



## Staff Report

Subject: Amendment to Family Cemeteries  
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Department: Development Services – Planning & Zoning  
Meeting Date: February 17, 2026

Proposed Zoning: N/A  
Existing Zoning: N/A  
Map & Parcel: County-wide application  
Parcel Size: N/A

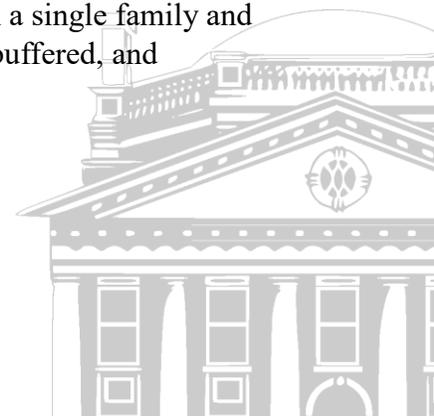
Proposed Use: The proposed ordinance amendments establish standards and procedures for the creation of private, noncommercial family cemeteries within Effingham County. The amendments are intended to regulate location, size, access, setbacks, and recordation requirements to ensure compatibility with surrounding land uses and compliance with state law.

Applicant: Effingham County Board of Commissioners  
Owner(s): Effingham County  
Location: County-wide

## Background:

The County's existing zoning ordinance addresses cemeteries, mausoleums, and crematories in a limited and generalized manner and does not provide detailed standards for the establishment of private, family cemeteries on individual parcels. As a result, requests for family burial sites have required case-by-case interpretation, creating uncertainty for property owners, neighbors, and County staff.

The proposed ordinance amendments are intended to create a clear, predictable regulatory framework for family cemeteries that balances private property rights with the protection of public health, safety, and welfare. The amendments focus on noncommercial burial grounds associated with a single family and are designed to ensure that such cemeteries are appropriately located, adequately buffered, and permanently documented.



These revisions are informed by staff review of similar ordinances in other Georgia jurisdictions, applicable provisions of Georgia law related to burial sites, and local land use considerations specific to agricultural-residential areas of the County.

### **The Proposed Amendments:**

The proposed ordinance amendments would:

- Establish a new section specifically addressing **Family Cemeteries (Private)** within the zoning ordinance;
- Limit family cemeteries to conforming AR-1 Agricultural-Residential parcels meeting a minimum acreage requirement, subject to approval of a Conditional Use Permit;
- Define key terms, including *Family Cemetery* and *Delineated Cemetery Boundary Survey*, to ensure consistent interpretation and enforcement;
- Set clear development standards, including maximum number of burial plots, minimum setbacks from property lines, dwellings, and water resources, and requirements for buffering or fencing;
- Require a professionally prepared and recorded cemetery boundary survey to permanently document the location and existence of the cemetery;
- Ensure long-term compliance by requiring deed notice and prohibiting subdivision or boundary changes that would render the parcel nonconforming;
- Establish basic burial depth and interment standards consistent with customary practice and state law; and
- Prohibit commercial activity, mausoleums, crematories, and similar uses within family cemeteries.

### **Determination:**

Based on staff review, the proposed amendments provide clarity, consistency, and enforceable standards for family cemeteries and ensure compatibility with surrounding residential and agricultural uses.

The proposed ordinance is consistent with the intent of the County’s zoning regulations and applicable provisions of Georgia law and provides a clear framework for review and administration moving forward.

### **Conditions for Consideration:**

The proposed amendments improve predictability and transparency for property owners seeking to establish a family cemetery while protecting adjacent properties through minimum acreage, setback, access, and buffering requirements. Recordation and deed notice provisions ensure long-term awareness of cemetery locations and prevent future land use conflicts. Overall, the amendments support orderly growth, land use compatibility, and responsible stewardship of land within Effingham County.

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## **Planning and Zoning Services**

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