a distance of 32.57 feet to a point;

THENCE North 08 degrees 19 minutes 56 seconds East for a distance of 70.00 feet to a point;

THENCE North 81 degrees 40 minutes 04 seconds West for a distance of 381.55 feet to a point;

THENCE North 31 degrees 44 minutes 53 seconds West for a distance of 24.28 feet to a point;

THENCE South 81 degrees 36 minutes 32 seconds East for a distance of 424.71 feet to a point;

THENCE North 08 degrees 16 minutes 18 seconds East for a distance of 372.21 feet to a point;

THENCE North 81 degrees 41 minutes 59 seconds West for a distance of 158.99 feet to the TRUE POINT OF BEGINNING.

Said property containing an area of 20.314 acres.

MFT C2 Tract

All that tract or parcel of land lying and being in Land Lot 176 of the 4th Land District of Walton County, Georgia, being more particularly described as follows:

Beginning at the intersection of the easterly right-of-way of Georgia Highway 81 (right-of-way varies) and the northerly right-of-way of a 70' wide parkway at the State Route 81 and Guthrie Cemetery Road intersection improvement, said point being the POINT OF BEGINNING;

THENCE along said right-of-way of Georgia Highway 81 North 08 degrees 23 minutes 05 seconds East for a distance of 353.69 feet to a point;

THENCE leaving said right-of-way South 81 degrees 41 minutes 59 seconds East for a distance of 439.01 feet to a point;

THENCE South 08 degrees 16 minutes 18 seconds West for a distance of 372.21 feet to a point;

THENCE North 81 degrees 36 minutes 32 seconds West for a distance of 424.71 feet to a point on the aforesaid northerly right-of-way of a 70' wide parkway;

THENCE along said right-of-way North 31 degrees 44 minutes 53 seconds West for a distance of 23.32 feet to a point at the intersection of said right-of-way and the easterly right-of-way of Georgia Highway 81, said point being the POINT OF BEGINNING.

Said property containing an area of 3.748 acres.