

**STATE OF GEORGIA
EFFINGHAM COUNTY**

AN AMENDMENT TO THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO.
465-6 & 477-15

AN ORDINANCE TO AMEND THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO.
465-6 & 477-15

AND TO REPEAL ALL OTHER ORDINANCES IN CONFLICT HEREWITH.

BE IT ORDAINED by the Effingham County Board of Commissioners in regular meeting assembled and pursuant to lawful authority thereof:

WHEREAS, KERN & Co., LLC for OLD PINES, LLC, has filed an application to rezone two hundred-sixty-seven and forty-one hundredths (267.41) +/- acres from R-1 to I-1, and four hundred-seventy-three and forty-two hundredths (473.42) +/- acres from AR-1 to I-1, for a warehouse development; map and parcel number 465-6 & 477-15, located in the 5th commissioner district; and

WHEREAS, a public hearing was held on August 18, 2020 and notice of said hearing having been published in the Effingham County Herald on July 29, 2020; and

WHEREAS, a public hearing was held before the Effingham County Planning Board, notice of said hearing having been published in the Effingham County Herald on 7/8/2020; and

IT IS HEREBY ORDAINED THAT two hundred-sixty-seven and forty-one hundredths (267.41) +/- acres, zoned R-1; and four hundred-seventy-three and forty-two hundredths (473.42) +/- acres; zoned AR-1; map and parcel number 465-6 & 477-15, located in the 5th commissioner district; is rezoned to I-1, for a warehouse development, with the following conditions:

1. **TRAFFIC** – There shall be no entrance or exit from the property being rezoned on to Chimney Road. Only personal vehicles are allowed to use Goshen Road Extension for entering and exiting the facility. The entrance to the facility from Goshen Road Extension shall be designed to prevent access of all trucks including but not limited to, delivery trucks, box trucks, container trucks, and trucks pulling tractor trailers. Emergency vehicles shall be allowed to enter and exit the property from Goshen Road Extension.

A Traffic Study shall be submitted during the development plan review process pursuant to Effingham County's Traffic Study requirements.

All trucks serving the business in the development shall comply with Official Code of Effingham County, Georgia, Chapter 74, Section 74-8 "Designated Truck Routes".

2. **SAFETY**- The truck entrance to the property shall be located on Old Augusta Road. In order to address the dangers presented by the development's truck traffic parking or staging/queuing on Old Augusta Road, a dedicated 12 foot wide paved entrance lane for purposes of truck staging/queuing shall be located within the property boundary lines. No trucks or any other vehicles are allowed to queue on Old Augusta Road.

8 foot high minimum chain-link security fencing shall be installed on the perimeter of each truck court.

3. **VISUAL** – Buildings on the property are to have building height restrictions consisting of maximum heights no greater than 50 foot above the finished floor elevation.

A 300 foot buffer consisting of a 250 foot natural buffer with a 50 foot wide by 12 foot high earthen berm with vegetation on the property extending from the northwest corner parallel to Chimney Road to the northeast and to the point the berm

meets the jurisdictional wetlands. . Property Owner/Applicant and its successors and assigns shall perpetually maintain the earthen berm and vegetation.

Buildings on the northern side of the property shall be oriented such that loading dock doors do not face Chimney Road.

4. **NOISE** – Facility operations shall be in compliance with Official Code of Effingham County, Georgia, Chapter 30, Article I, Section 30-36 and Section 30-37, with maximum decibel levels between the hours of 7:00 a.m. and 9:00 p.m. not in excess of 70 decibels as measured at the outward most edge of the required 300 foot buffer on Chimney Road (70 decibels is the specified limits designated for commercial business, 60 for residential). In addition, between the hours of 9:00 PM and 7:00 AM, the decibel levels at the outward edge of the 300 foot buffer shall not exceed 60 decibels.

Property Owner/Applicant shall perform a noise attenuation and abatement study during the design development phase to validate the effectiveness of the 300 foot vegetated buffer and berm system proposed by the Property Owner/Applicant to attenuate noises to the above specified limit. Study shall be provided to Effingham County’s Director of Development Services for approval during the design review process.

5. **LIGHTS** – Overhead lighting shall be in accordance with the Official Code of Effingham County, Georgia, Article 5.12.4.4. Direct glare from incandescent exposed lighting shall not be visible from adjoining streets or properties. All exterior lighting shall be downward facing and shielded.

All exterior lighting shall be attached to sides of buildings or pole mounted lights that do not exceed 26 foot in height. Property Owner/Applicant shall provide a photometric plan with the design review application to verify the light levels generated from the development at the outward most edge of the required 300 foot buffer on Chimney Road do not exceed 0.01 footcandles (this is the equivalent as the illumination as a full moon).

6. **USES** – The rezoning of the property is conditioned on the property being used for Warehousing or the permitted uses listed in the Official Code of Effingham County, Georgia, Article 5.12.1 – LI – Light Industrial. No other uses listed in the Official Code of Effingham County, Georgia, Article 5.12.1A – “HI – Heavy Industrial” or Article 5.12.1B “HI-Heavy Industrial conditional uses” shall be allowed.

7. **SIGNAGE** – All traffic directional signage shall be in accordance with the Official Code of Effingham County, Georgia, Chapter 62, Article II, Section 62-33 and Appendix C, Article III, Paragraph 3.38, and public roadway signage shall be limited to placement on Old Augusta Road only. Signage shall indicate that truck traffic from the facility shall use designated Truck Route – Old Augusta Road Only. A monument-type sign on Old Augusta Road identifying the facility is allowed but is to be submitted to Effingham County Development Services for approval and recommendation to the Board of Commissioners.

8. **DESIGN** – Site Development Plans shall comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management local Design Manual and Chapter 34- Flood Damage Prevention.

All wetland impacts shall be approved and permitted by USACE, and the approved Jurisdictional Determination shall be submitted during the development plan review process.

A site plan shall be submitted prior to construction showing the final layout of all buildings and roads, and the distance from all buildings to neighboring properties.

The conditions enumerated above are in addition to all other applicable requirements found in the Official Code of Effingham County, Georgia, state laws, and federal laws.

Failure to comply with any of the Conditions for approval of the subject property at any time may result in the following:

- a. The Issuance of a Stop Work Order; the Issuance of a Cease and Desist Order; the Denial or Revocations of a Building Permit; the Denial or Revocation of a Certificate of Occupancy; the Denial of any other Permit, License or Approval to any developer, Owner, lessee, or user of the subject property; the Revocation of any other permit, license or approval from any developer, owner, lessee, or user of subject property, the Revocation of any concurrency; and/or
- b. The Revocation of the Official Map Amendment, Conditional Use, Requested Use, and/or any other zoning approval; and/or
- c. A requirement of the development to conform with the standards found in the Code of Effingham County at the time of the finding of non-compliance, or the addition or modification of conditions reasonably related to the failure to comply with existing Conditions of Approval; and/or

d. Referral to Code Enforcement.

All ordinances or part of ordinances in conflict herewith are hereby repealed.

This _____ day of _____, 20____

BOARD OF COMMISSIONERS
EFFINGHAM COUNTY, GEORGIA

BY: _____
WESLEY M. CORBITT, CHAIRMAN

ATTEST:

FIRST/SECOND READING: _____

STEPHANIE D. JOHNSON
COUNTY CLERK