



STATE OF GEORGIA COUNTY OF POLK

RESOLUTION NO. 2025-147

A RESOLUTION OF THE GOVERNING AUTHORITY OF POLK COUNTY, IN THE STATE OF GEORGIA; AMENDING THE DEVELOPMENT REGULATIONS OF POLK COUNTY, GEORGIA, AS AMENDED, SPECIFICALLY ARTICLE 3 "GENERAL" AND ARTICLE 5 "SUBDIVIDING PARCELS"; TO REPEAL CONFLICTING LAWS, ORDINANCES, AND RESOLUTIONS; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE FOR THIS RESOLUTION; AND FOR OTHER PURPOSES.

WHEREAS, THE BOARD OF COMMISSIONERS DESIRES TO AMEND THE DEVELOPMENT REGULATIONS OF POLK COUNTY IN REFERENCE TO SUBDIVISION OF LANDS AND ZONING DISTRICTS, AND

WHEREAS, THE AMENDMENT WILL REVISE AND CORRECT LANGUAGE PERTAINING TO MINOR LAND DIVISIONS AND ZONING DISTRICTS, SO

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF POLK COUNTY AND IT IS HEREBY ORDAINED

SECTION 1. THE DEVELOPMENT REGULATIONS OF POLK COUNTY, GEORGIA, AS AMENDED, IS HEREBY FURTHER AMENDED BY AMENDING ARTICLE 3 "GENERAL" AND ARTICLE 5 "SUBDIVIDING PARCELS" TO READ AS FOLLOWS:

3.2.3 Private Easements Subdivisions

~~A. Private Easement Subdivisions will no longer be allowed as a subdivision classification in Polk County, as of September 2, 2009. Private Easement Subdivisions established prior to this date shall be allowed to remain in their existing state as long as the lots are not modified from their existing configuration.~~

~~B. All means of ingress and egress to the Private Easement Subdivision shall remain in force as provided by the original grantor or his successors or assigns. The grantee and the property owner(s) shall continue to be responsible for their proportionate share of the upkeep and maintenance of this private easement and completely hold the governing body of Polk County harmless from any necessity for such upkeep and maintenance.~~

- A. If a parcel was landlocked prior to September 2, 2009, private easements may be utilized for ingress and egress to the property. However, if a parcel is not landlocked, private easements shall not be utilized for ingress and egress to the property.
- B. Private easements established prior to this date shall be allowed to remain in their existing state as long as the lots are not modified from their existing configuration. The grantee and the property owner(s) shall continue to be responsible for their proportionate share of the upkeep and maintenance of this private easement and completely hold the governing body of Polk County harmless from any necessity for such upkeep and maintenance.

5.1.1 Subdivision of Land Overview

1. The division of land into four or fewer lots ~~must be adequately served by existing public water infrastructure, and if available, public sanitary sewerage, unless a certified well driller or professional hydrologist provides a letter to the County stating that an ample amount of water is available on the parcel, in which, a well may be utilized instead of public water; and which meet all other~~ **must meet the** requirements of these Development Regulations, and shall be conducted as follows:

5.1.2 Road Frontage

~~B. In cases where the minimum frontage (30' or 60') is utilized, the area within the (30' or 60') strip cannot be considered when determining the minimum required area as specified in section 5.1.3 below.~~

5.1.3 Minimum Lot Dimensions And Areas

Zoning District	Minimum Lot Size
A-1 (Agricultural)	3 Acres
CN (Neighborhood Business)	0.23 Acres
C-1 (General Business)	0.46 Acres
I-1 (General Industrial)	0.92 Acres
I-2 (Heavy Industrial)	2 Acres
LRO (Low-Rise Office)	0.35 Acres
OI (Office Institutional)	0.46 Acres
OS (Office Services)	0.92 Acres
PRD (Planned Residential Development)	20 Acres
RA-8 (Multi-Family)	4 Acres
R-1 (Residential-Rural)	1 Acre
R-2 (Residential-Subdivision)	1 Acre
R-4 (Mobile Home Park)	10 Acres

SECTION 2. ALL LAWS, ORDINANCES AND RESOLUTIONS, OR PARTS THEREOF, WHICH CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE, ARE HEREBY REPEALED.

SECTION 3. IF ANY PART OF THIS RESOLUTION SHALL BE DECLARED

UNCONSTITUTIONAL BY THE VALID JUDGEMENT OF ANY COURT OF COMPETENT JURISDICTION, SUCH UNCONSTITUTIONALITY SHALL NOT AFFECT THE REMAINDER OF THIS ENACTMENT, AND SUCH REMAINDER SHALL REMAIN IN FULL FORCE AND EFFECT.

SECTION 4. THE COMMISSION OF POLK COUNTY, GEORGIA HEREBY DECLARES THAT THE FOREGOING PREAMBLE AND WHEREAS PROVISIONS SET FORTH HEREINABOVE CONSTITUTE, AND SHALL BE CONSIDERED TO BE, SUBSTANTIVE PROVISIONS OF THE RESOLUTION AND ARE HEREBY INCORPORATED BY REFERENCE INTO THIS PROVISION.

SECTION 5. IN THE EVENT SCRIVENER'S ERRORS SHALL BE DISCOVERED IN THIS RESOLUTION AFTER THE ADOPTION HEREOF, THE COMMISSION OF POLK COUNTY, GEORGIA HEREBY AUTHORIZES AND DIRECTS THAT EACH SUCH SCRIVENER'S ERROR SHALL BE CORRECTED IN ALL MULTIPLE COUNTERPARTS OF THIS RESOLUTION.

SECTION 6. THIS RESOLUTION SHALL BECOME EFFECTIVE UPON ITS APPROVAL BY THE BOARD OF COMMISSIONERS.

SO ORDAINED, THIS THE 1ST DAY OF APRIL, 2025

POLK COUNTY BOARD OF COMMISSIONERS



HAL FLOYD, CHAIRMAN

ATTEST:



JAIME ARMSTRONG, CLERK

