STATE OF GEORGIA

EFFINGHAM COUNTY

AN ORDINANCE TO ADOPT AN UPDATED ZONING ORDINANCE OF EFFINGHAM COUNTY, GEORGIA AND OFFICIAL ZONING MAP OF EFFINGHAM COUNTY; TO PROVIDE FOR NOTICE; TO PROVIDE FOR SEVERABILITY; TO PROVIDE AN EFFECTIVE DATE; TO REPEAL ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND FOR OTHER PURPOSES.

WHEREAS, pursuant to Georgia Constitution, Article IX, Section II, Paragraph IV and O.C.G.A. § 36-66-1 et seq., counties have the express authority to enact and amend zoning regulations; and

WHEREAS, the Board of Commissioners of Effingham County, Georgia ("Board") desires to update and adopt the Zoning Ordinance of Effingham County, Georgia in its entirety ("Zoning Ordinance"); and

WHEREAS, the Board desires to adopt the Official Zoning Map of Effingham County ("Zoning Map") in its entirety; and

WHEREAS, the Board has authority to amend and adopt the Zoning Ordinance and Zoning Map from time to time and where necessary to maintain adequate regulations; and

NOW THEREFORE, IT IS HEREBY ORDAINED BY THE BOARD OF COMMISSIONERS OF EFFINGHAM COUNTY, GEORGIA in a regular meeting assembled and pursuant to lawful authority thereof, as follows:

Section 1. The amendments to the Zoning Ordinance are highlighted in red in Attachment A, which is for reference only. In the event of a conflict between Attachment A and Attachment B, Attachment B controls.

Section 2. The Board of Commissioners adopts the final "clean" copy of the Zoning Ordinance in its entirety as shown in Attachment B, which is attached hereto, incorporated herein by reference, and hereby made a part of this Ordinance and is adopted in its entirety.

Section 3. The Official Zoning Map of Effingham County, a copy of which is Attachment C hereto, which is incorporated by reference and hereby made a part of this Ordinance and adopted in its entirety is also on display in the in the Board of Commissioners meeting room located at 804 South Laurel Street, Room Number S120, Springfield, Georgia 31329. Upon approval of this Ordinance, the Zoning Map will be signed and certified by the Chairman, attested by the Clerk, and kept on file with the Clerk and planning department of the County.

Section 4. Any ordinances or parts of ordinances in conflict with this Ordinance shall be repealed to the extent necessary to eliminate such conflict.

Section 5. If any section, clause, sentence, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way effect the validity of the remaining portions of this Ordinance.

Section 6. This Ordinance shall become effective immediately upon the date of its adoption following the second reading of the Ordinance.

This _____ day of _____ 2026.

BOARD OF COMMISSIONERS,
EFFINGHAM COUNTY, GEORGIA

BY: _____
DAMON RAHN, CHAIRMAN

ATTEST:

_____
STEPHANIE JOHNSON
EFFINGHAM COUNTY CLERK

[SEAL]

FIRST READING: OCTOBER 20, 2026

SECOND READING: NOVEMBER 3, 2026

APPENDIX C ZONING ORDINANCE[1]

ARTICLE I. INTRODUCTION AND ENACTMENT

1.1 Title.

These regulations shall be known and may be cited as the "Zoning Ordinance of Effingham County, Georgia."

1.2 Enactment.

Whereas the board of commissioners of Effingham County has acted pursuant to the authority granted to it by Article IX, Section IV, paragraph II of the 1976 Constitution (O.C.G.A. § 2-6102) [art. IX, § II, ¶ IV of the 1983 Constitution], the following ordinance to be known as the "Zoning Ordinance of Effingham County, Georgia," is hereby adopted and ordained effective April 6, 1999. As part of this ordinance so enacted into law is the "Official Zoning Map of Effingham County," said map being identified by the inscription "Zoning Map of Effingham County" adopted on March 2, 1992; and signed by Sandra Andrews, Clerk of the Board of Commissioners of Effingham County, and Phillip E. King, Chairman of the Board of Commissioners of Effingham County.

1.3 Purposes.

The zoning regulations and districts as herein set forth are made with consideration for the character of Effingham County, its various parts and the suitability of the various parts for particular uses and structures, and in order to promote, protect, and facilitate the public health, safety, and welfare of the inhabitants of Effingham County, and of the public generally. The provisions are designed to prevent overcrowding of land, danger and congestion in travel and transportation, loss of health, life, or property, or other dangers. The ordinance is also intended to support the following community development objectives:

Appearance. To improve the appearance and utility of the land and structures in Effingham County and to control the filling of floodplains, misuse of marshlands and stream banks, use of signs, and screening of junkyards and other areas of bad appearance.

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[1]Editor's note(s)—Printed herein is the zoning ordinance of the county, as adopted by the board of commissioners on April 6, 1999. Amendments to the zoning ordinance are indicated by parenthetical history notes following amended provisions. The absence of a history note indicates that the provision remains unchanged from the original ordinance. Obvious misspellings and punctuation errors have been corrected without notation. For stylistic purposes, headings and catchlines have been made uniform and the same system of capitalization, citation to state statutes, and expression of numbers in text as appears in the Code of Ordinances has been used. Additions made for clarity are indicated by brackets. See the Code Comparative Table.

Cross reference(s)—Alcoholic beverages, ch. 6; buildings and building regulations, ch. 14; soil erosion and sedimentation control, § 30-111 et seq.; flood damage prevention, ch. 34; planning, ch. 54; signs, ch. 62; subdivision regulations, app. B.

Education. To help maintain public and private school systems, capable of maximizing a student's potential, including large administrative districts with diversified educational opportunities. To better educate people of all ages, races, incomes, mental capacities, and physical handicaps.

Transportation. To create an integrated transportation system, by using public transportation to its maximum effectiveness, and integrating it with private transportation, and to prepare and obtain acceptance of a continuing transportation system for Effingham County, and particularly to assist low income groups and elderly citizens in obtaining better transportation to jobs and shopping areas.

Recreation and tourism. To provide sufficient recreation facilities, particularly at the community level, to meet Bureau of Outdoor Recreation national standards, and promote tourism to the greatest extent possible.

Pollution. To eliminate or reduce major sources of pollution.

Flooding. To provide additional flood protection for critical areas, and to discourage development in floodprone areas that would be damaged by flooding.

Housing. To provide an adequate supply of safe and sanitary housing in a decent environment for all income groups, regardless of race, color, or background, including the rehabilitation of existing structures.

Crime prevention. To reduce the incidence of crime to the extent possible.

Economics. To increase the tax base by providing land for commercial and industrial growth where feasible, and minimize the conflict between industrial and commercial growth and residential or public development.

Utilities. To promote the provision of public and private utilities.

Land use and comprehensive plan. To use the zoning ordinance as a tool to help implement the land use and comprehensive plans.

Health. To improve the health of the residents of Effingham County by controlling pollution, separating new residences for adequate light, sun, and air, and providing adequate treatment facilities at the lowest possible cost.

Compliance. Except as hereinafter provided, no land, building, structure, or premises shall hereafter be used, and no building or part thereof or other structure shall be located, erected, reconstructed, extended, enlarged, converted, altered, or moved except in conformity with the regulations herein specified for the district in which it is located, and in conformity with all duly ordained ordinances, resolutions, and subdivision regulations of Effingham County. No yard space or minimum area required for a building or use shall be considered as any part of the yard space or minimum area for another building or use.

ARTICLE II. DEFINITIONS

For the purpose of the administration and enforcement of this ordinance, and unless otherwise stated in this ordinance, the following words shall have a meaning as indicated herein.

Words used in the present tense shall include the future tense; words used in the singular number shall include the plural number; words used in the plural number shall include the singular number; the word "shall" is mandatory, not directory.

2.1 *Abattoir*. A facility where animals are humanely slaughtered and processed into meat. These are regulated environments where both animal welfare and public health are top priorities.

2.2 *Acceleration/deceleration.* One or more paved traffic lanes traversing the frontage of a property for the purpose of allowing traffic to accelerate or decelerate outside of higher speed traffic lanes.

2.3 *Access.* The ability and right to enter a property.

2.4 *Accessory structure* A separate, non-habitable building that is located on the same property as a main building. These structures are used for various purposes such as storage, workshops, garages, pole barns, carports, and swimming pools.

2.5 *Accessory dwelling unit.* A secondary, self-contained residential unit located on the same lot as a principal dwelling. An ADU provides independent living facilities for one or more persons and includes permanent provisions for living, sleeping, eating, cooking, and sanitation. The ADU may be attached to, detached from, or located within the principal dwelling. A subordinate residential dwelling unit is located on the same lot as a principal single-family dwelling. An ADU provides complete independent living facilities for one or more persons and includes permanent provisions for living, sleeping, eating, cooking, and sanitation. The ADU may be attached to, detached from, or located within the principal dwelling. The size of an ADU shall not exceed 75 percent of the gross floor area of the principal dwelling.

2.6 *Accounting, tax, bookkeeping, and payroll services.* A comprehensive suite of financial services is provided by professionals or firms specializing in managing financial records, ensuring regulatory compliance, and offering strategic financial advice. Accounting services involve the preparation of financial statements, auditing, and financial analysis. Tax services focus on preparing and filing tax returns, tax planning, and advising clients on tax compliance and strategies to minimize liabilities. Bookkeeping services include the maintenance of accurate financial records, tracking transactions, and managing accounts payable and receivable. Payroll services involve processing employee wages, calculating tax withholdings, and ensuring compliance with labor laws.

2.7 *Adult education services.* Programs designed to help adults improve their academic skills, gain new knowledge, or learn practical skills to enhance their personal and professional lives.

2.8 *Adult entertainment club.* A type of venue that provides adult-oriented entertainment, often in the form of performances, dances, or other activities that are intended for adult audiences. These clubs typically cater to adults aged 18 or 21 and older, depending on local laws and regulations. Adult entertainment clubs vary widely in terms of their offerings, from strip clubs to venues with more niche themes.

2.9 *Advertising services.* Involve creating, planning, and executing advertising campaigns across multiple platforms, including print, digital, television, radio, and outdoor media. These services focus on developing creative concepts, managing media buys, and measuring the effectiveness of campaigns to reach target audiences and drive sales.

2.10 *Advertising signs.* A surface whereon advertising material is set in public view, including reference to any use of premises whereon it is displayed or posted.

2.11 *Agritourism.* Defined as the activities conducted on a working farm and offered to the public or invited groups for the purpose of recreation, education, and/or active involvement in the farm operation. These activities link agricultural production and/or processing with tourism in order to attract visitors onto a farm, ranch, or other agricultural business for the purposes of entertaining and/or educating the visitors and generating supplemental income for the farm or ranch owner.

2.12 *Air conditioning supply.* This refers to the provision of cooled and dehumidified air to control indoor climate conditions. It can be used for comfort cooling (in homes or offices) or process cooling (in data centers, labs, and manufacturing).

2.13 *Aircraft and accessories.* Refers to the airplanes and their related parts, components, and equipment that are used to facilitate air travel, cargo transport, and other aviation operations. (Drones and other unmanned aircraft systems, UAS.)

2.14 *Air freight transportation.* Refers to the movement of goods, cargo, or merchandise via aircraft, typically using dedicated cargo planes or the cargo hold of commercial passenger flights.

2.15 *Airport and support establishments.* Encompass the physical facilities, services, and operations that make up an airport and the organizations that support its function. This includes the infrastructure required to handle passengers, cargo, and aircraft, as well as the specialized services that ensure smooth and safe operation of airports, such as ground handling, security, air traffic control, and maintenance.

2.16 *Air passenger transportation.* It refers to the movement of people via aircraft, typically provided by commercial airlines, but also involves other forms of air transport such as charter flights, private aviation, or cargo services that include passengers.

2.17 *Alley.* A narrow thoroughfare dedicated or used for public passageway up to 20 feet in width, which usually abuts the rear of the premises, or upon which service entrances or buildings abut, and which is not generally used as a thoroughfare by both pedestrians and vehicles, is not used for general traffic, and is not otherwise officially designated as a street. This way affords only a secondary means of access to abutting property.

2.18 *Alteration.* Any change in the arrangement of a building, including any work affecting the structural parts of a building, or an enlargement, or any change in wiring, plumbing, heating, or cooling system, and includes the words "to alter" and "alter."

2.19 *Alternative education school.* An educational setting designed to meet the needs of students who may not thrive in traditional public or private school environments.

2.20 *Alternative energy.* This refers to any energy source other than fossil fuels (like coal, oil, or natural gas). These sources are considered more sustainable, environmentally friendly, and renewable.

2.21 *Amenities.* Refer to the features, facilities, and services provided within a residential subdivision (or housing development) that are intended to enhance the quality of life for residents and make the community more attractive. These amenities are typically shared by all property owners or residents and maintained by a homeowners' association (HOA) or property management company. Recreational amenities include swimming pools, clubhouses or community centers, tennis courts or sports facilities, playgrounds, golf courses, and fitness centers. Outdoor and green space: Parks, walking or biking trails, ponds or lakes, community gardens, picnic areas, dog parks.

2.22 *Amusement parks.* Recreational spaces feature various types of rides, games, and attractions that focus primarily on providing thrilling experiences. These parks may have a variety of general entertainment, from roller coasters to carnival games and arcade-style fun.

2.23 *Animal and pet services.* A wide range of businesses and professionals that provide care, grooming, breeding, training, boarding, and wellness services for pets and companion animals.

2.24 *Animal production.* Refers to the raising of animals for human use, including for meat, milk, eggs, wool, leather, and labor.

2.25 *Antique shop.* A retail establishment primarily engaged in the buying, selling, and display of antique items, typically defined as collectible objects that are at least 50 to 100 years old. These items may include furniture, artwork, jewelry, books, household goods, and other artifacts of historical or cultural

significance. Antique shops may operate from a permanent location or participate in antique fairs, markets, or online sales.

2.26 *Apartments.* Individual housing units within a larger residential building or complex, where multiple households live in separate units but share common structural elements like walls, roofs, and sometimes amenities.

2.27 *Apiculture or beekeeping.* The practice of raising and managing honeybees for the production of honey, beeswax, royal jelly, propolis, and other bee products.

2.28 *Aquaculture.* The controlled breeding, rearing, and harvesting of aquatic organisms such as fish, crustaceans, mollusks, and aquatic plants. It's basically the aquatic version of animal and crop farming.

2.29 *Arboretum.* An arboretum is a specialized type of botanical garden focused on the collection, cultivation, and study of trees and other woody plants. Arboreta are often used to promote research in dendrology (the study of trees) and to conserve rare, endangered, or under threat tree species.

2.30 *Architectural, engineering, and related services.* A sector of professional services that includes the design, planning, and consulting related to the development of infrastructure and buildings. Architectural services encompass the design, drafting, and planning of buildings and other structures, ensuring functionality, aesthetics, and compliance with zoning laws and building codes. Engineering services include the design, analysis, and implementation of technical solutions across various disciplines such as civil, mechanical, electrical, environmental, and structural engineering. Related services may include urban planning, surveying, landscape architecture, and construction management. These services are typically provided by licensed professionals or firms and play a crucial role in the planning, construction, and maintenance of infrastructure and built environments.

2.31 *Archives.* The collection, preservation, and access to historical documents and records that are typically not part of the regular library collection. These can include government records, private papers, photographs, manuscripts, and other historical documents. Archives may be organized by topic, creator, or period, and they serve as essential resources for historical research and the preservation of cultural heritage.

2.32 *Art dealers, supplies, sales, and services.* Refers to the businesses and professionals involved in the sale of artwork and art materials, as well as providing services to artists, collectors, and institutions.

2.33 *As-built plans.* "As-built" plans are site plans depicting improvements made in any subdivision or planned development that were previously not accepted by the approving authority, or site plans that varied substantially from the preliminary or final plats previously submitted for review and approval. Their purpose is to provide a permanent record of the location, size, and design of infrastructure improvements that will aid county departments in future maintenance efforts.

2.34 *Assisted living services.* This refers to the range of personal care and support services provided in assisted living facilities for individuals, typically seniors, who need help with daily activities but do not require the intensive medical care provided in a nursing home.

2.35 *Asphalt plant.* An industrial facility used to produce asphalt concrete by combining aggregates (such as sand, gravel, or crushed stone) with bitumen (a petroleum-based binder). This material is commonly used for paving roads, parking lots, and other surfaces.

2.36 *Automotive sales, services, and storage.* The sale, service, or storage of new or used automobiles, including paint and body repair shops. Any business that stores automobiles shall only store automobiles that will be put back in use on the roadways of the United States.

2.37 *Automobile paint and body.* A type of automotive repair service that specializes in painting, repairing, and restoring the body of vehicles. These services typically involve the cosmetic and structural restoration of a vehicle's exterior, including fixing dents, scratches, rust, and applying protective or aesthetic paint finishes.

2.38 *Bakery.* A retail establishment primarily engaged in the production and sale of baked goods, including bread, cakes, pastries, cookies, and other confectioneries. Bakeries may offer a variety of products for immediate consumption or take-home, and often include custom-made goods such as wedding cakes or specialty items. They may operate as standalone businesses or as part of larger establishments such as grocery stores or cafes. Bakeries may also provide additional services such as coffee or catering.

2.39 *Bank.* A financial institution licensed to receive deposits and make loans may also offer a variety of other financial services, including savings and checking accounts, credit and debit cards, mortgages, investment products, and currency exchange. Banks serve individuals, businesses, and governments, and are regulated by federal and/or state financial authorities.

2.40 *Bar or drinking place.* An establishment where alcoholic beverages such as beer, wine, cocktails, and spirits are served to customers. These places typically provide a social atmosphere where patrons can enjoy drinks, socialize, listen to music, or watch live performances.

2.41 *Barbershop.* A business establishment that specializes in haircuts, grooming, and shaving services for men and boys. Traditional barbershops often focus on short hairstyles, beard trimming, straight razor shaves, and classic grooming techniques.

2.42 *Beauty schools.* Educational institutions that offer training in various beauty and cosmetology fields.

2.43 *Bed and breakfast lodging facility.* Transient accommodation with on-site staff that provides no more than nine guestrooms. At least one meal shall be offered and served on the premises to registered evening guests. The facility must meet all requirements of the county health department, and parking requirements shall be the same as for hotels and motels.

2.44 *Beef cattle ranch.* A type of livestock farm dedicated to raising cattle primarily for meat production.

2.45 *Beer, wine, and liquor store.* A retail establishment specializing in the sale of fresh, raw fruits and vegetables, typically sourced from local or regional farms. These stores may offer a variety of seasonal and year-round produce, catering to customers seeking high-quality, fresh food options. In addition to fruits and vegetables, such stores may also offer related products such as herbs, spices, and organic items. Fruit and vegetable stores may operate as standalone businesses or as sections within larger grocery or health food stores.

2.46 *Bicycle sales.* The retail or wholesale sale of bicycles, including manual, electric (e-bikes), and specialty bikes, along with related parts, accessories, and equipment. This may be conducted through physical storefronts, online platforms, or bike dealerships.

2.47 *Billiards and pool halls.* These are recreational venues where people play cue sports such as 8-ball, 9-ball, snooker, and other billiard games on felt-covered tables using cue sticks and balls.

2.48 *Blood and organ banks.* Essential healthcare facilities that collect, store, and distribute blood and organ donations to save lives. These banks play a critical role in ensuring that there is a ready and sufficient supply of blood and organs for individuals in need of medical procedures, surgeries, or treatments.

2.49 *Boarding house or rooming house.* Any residential structure, supervised or not, used as living and sleeping arrangements for more than four unrelated individuals and up to 15. To be a boarding house or rooming house, it is usually intended for individuals to reside in the residential structure for more

than 30 consecutive days and/or for the residents of the residential structure to be students of the same educational institution (e.g., college, university, or boarding school), to work for the same employer, or to have some other similar common relationship to an institution or organization. Residents may share the common areas of the home, and provision for meals may be made, provided cooking is done in a central kitchen and not in individual rooms or suites.

2.50 *Boat and marine craft dealer.* A business or individual licensed to buy, sell, or lease boats, yachts, and other marine craft, as well as related accessories, parts, and equipment. These dealers typically offer new and used vessels and may also provide repair, maintenance, and customization services.

2.51 *Boat house.* A house or shed for sheltering one or more boats.

2.52 *Bowling.* Bowling alleys are indoor recreational facilities where people play ten pin bowling (most common), or variations such as candlepin or duckpin. Customers roll a heavy ball down a lane to knock down pins.

2.53 *Books, magazines, and stationery sales.* This market refers to the retail and distribution of written or printed materials, as well as the accessories and supplies used for writing, organizing, and office tasks. It covers a wide range of products aimed at individuals, educational institutions, offices, and businesses.

2.54 *Botanical gardens.* Landscaped areas dedicated to the cultivation, study, and display of a wide variety of plant species.

2.55 *Boundary of district.* The centerline of a street or right-of-way or the centerline of an alleyway between the rear or side property lines, or, where no alley or passageway exists, the rear or side property lines or all lots bordering on any zoning district limits or any zoning district boundary shown on the maps adopted by section 4.2.

2.56 *Bridge and tunnel construction.* This business specializes in the design, construction, and maintenance of bridges and tunnels that provide essential transportation routes and infrastructure. It undertakes large, complex projects that require specialized knowledge in engineering, materials science, and construction techniques.

2.57 *Breezeway*: A roofed passageway for the purpose of connecting the principal structure to another building or structure.

2.58 *Buffers*. To provide minimum separation and screening of different land uses. To minimize the adverse effects of commercial and industrial land uses on surrounding property and public throughfares; to act as a filtration zone for storm water; to make the environment more visually attractive; and to preserve the tree canopy in the county.

2.59 *Buildable area.* That portion of any lot which may be used or built upon in accordance with the regulations governing the given zoning district within which the particular lot is located, once the various front, side, and rear yard requirements required for the district have been subtracted from the total lot area.

2.60 *Building.* Any structure having a roof entirely separated from any other structure by space or by walls, having no communicating doors or windows or similar opening, and being erected for the purpose of providing support of shelter for persons, animals, things, or property of any kind, and having a foundation to which it is anchored.

2.61 *Building height.* The height of a building with a gabled or hip roof shall be the vertical distance measured from the average elevation of the finished building site to the top of the roof of the

uppermost story or the deck line of a mansard roof. The height of a building with a flat or nearly flat roof, less than seven degrees from the horizontal, shall be measured from the footing as stated above to the highest point of the roof.

2.62 *Building inspector.* Any person hired by the county commissioners to inspect, determine compliance with, and render minor decisions concerning the compliance of structures and lots within the county.

2.63 *Building line.* A line delineating the minimum allowable distance between the street right-of-way and the nearest extreme projection of a building (including all areas covered by any vertical projections to the ground or overhang, walls, roof, or any other part of the structure).

2.64 *Building materials.* The essential components used in the construction of buildings, roads, bridges, and other infrastructure projects. They provide the structural integrity, durability, and aesthetic qualities of a structure. The choice of materials depends on factors like the type of project, environmental conditions, cost, and aesthetic preferences.

2.65 *Building site.* The ground area of a building or buildings, together with all open spaces surrounded by said building or buildings.

2.66 *Building equipment and machinery installation contractors.* They specialize in the installation of a variety of equipment and machinery used in residential, commercial, and industrial buildings. This includes heating, ventilation, and air conditioning (HVAC) systems, elevators, escalators, plumbing systems, electrical systems, and other mechanical or technological equipment crucial for building operations.

2.67 *Buses.* All vehicles manufactured as traditional passenger-carrying buses with two axles and six tires or three or more axles. This category includes only traditional buses (including school buses) functioning as passenger-carrying vehicles. Modified buses should be considered to be trucks and should be appropriately classified.

2.68 *Business associations and professional membership organizations.* Formal groups that bring together individuals or businesses within specific industries, professions, or interest areas. Their purpose is to promote collaboration, set industry standards, support professional development, influence policy, and advance the shared interests of their members.

2.69 *Business management school.* An educational institution that offers programs designed to teach students how to manage businesses and organizations effectively.

2.70 *Business support and reservation services.* Refer to a range of administrative, logistical, and customer-focused services that help companies operate efficiently and manage bookings or scheduling processes. These services are commonly offered by internal departments or outsourced to third-party providers and are especially important in industries like hospitality, travel, events, and corporate administration.

2.71 *Butcher shop.* A retail or wholesale outlet that specializes in the preparation, cutting, and sale of meat. These shops can range from small local businesses to large-scale meat counters in supermarkets.

2.72 *Cable networks and distribution*. Refer to the infrastructure and business systems used to deliver television content to consumers via coaxial or fiber-optic cables, as well as the networks that produce and schedule that content. This industry bridges content creators with viewers through cable TV packages, on- demand services, and digital streaming hybrids.

2.73 *Cafeteria or limited-service restaurant*. A type of dining establishment where customers order food at a counter or self-serve station, and either pay before or after receiving their meal. Unlike full-service

restaurants, cafeterias and limited-service restaurants typically do not provide waitstaff or table service.

2.74 *Camper.* A motor home, tent, trailer, or other self-contained vehicle designated for recreational purposes.

2.75 *Camera and photographic supplies sales.* This refers to the selling of cameras, photographic equipment, and related accessories, as well as the supplies necessary for capturing, developing, and storing images. This market encompasses a broad range of products designed for both professional photographers and hobbyists and for consumers interested in photography.

2.76 *Campground.* A designated outdoor area where people can set up tents, park RVs, or use cabins for overnight stays or recreational camping. Campgrounds are designed for people looking to enjoy nature and outdoor activities.

2.77 *Cars, passenger.* All sedans, coupes, and station wagons manufactured primarily for the purpose of carrying passengers, including passenger cars pulling recreational or other light trailers.

2.78 *Car dealer.* A business or individual licensed to buy, sell, or lease new or used vehicles to consumers. Car dealers may represent one or more manufacturers (as franchised dealers) or operate independently (independent dealers), selling preowned cars.

2.79 *Car rental.* A business that provides vehicles for temporary use by customers, typically for a short-term period ranging from a few hours to several weeks. Car rental companies offer a range of vehicle types, from economy cars to luxury vehicles, vans, and trucks, to meet the diverse needs of customers.

2.80 *Car wash.* A facility or service that provides the cleaning and detailing of vehicles, typically using water, soap, cleaning agents, and mechanical or manual processes. Car washes are designed to remove dirt, debris, and other contaminants from the exterior and sometimes the interior of the vehicle.

2.81 *Care homes.* Includes rest and nursing homes, convalescent homes, and boarding homes for the aged established to render nursing care for chronic or convalescent patients, but excludes facilities for care of active or violent patients such as feebleminded or mentally ill patients, people with epilepsy, alcoholics, senile psychotics, or drug addicts.

2.82 *Carpet and upholstery cleaning services.* Professional cleaning techniques designed to remove dirt, stains, allergens, and odors from carpets, rugs, and furniture upholstery are essential for maintaining a clean, healthy, and attractive home or office environment. These services extend the life of fabrics and carpets while improving indoor air quality.

2.83 *Carpentry, floor, and tile contractor business.* Construction trade service that specializes in the installation, repair, and finishing of wood structures, flooring systems, and tile surfaces. These contractors are essential in both new construction and renovation projects for residential, commercial, and industrial properties.

2.84 *Carport.* A partially enclosed structure used for the housing of motor vehicles, the property of, and for use only by the occupants of the lot upon which such structure is located. For purposes of zoning, a carport attached to a principal structure shall be regarded as part of that principal structure and not as an accessory structure. A detached carport shall be classified as an accessory structure.

2.85 *Casino or gambling establishment.* A business or venue where various forms of gambling and betting are offered to the public. These establishments typically feature a range of games such as slot machines, card games (e.g., poker, blackjack), table games (e.g., roulette, craps), and sports betting, providing a space for entertainment and chance-based activities.

2.86 *Caterer.* A business or individual who prepares, transports, and serves food and beverages at off-site locations for various events and occasions. Catering services can range from small, intimate gatherings to significant, elaborate events like weddings, corporate functions, and parties.

2.87 *Cattle feedlot* (also known as a feed yard). It is a type of animal feeding operation where beef cattle are raised in confined pens and fed high-energy diets (mainly grains) to promote rapid weight gain before slaughter.

2.88 *CBD store.* A retail shop that specializes in selling products made with CBD (cannabidiol).

2.89 *Cemeteries.* Designated grounds where the remains of the deceased are respectfully buried or interred. Cemeteries may be public, private, religious, or military in nature, and they can offer a range of interment options to accommodate diverse preferences and traditions.

2.90 *Centerline, highway.* The line runs parallel with the highway right-of-way, which is halfway between the extreme edges of the official right-of-way width as shown on maps approved by the county tax assessor.

2.91 *Certified survey.* A survey, sketch, plat, map, or other exhibit is said to be certified when a written statement regarding its accuracy or conformity to specified standards is signed by the specified professional engineer, registered surveyor, architect, or other legally recognized person.

2.92 *Certificate of occupancy.* A permit issued by the building official indicating that a structure has been constructed in accordance with all codes and that the structure or land is in conformity with provisions of this title or that there has been a legal variance granted as provided by this title.

2.93 *Chassis.* The base frame or structure of a vehicle on which the rest of the components, such as the engine, transmission, wheels, cab, and cargo body, are mounted. It serves as the structural backbone of the vehicle.

2.94 *Chemicals manufacturing and wholesale trade.* Chemical manufacturing includes the transformation of raw materials like oil, natural gas, minerals, air, and water into chemical compounds. These can be either basic chemicals used as inputs for further production or specialty and consumer chemicals.

2.95 *Child and youth services.* Refer to a broad range of programs, facilities, and services designed to support the well-being, development, and protection of children and young people, typically ranging from infancy to adolescence (or up to age 18).

2.96 *Church.* A structure consecrated to the honor of God or other supreme being or beings for religious purposes; or an assembly of persons united by the profession of the same religious faith, meeting together routinely for religious worship.

2.97 *Civic and social organizations.* Groups formed to promote community engagement, cultural enrichment, volunteerism, social welfare, and personal development. These organizations focus on the betterment of society through activities that strengthen civic life, build social bonds, and often support causes related to education, health, equity, the arts, or local governance.

2.98 *Clearing.* The removal of trees or other vegetation, but not including grubbing activities, from a property, whether by cutting or other means.

2.99 *Clinics.* A healthcare facility that provides outpatient medical services to patients.

2.100 *Clothing sales.* The buying and selling of clothing items, which can be done through various channels like physical stores, online shops, pop-up shops, or at special sales events. Clothing sales can include a

wide range of categories, from everyday wear to high-fashion items, and can be driven by seasonal changes, special promotions, or inventory clearance.

2.101 *Club, private.* An organization or association of persons for some common purpose, such as, but not necessarily limited to, a fraternal, social, educational, or recreational purpose, but not including clubs organized primarily for profit or to render a service, which is customarily carried on as a business. Such organizations and associations must be incorporated under the laws of Georgia as nonprofit corporations, and such corporations' central purpose shall not be for the purpose of serving alcoholic beverages to their members or others. This may not be located on or in connection with any commercial activity.

2.102 *Cluster development.* A type of land use planning where homes or buildings are grouped closely together on a portion of a property, while the remaining land is preserved as open space, like parks, trails, or natural habitats.

2.103 *Coal.* Refer to the businesses, facilities, and operations that are involved in the extraction of coal from the earth. Coal is a fossil fuel used primarily for electricity generation, industrial processes, and heating. The mining and extraction of coal is a critical part of the energy sector, although its environmental impact has led to growing concerns over sustainability and alternative energy sources.

2.104 *College or university.* An institution of higher learning providing facilities for teaching and research and authorized to grant academic degrees.

2.105 *Collection agency.* A company that specializes in recovering unpaid debts on behalf of creditors.

2.106 *Cold storage warehouse.* Specialized facility designed to store perishable goods at controlled low temperatures to preserve their quality and extend shelf life. These warehouses are commonly used for products such as fruits, vegetables, meat, seafood, dairy, pharmaceuticals, and other temperature-sensitive items.

2.107 *Computer training.* Refers to educational programs and courses that teach individuals how to use computers and software applications effectively.

2.108 *Commissioners or Board of Commissioners.* The Board of Commissioners of the county is the county's local governing authority.

2.109 *Common outdoor open space.* Areas are accessible from all parts of the development. Common open space can include passive or active recreation areas, pathways, swimming pools, and open areas for congregating. Ponds, lakes, buffers, or other spaces that are not usable by the residents of a development for recreational purposes shall not be included in common outdoor open space.

2.110 *Computer and software sales.* Refer to the process of selling computers (hardware) and software (programs, applications, or systems) to individuals, businesses, or organizations. This includes a wide range of activities, from the sale of physical devices like laptops, desktops, and servers, to the sale of digital products like operating systems, productivity software, business applications, and games.

2.111 *Commercial or commercial use.* Any activity involving the sale of goods or services for profit.

2.112 *Community food services.* Programs and organizations that work to alleviate hunger, improve nutrition, and increase access to food within a community.

2.113 *Community pool.* A publicly accessible swimming facility that is typically owned and operated by a local government, community organization, or homeowners' association. It is intended for use by residents of a specific area or members of a particular group.

2.114 *Concrete contractor.* Specializes in the installation, repair, and finishing of concrete surfaces and structures.

2.115 *Concrete plant.* It is a facility that combines various ingredients, such as water, cement, sand, gravel, and admixtures, to produce concrete.

A) Dry mix plant - All ingredients except water are combined and loaded into a truck mixer; water is added during transit.

B) Wet mix plant - All ingredients, including water, are mixed at the plant before being loaded into a truck.

2.116 *Concrete plant, permanent*. A fixed, long-term facility designed for the continuous production of concrete at a specific location. Unlike temporary or mobile batching plants used for short-term projects, a permanent concrete plant is constructed with durable infrastructure. It is intended to operate for many years to supply concrete to multiple construction projects in the region.

2.117 *Concrete plant, temporary*. A short-term setup used to mix and produce concrete on or near a construction site for the duration of a specific project.

2.118 *Conditional use.* These uses are allowed within a district only after specific requirements are met.-The Board of Commissioners may impose additional conditions, restrictions, or limitations as necessary to address the specific circumstances of the proposed use and its potential impacts. The Planning Board shall hold public hearings for only commercial and industrial conditional use applications and make a recommendation to the Board of Commissioners in accordance with this ordinance. The Board of Commissioners shall hold public hearings on all conditional uses.

2.119 *Condominium.* A building or series of buildings on the same lot or portions thereof containing more than one dwelling unit under separate ownership, with joint ownership of shared open spaces.

2.120 *Congregate living services.* Refer to supportive, shared living arrangements where individuals reside in a group setting and receive assistance with daily living activities. These services are typically provided in facilities like assisted living homes, residential care facilities, or group homes.

2.121 *Consulting services.* Professional services are provided by experts or specialists who offer advice, guidance, and strategies to organizations or individuals in a specific area of expertise. Consulting services can span various industries, including management, finance, marketing, human resources, technology, legal, healthcare, and more.

2.122 *Consumer goods rentals.* A business that provides the rental of everyday consumer goods for temporary use, typically including items such as furniture, appliances, electronics, tools, and home or office equipment.

2.123 *Convenience store.* This is a small retail shop that sells a variety of everyday items in a quick, easy-to-access format.

2.124 *Continuation school.* This is an alternative educational option for students who are at risk of not graduating on time from traditional high school. These schools are designed to help students who may have struggled with regular school attendance, performance, or personal challenges.

2.125 *Correctional institutions.* Facilities are designed to manage and rehabilitate individuals who have been convicted of crimes.

2.126 *Cosmetic and beauty supply.* A retail establishment primarily engaged in the sale of cosmetics, skincare products, hair care items, fragrances, and other personal grooming and beauty-related supplies. These stores may cater to both individual consumers and professional clientele, such as salons and spas. Products typically include makeup, shampoos, conditioners, hair coloring agents, lotions, nail care items, and beauty tools or accessories. Some establishments may also offer limited beauty services or product demonstrations.

2.127 *Courts.* Play a crucial role in any judicial system, ensuring justice, resolving disputes, interpreting laws, and protecting individual rights.

2.128 *Courier services.* Specializing in the transportation and delivery of parcels, packages, and documents, often focusing on speed, security, and reliability. These services are frequently used by businesses and individuals to send items both locally and internationally.

2.129 *Cremation services.* A method of final disposition in which the body of the deceased is reduced to ashes through high-temperature burning.

2.130 *Credit union.* A member-owned, not-for-profit financial cooperative that provides a range of financial services, including savings and checking accounts, loans, credit cards, and other banking products.

2.131 *Crop harvesting*. Is the process of gathering mature crops from the field, either manually or mechanically. Timing, tools, and techniques are essential to avoid damage and maintain quality.

2.132 *Crop production.* Agricultural crop production refers to the cultivation and harvesting of plants for various purposes, including food, fiber, and raw materials. This process plays a crucial role in feeding the global population and sustaining economies. Agricultural crop production involves several stages, including land preparation, sowing, growing, harvesting, and post-harvest handling.

2.133 *Cross-dock facilities.* A type of logistics warehouse designed to handle the quick transfer of goods from incoming transportation (such as trucks, ships, or railcars) directly to outbound transportation, with minimal or no storage. The primary purpose of a cross-dock facility is to speed up the distribution process by reducing or eliminating storage time, allowing for faster turnaround and more efficient delivery to customers, retailers, or other distribution centers.

2.134 *Culvert.* A sewer or drain crossing under a road, driveway, or embankment.

2.135 *Dairy cattle farming.* The raising of cattle for continuous milk production. Unlike beef cattle, dairy breeds are selected and managed specifically for high milk yield, quality, and efficiency.

2.136 *Daycare.* A supervised care service for infants and young children.

2.137 *Data center.* A physical facility used to house computer systems and associated components, such as telecommunication and storage systems. It is the central hub for processing, storing, and managing data, often for organizations that rely heavily on cloud computing, enterprise applications, or big data services.

2.138 *Decibel (dB).* The physical unit commonly used to measure noise levels; the unit of level, such as the sound pressure level.

2.139 *Density.* The number of units or buildings per acre, or the number of people per unit, building, acre, or mile; the quantity of people, structures, or units within a specified area. The overall intensity of land use for the total project. When referring to residential areas, density is defined as the number of housing units permitted per acre in the respective land development district.

2.140 *Department store.* A large retail establishment that offers a wide variety of consumer goods organized into distinct departments within the same building. Each department specializes in a particular product category, such as clothing, furniture, home goods, cosmetics, toys, electronics, or housewares.

2.141 *Depth of lot.* The depth of a lot is the depth between its mean front street line and its mean rear line, measured along the median between the two side lot lines.

2.142 *Detached units.* Refer to standalone residential structures that are not physically connected to any other dwelling. These units are fully independent in terms of structure and often utilities, offering privacy and separation from neighboring homes.

2.143 *Diameter breast height (dbh).* The outside diameter of the trunk of a tree, measured four and one-half feet above ground level.

2.144 *Disaster emergency housing*. Refers to temporary shelter or living arrangements provided to individuals or families who have been displaced by a disaster.

2.145 *Diesel truck service station*. A service facility that specializes in the maintenance, repair, and fueling of diesel-powered trucks, including semi-trucks, commercial trucks, and heavy-duty vehicles. These stations provide services tailored to the unique needs of diesel engines and are often equipped with specialized tools and equipment.

2.146 *District.* An area, region, or section with a distinguishing character; i.e., a zoning district.

2.147 *Domestic violence shelter*. A safe, confidential place where individuals—usually women and children—can go to escape abuse or threats from a partner or family member. These shelters offer more than just a bed—they provide a wide range of support services to help survivors rebuild their lives.

2.148 *Driveway.* A vehicular access way in private ownership, other than a private street, which provides access to one or more uses or properties.

2.149 *Drinking water supply.* Refers to the systems, infrastructure, and processes involved in providing safe, clean, and potable water to communities, households, businesses, and institutions for consumption, cooking, and sanitation. Access to safe drinking water is a fundamental human need and a public health priority.

2.150 *Driving education.* Refers to the formal training programs designed to teach individuals how to drive safely and effectively.

2.151 *Dry cleaner.* A business that provides professional cleaning services for clothing and textiles using chemical solvents instead of water. This process, known as dry cleaning, is used to clean delicate fabrics such as wool, silk, or suits that could be damaged by traditional washing methods.

2.152 *Duplexes.* A residential building designed for, or used as, the separate homes or residences of two separate and distinct families, but having the appearance of a single-family dwelling unit. Each unit in the duplex shall comply with the definition of a single-family detached dwelling.

2.153 *Durable goods.* Products that are made to last a long time—typically three years or more—and can withstand repeated use over time without wearing out quickly. (Appliances, vehicles, electronics, furniture.)

2.154 *Dusting (agriculture).* Applying dry powdered chemicals (usually insecticides or fungicides) to crops.

2.155 *Dwelling.* A building or portion of a building arranged or designed to provide living quarters for one or more families on a permanent or long-term basis. A structure or portion thereof which is designed or

used exclusively for residential purposes, including single-family, two-family, multifamily dwellings, rooming and boardinghouses, fraternities, sororities, dormitories, manufactured homes, and modular dwellings, but not including hotels or motels.

2.156 *Dwelling unit.* A structure or a portion of any structure designed, arranged, and used for living quarters for one or more persons living as a single housekeeping unit with cooking facilities, but not including units in hotels, motels, boarding houses, or like uses.

2.157 *Dwelling unit.* A structure or a portion of any structure designed, arranged, and used for living quarters for one or more persons living as a single housekeeping unit with cooking facilities, but not including units in hotels, motels, boarding houses, or like uses.

2.158 *Dwelling, group.* A building or portion of a building occupied or intended for occupancy by several unrelated persons or families, but in which separate cooking facilities are not provided for such resident persons or families. The term "group dwelling" includes, but is not limited to, rooming houses, apartment hotels, fraternity houses or sorority houses, YMCA, or YWCA. A hotel, motel, or tourist home shall not be deemed to be a group dwelling as herein defined

2.159 *E-911.* An advanced version of the 911 emergency call system is designed to improve the ability of emergency response teams to locate and assist individuals who dial 911 for help quickly.

2.160 *Easement.* A grant of the right to use a strip of land for specific purposes.

2.161 *Electric vehicle charging station.* A public or private parking space that is served by electric vehicle supply equipment that has as its primary purpose the transfer of electric energy (by conductive or inductive means) to a battery in an electric vehicle.

2.162 *Electronics and appliance sales.* The retail or wholesale sale of consumer electronics and household appliances, including both small and large devices used for communication, entertainment, cleaning, cooking, and other home or office functions. These products are sold through specialty stores, department stores, superstores, and online retailers.

2.163 *Electrical equipment, appliances, and components manufacturing.* This industry includes the design, production, and assembly of electrical equipment, household appliances, and components used for power generation, distribution, and end-use applications. It covers products ranging from switchboards and motors to refrigerators, lighting systems, and batteries.

2.164 *Electrical contractor.* Specializes in providing electrical services for residential, commercial, and industrial clients. These services include the installation, maintenance, and repair of electrical systems, as well as upgrades to wiring, lighting, and power distribution systems.

2.165 *Elementary school*. Refers to the first stage of formal education, typically covering the grades from Kindergarten through 5th or 6th grade, depending on the country or educational system. This usually involves children aged approximately five to 11 years old.

2.166 *Emergency management agency*. A governmental or organizational body that is responsible for coordinating responses to various types of emergencies, disasters, and crises. The main role of an EMA is to ensure the safety, security, and well-being of communities by preparing for, mitigating, responding to, and recovering from emergencies, whether they are natural, technological, or human-caused.

2.167 *Emergency medical services*. Refers to a system of medical care that provides urgent medical treatment and transport to individuals experiencing a medical emergency. The primary goal of EMS is to deliver

life-saving interventions as quickly as possible, whether in response to injuries, heart attacks, strokes, or other emergencies.

2.168 *Employment agency*. A business or organization that helps connect job seekers with employers.

2.169 *Enclosed mini storage*. A type of self-storage facility designed for personal or business use. It consists of small, individual storage units located inside a fully enclosed building, often with indoor access and added security.

2.170 *Engineer.* Any person having an acceptable degree from a recognized institution of higher learning who is capable of determining the correct manner in which to construct roads, streets, highways, water and sewerage systems, drainage systems, structures, or other technically related areas. The State of Georgia must recognize the person to be county engineer as one.

2.171 *Equestrian facilities.* A structure or area for horseback riding activities, including boarding, training, lessons, and shows.

2.172 *Erosion.* The process by which the land surface is worn away by the action of wind, water, ice, or gravity.

2.173 *Estate.* Any residential site comprising five acres or more shall come within the meaning of the word "estate."

2.174 *Excavation contractor.* A professional responsible for digging, removing earth, and preparing the ground for construction projects.

2.175 *Extermination and pest control services.* Professional services focused on preventing, managing, and eliminating unwanted pests from homes, businesses, and other properties. These pests may include insects, rodents, birds, or other wildlife that pose health risks, cause damage, or create nuisances.

2.176 *Facility support services*. These refer to a set of services and operations that ensure a workplace, building, or physical environment is safe, functional, clean, and well-maintained. These services support a facility's day-to-day operations and help create an efficient and comfortable space for employees, clients, and visitors.

2.177 *Family planning centers*. Facilities dedicated to providing reproductive health services and helping individuals and couples make informed choices about their reproductive health.

2.178 *Family.* One person, or a group of two or more persons, living together and interrelated by bond or consanguinity, marriage, or legal adoption, occupying a dwelling unit as a single-family unit, with a single set of kitchen facilities.

2.179 *Family services.* Refer to a broad range of support programs and resources designed to strengthen and assist families in achieving safety, stability, and wellbeing. These services aim to help families overcome challenges such as poverty, relationship issues, parenting struggles, domestic violence, mental health concerns, and child welfare needs. Government agencies, nonprofits, and community organizations typically offer them.

2.180 *Farm.* A piece of land used for growing crops and/or raising animals for food, fiber, or other agricultural products. It is the basic unit of agricultural production and can range in size from small family-run operations to large commercial enterprises.

2.181 *Fast food restaurant.* A type of eatery that specializes in quickly prepared and served meals, often at low prices and designed for convenience, speed, and affordability. These establishments typically offer

a limited menu of standardized items like burgers, fries, fried chicken, sandwiches, and soft drinks. (counter service or drive-thru- excluding snack and non-alcoholic restaurants).

2.182 *Farm management services.* Refers to the planning, organizing, and overseeing of agricultural operations to ensure profitability, sustainability, and productivity. These services can be tailored to small family farms or large commercial agribusinesses.

2.183 *Federal Emergency Management Agency (FEMA).* The Federal Agency that administers the National Flood Insurance Program. This Agency prepares, revises, and distributes the maps and studies referenced in this ordinance.

2.184 *Fee simple*. A form of property ownership in which the buildings and surrounding lands are owned with absolute title without limit to inheritance of heirs, and unrestricted as to transfer of ownership.

2.185 *Fence.* A structural barrier for enclosure, screening, or demarcation, presenting a solid face or having openings amongst or between its constituent members.

2.186 *Fast food restaurant.* A drive-through restaurant serving food from an ordering counter. Food can either be consumed on or off the premises.

2.187 *Financial institution*. An organization that deals with money-related services, such as managing, lending, investing, or safeguarding money for individuals, businesses, and governments.

2.188 *Fine and performing arts education.* Refers to academic and practical training in creative disciplines such as visual arts, music, theater, dance, film, and literature.

2.189 *Fire and rescue.* A specialized building or complex where fire-related emergency services, including firefighting, rescue operations, and medical assistance, are coordinated and executed. These facilities are designed to house fire trucks, rescue equipment, and personnel who are ready to respond to emergencies such as fires, natural disasters, accidents, hazardous material spills, and other life-threatening situations.

2.190 *Fishery.* Any activity that involves catching, harvesting, managing, or farming fish and aquatic organisms for food, trade, recreation, or research.

2.191 *Fish hatchery.* A specialized facility where fish are bred, their eggs are fertilized, hatched, and the young fry are reared until they reach a size (usually fingerlings) suitable for stocking into grow-out ponds or natural water bodies.

2.192 *Fishing.* The activity of catching fish for food, sport, or commercial purposes. It plays an essential role in the global food supply, especially in coastal and inland communities, and supports numerous industries, including fishing, aquaculture, and tourism.

2.193 *Fishing preserves.* Designated area where fish populations are carefully managed and protected for recreational fishing. These preserves may be freshwater or saltwater locations.

2.194 *Fitness, recreational sports, gym, or athletic club.* A facility or organization that provides space, equipment, and programs for physical exercise, recreational sports, health improvement, and overall wellness. These establishments serve a wide variety of users—from casual gym-goers to serious athletes—and often offer memberships, personal training, group classes, and wellness amenities.

2.195 *Flea market.* A temporary or permanent marketplace where individual vendors or sellers rent space to offer a wide variety of new, used, vintage, or antique goods directly to the public. Flea markets may be held indoors or outdoors and typically consist of multiple independent merchants operating under a

typical organizational structure. Items sold often include clothing, collectibles, household items, crafts, and secondhand merchandise.

2.196 *Flex space.* A type of commercial real estate that combines office space with warehouse, manufacturing, or storage space—all under one roof. It's called "flex" because it can be easily adapted to suit different business needs.

2.197 *Flight training.* Refers to the structured education and hands-on instruction that individuals receive in order to become qualified pilots.

2.198 *Flood insurance rate map (FIRM).* An official map on which the Federal Emergency Management Agency has delineated both the areas of Special Flood Hazard and the applicable risk premium zones.

2.199 *Flood-prone areas.* That land adjacent to a creek, stream, river, channel, canal, or other body of water that is designated as a floodplain or flood-prone area by a governmental agency.

2.200 *Floor area.* The sum of the gross floor area for each of the several stories under roof, measured from the interior limits or faces of a building or structure.

2.201 *Floor area ratio.* The floor area of any building or buildings on any lot is divided by the area of the lot.

2.202 *Florist.* A professional who specializes in selling and arranging flowers and plants for various occasions, such as weddings, funerals, holidays, and personal celebrations. Florists work in retail stores, online platforms, and sometimes even in event planning or horticulture businesses.

2.203 *Floriculture.* The branch of horticulture concerned with the cultivation of flowering and ornamental plants for gardens, the floral industry, and landscape use. It includes the production of cut flowers, pot plants, bedding plants, and flowering bulbs.

2.204 *Food and beverage manufacturing and wholesale trade* refers to the production, processing, packaging, and large-scale distribution of edible products and drinks. These businesses operate at the industrial or commercial level, supplying retailers, restaurants, institutions, or other wholesalers rather than selling directly to consumers.

2.205 *Food service contractor.* A business or individual that provides food service operations on a contract basis, typically for institutions, corporations, government organizations, schools, hospitals, or significant events. These contractors are responsible for managing food preparation, service, and sometimes procurement, based on the terms of the contract.

2.206 *Forest nurseries.* Specialized facilities or operations focused on the production of tree seedlings and saplings for forest restoration, reforestation, afforestation, or land reclamation projects.

2.207 *Fossil services.* Refer to the operations and services associated with the extraction, production, refining, distribution, and consumption of fossil fuels—coal, oil, and natural gas. These services are essential for the energy and manufacturing sectors, as fossil fuels have historically been the primary source of global energy.

2.208 *Fraternal or sorority housing.* Refers to residential properties used by fraternity or sorority members, which are social organizations typically associated with colleges or universities.

2.209 *Freeboard.* The distance between the maximum water surface elevation and the top of a stormwater detention structure.

2.210 *Freight truck.* A type of truck used to transport a wide variety of goods that do not require special handling, such as refrigeration or hazardous material containment. These trucks are designed for

versatile, non-specialized cargo, making them ideal for transporting packaged goods, pallets, boxes, and other general merchandise.

2.211 *Freight truck, specialized.* A freight transportation service that involves the hauling of goods requiring specialized handling, equipment, or permits due to their size, weight, shape, or sensitivity. This includes the transport of oversized loads, hazardous materials, refrigerated goods, vehicles, heavy machinery, or other cargo that cannot be accommodated by standard freight trucking. Specialized freight carriers often utilize custom trailers, specialized safety protocols, and may be subject to additional regulatory requirements.

2.212 *Frontage.* The distance or width of a parcel of land abutting a public right-of-way and as measured upon such right-of-way.

2.213 *Fruit and tree.* The cultivation of various fruit-bearing trees, shrubs, and plants that produce edible fruits. This type of farming is crucial for providing a wide variety of fresh, nutritious fruits to consumers worldwide. It can be done on both small and large scales, with farmers selecting tree species that are well-suited to their climate, soil, and market demands.

2.214 *Fruit and vegetable store.* A retail establishment specializing in the sale of fresh, raw fruits and vegetables, typically sourced from local or regional farms. These stores may offer a variety of seasonal and year-round produce, catering to customers seeking high-quality, fresh food options. In addition to fruits and vegetables, such stores may also offer related products such as herbs, spices, and organic items. Fruit and vegetable stores may operate as standalone businesses or as sections within larger grocery or health food stores.

2.215 *Fuel service station*. A structure designated or used for the retail sale or supply of fuel, lubricants, air, water, and other operating commodities for motor vehicles and including the customary spacing and facilities for the installation of such commodities on or in such vehicles, but not including space or facilities for the storage, painting, repair, refinishing, body work, or other servicing of motor vehicles.

a) *Fewer than six pumps.* A small-scale gas station that provides fueling services (such as gasoline or diesel) through five or fewer fuel dispensers may also offer Basic vehicle services (like oil changes or tire inflation), a convenience store with snacks, beverages, or auto supplies, Limited hours, or a self-service model.

b) *Fewer than ten pumps.* A moderate-sized gas station that operates with nine or fewer fuel dispensers with the components of a small scale station.

c) *More than ten pumps.* These may include convenience stores, restrooms, food services, or car washes. They typically offer gasoline, diesel, and sometimes other fuels like ethanol blends, compressed natural gas (CNG), or electric charging stations. Stations with ten or more pumps are considered large-scale operations, often found on highways, interstates, or in high-traffic urban areas.

2.216 *Full-service restaurant.* A dining establishment where customers are provided with a wide range of food and beverage options, with waitstaff attending to their needs. These restaurants offer a full menu with multiple courses, including appetizers, entrees, desserts, and drinks, served in a sit-down setting.

2.217 *Funeral homes and services.* These services provide essential support and guidance to families and individuals during one of life's most difficult times—the death of a loved one. These services assist with the respectful care, preparation, and disposition of the deceased and often include ceremonial, legal, and emotional support components.

2.218 *Fur-bearing animal production*. This industry involves breeding, raising, and harvesting animals for their fur, which is used in the fashion industry to create items such as coats, jackets, scarves, hats, and gloves. It includes both wild trapping and farmed animals, with a focus on high-quality pelts for luxury products.

2.219 *Furniture or home furnishings sales.* The retail or wholesale sale of furniture and decorative or functional items used in residential or commercial interiors. This includes products designed for seating, sleeping, storage, lighting, and decoration, typically offered through showrooms, stores, or online platforms.

2.220 *Furniture and related products manufacturing and wholesale trade.* Furniture and related products manufacturing involves the design, production, and assembly of furniture and furnishings using a variety of materials like wood, metal, plastic, glass, and fabric. This includes items such as chairs, tables, beds, couches, and storage units. Wholesale trade in this context refers to the distribution of furniture and related products in bulk to retailers, contractors, and other businesses that either resell or use the products in their operations (e.g., hospitality or office spaces).

2.221 *Games arcade establishment.* A commercial establishment that features a variety of electronic gaming machines, such as video games, pinball machines, skill games, and redemption games, designed for entertainment and recreational purposes.

2.222 *Game retreats.* Private properties or wildlife sanctuaries are designed for hunting, wildlife viewing, and other outdoor recreational activities.

2.223 *Garage, community.* A structure or series of structures under one roof, and under one ownership, for the storage of vehicles by three or more owners or occupants of property in the vicinity, where said structure has no public shop nor mechanical services in connection therewith.

2.224 *Garage, private.* A structure for the private use of the owner or occupant of a principal building, situated on the same lot as the principal building, for the storage of motor vehicles, with no facilities for mechanical service or repair of a commercial or public nature for profit.

2.225 *Garage, public.* A structure for the storage, care, repair, or refinishing of motor vehicles, or a structure containing a public shop, or where automotive mechanical service is provided.

2.226 *General truck parking*. Designated areas where commercial trucks (such as semi-trailers, big rigs, or delivery trucks) can safely park and remain stationary, either temporarily or for extended periods.

2.227 *Glass and glazing contractor.* Specializes in the installation, repair, and maintenance of glass systems in both residential and commercial buildings. This business involves handling a wide range of glass-related services, such as windows, mirrors, storefronts, glass facades, shower doors, and more.

2.228 *Graphic design services.* Involve creating visual content for print and digital media, including branding, marketing materials, websites, advertisements, and packaging. Graphic designers work to communicate ideas and messages visually while maintaining a strong brand identity.

2.229 *Greenhouse.* Involves growing crops under controlled conditions using structures made from glass, polycarbonate, or plastic film. It allows year-round cultivation by managing temperature, humidity, light, and irrigation—ideal for high-value crops.

2.230 *Green space.* Refers to any land that is partly or completely covered with vegetation. It includes areas that are natural or landscaped, primarily found in urban and suburban environments, and intended for recreation, aesthetics, or environmental functions. Public parks and gardens, community gardens,

urban forests or woodlands, greenways or trails, lawns and grassy fields, natural habitats and wetlands (in urban areas).

2.231 *Grocery store.* A retail establishment primarily engaged in the sale of food and beverage products for off-site consumption. Grocery stores typically offer a wide range of items including fresh produce, meats, dairy products, baked goods, canned and packaged foods, beverages, and household essentials. Larger grocery stores may also feature in-store departments such as deli counters, bakeries, or pharmacies.

2.232 *Grubbing.* The removal of stumps or roots from a property.

2.233 *Hair salon.* Professional business establishment that specializes in providing hair-related services such as haircuts, styling, coloring, treatments, and other hair care services. Hair salons may offer a range of services for both men and women, including basic grooming, special event styling, and hair treatments.

2.234 *Hardware sales.* The retail or wholesale sale of tools, building materials, fasteners, and home improvement supplies typically used for construction, repair, maintenance, or DIY projects. These items are sold through hardware stores, home improvement centers, or specialty suppliers.

2.235 *Hazardous waste collection.* Involves the safe identification, handling, transport, and storage of waste materials that pose a risk to human health or the environment due to their toxic, flammable, corrosive, or reactive properties. This service is critical for industries, healthcare facilities, laboratories, construction sites, and sometimes households.

2.236 *Hazardous waste treatment and disposal* is the process of neutralizing, reducing, or safely containing hazardous materials so they do not pose a risk to public health or the environment. This process is highly regulated and requires specialized facilities, certified handlers, and detailed documentation.

2.237 *Heating and plumbing equipment sales.* The retail or wholesale sale of heating systems, plumbing fixtures, and related equipment and components used for residential, commercial, or industrial heating and water systems. These businesses typically serve contractors, builders, and homeowners, offering both new installations and replacement parts.

2.238 *Heavy equipment parking and storage.* The secure placement of large machinery, construction equipment, or vehicles that are not in use. This service is critical for businesses in the construction, agriculture, mining, and logistics sectors, where large and often expensive equipment needs to be safely stored when not in operation.

2.239 *Heavy lumber yard.* A commercial facility that specializes in the storage, distribution, and sale of large quantities of structural and industrial-grade wood products used primarily in construction, contracting, and heavy-duty building projects. These yards typically serve builders, contractors, and commercial clients and may handle large or bulk materials.

2.240 *Height, building.* The vertical distance from average grade to the average height of the highest roof surface.

2.241 *Highest adjacent grade.* The highest natural (original) elevation of the ground surface, prior to construction, next to the proposed foundation of a structure.

2.242 *High school, senior.* This is the final stage of secondary education, typically covering grades 9 through 12 and serving students ages 14 to 18. It prepares students for higher education, careers, or other post-graduation paths.

2.243 *Highway.* Any public thoroughfare of paving 22 feet or wider, including a street, which affords primary access to abutting property, and any thoroughfare of less width which is not classified as an alley (street).

2.244 *Highway and street construction.* Specializes in the planning, design, and construction of roadways, highways, streets, and other transportation infrastructure. This industry is essential for the development and maintenance of public and private road systems that enable the movement of people and goods. It involves large-scale projects, including urban streets, interstates, bridges, overpasses, and other vital infrastructure components.

2.245 *Historical or archaeological institutions.* Organizations dedicated to the preservation, study, and public exhibition of objects and knowledge related to the past. These institutions serve as repositories of history, offering insights into past cultures, civilizations, and significant historical events.

2.246 *Historic structure.* A structure that is at least 50 years old and meets one of the following requirements: Listed on either the National or Georgia Register of Historic Places; Eligible for listing on either the National or Georgia Register of Historic Places; or Currently receiving or eligible to receive tax credits for rehabilitation of historic properties.

2.247 *Hog and pig farming.* A livestock operation focused on raising pigs.

2.248 *Horse and equine production.* Refers to the breeding, raising, training, and management of horses for various purposes, such as riding, racing, working, and companionship.

2.249 *Home center.* A retail store that specializes in providing products and services for home improvement, maintenance, and decoration. These stores typically offer a wide range of items needed for building, repairing, remodeling, and decorating residential properties.

2.250 *Home occupation.* An occupation or profession that is conducted entirely within a dwelling, that is carried on only by family members residing therein, that does not involve customers or clients coming onto the premises, and that is clearly incidental and secondary to the use of the dwelling for residential purposes.

2.251 *Homeowners' Association*. A homeowners' association is an organization formed to maintain and operate the common areas of a development. The membership in the association must be automatic with the purchase of a dwelling unit or other property in the planned development. The association's principal source of funds shall be an assessment levied against each dwelling unit or other property, which assessment shall be enforceable as a lien against the property.

2.252 *Hospice.* A public agency or private organization or unit of either providing to persons terminally ill and their families, regardless of ability to pay, a centrally administered and autonomous continuum of palliative and supportive care, directed and coordinated by the hospice care team primarily in the patient's home but also on an outpatient and short-term inpatient basis.

2.253 *Hospital.* An institution providing health services, primarily for in-patients, and medical and surgical care of the sick or injured, including as an integral part of the institution, such related facilities as laboratories, out-patient departments, training facilities, central service facilities, and staff offices.

2.254 *Hotel.* A building occupied as the more or less temporary residence of individuals who are lodged, with or without meals, and in which there are ten or more sleeping rooms with entrances through a common lobby or office.

2.255 *Hunting and trapping.* Hunting involves pursuing and killing wild animals for food, sport, or population control. It has been practiced for millennia and remains significant in modern society for both recreational and management purposes.

2.256 *Hydroelectric services.* Refer to the generation, distribution, and maintenance of electricity derived from hydropower—the process of generating power through the use of water's energy. This typically involves the use of hydroelectric dams, waterfalls, or river currents to harness kinetic or potential energy and convert it into electrical power.

2.257 *Indoor shooting range.* Fully enclosed facility designed for the safe discharge of firearms in a controlled environment. It allows individuals to practice target shooting, receive training, or test firearms regardless of weather conditions.

2.258 *Industrial and other nonbuilding construction.* Focuses on building and maintaining infrastructure that is not primarily residential or commercial in nature. This can include large-scale projects for manufacturing facilities, power plants, transportation networks, environmental systems, and more. These projects are typically specialized and complex, often requiring advanced engineering, project management, and expertise in various fields.

2.259 *Industrial design services.* This includes the design and development of products for manufacturing, ensuring they are functional, aesthetically pleasing, and user-friendly. It also includes product design, ergonomics, and material selection for various industries, such as consumer electronics, furniture, and transportation.

2.260 *Institutional* or *institutional use.* A non-profit or quasi-public use, such as a religious institution, private school, hospital, medical center, nursing home, cemetery, as well as the ancillary uses directly affiliated with these institutional uses.

2.261 *Insurance-related establishment*. A business primarily engaged in providing, selling, or facilitating insurance products and services. This includes agencies, brokerages, and offices representing insurance carriers that offer coverage such as life, health, property, casualty, auto, and business insurance.

2.262 *Investment banking*. A specialized sector of the financial services industry focused on providing advisory and capital-raising services to corporations, governments, and other institutions. Investment banking activities typically include the underwriting of securities, facilitating mergers and acquisitions, corporate restructuring, and strategic financial advisory services.

2.263 *Investigation and security services*. Professional activities are designed to protect people, property, and information, as well as to gather intelligence and conduct inquiries into legal, financial, or personal matters.

2.264 *Intellectual property rental*. A business model in which the rights to intellectual property (IP), such as patents, trademarks, copyrights, or trade secrets, are leased or licensed to another party for a specified period. This arrangement allows the lessee to use the intellectual property for commercial or creative purposes while the owner retains ultimate ownership and control.

2.265 *Interior design services*. Specializing in the design and decoration of indoor spaces, considering both form and function. Interior designers work on residential, commercial, and public spaces, selecting furniture, layouts, color schemes, lighting, and materials to create environments that meet aesthetic, safety, and practical needs.

2.266 *Interurban, charter bus, and other similar establishments.* Companies or services that use buses or motorcoaches to provide non-local, long-distance, private, or group travel. These services differ from

public local bus systems in that they typically cover intercity, regional, or customized routes, often by reservation or contract.

2.267 *Irrigation and industrial water supply.* Ensure that water is delivered for crop production, manufacturing, cooling, cleaning, and processing in various settings.

2.268 *Janitorial services*. Professional cleaning and maintenance services are provided to keep buildings clean, sanitary, and well-maintained. These services are typically performed on a regular schedule in commercial, industrial, and residential properties and are essential for ensuring a healthy and professional environment.

2.269 *Jewelry manufacturing*. Jewelry manufacturing refers to the design, crafting, and production of ornamental items made from precious metals, gemstones, and other materials. This includes everything from fine jewelry (gold, silver, diamonds) to fashion and costume jewelry, and involves techniques like casting, metalworking, stone setting, engraving, and polishing.

2.270 *Jewelry sales*. This refers to the buying and selling of jewelry items, which can include rings, necklaces, earrings, bracelets, watches, and other adornments. These sales can take place through various channels such as physical retail stores, online platforms, pop-up shops, and special sales events.

2.271 *Junk.* Old and dilapidated automobiles, trucks, tractors, and other such vehicles and parts thereof, wagons and different kinds of vehicles and parts thereof, scrap building material, scrap piping, bottles, glass, old iron, machinery, rags, paper, excelsior, hair, mattresses, beds or bedding, or any other kind of scrap or waste materials which is stored, kept, handled, or displayed within the county limits.

2.272 *Industrialized home.* A dwelling manufactured in accordance with the Georgia Industrialized Building Act (O.C.G.A. title 8, chapter 2, article 2, part 1) and the rules of the commissioner of the state department of community affairs issued pursuant thereto, bearing an insignia of approval issued by the commissioner.

2.273 *Junkyard.* Any land or building used for commercial storage and/or sale of paper, rags, scrap metals, other scrap, or discarded materials, or for the dismantling, storage, or salvaging of automobiles or other vehicles not in running condition, or of machinery or parts thereof, but not to be used as a dump. A "junk yard" also includes any outdoor area that is used exclusively for the temporary storage of wrecked automobiles, which are automobiles that do not get repaired and put back in use on the roadways of the United States, provided that no work shall be performed on any wrecked automobile while it is in storage.

2.274 *Kennels.* Facility for the boarding (overnight) of domestic animals, usually limited to dogs and cats. Breeding and training of dogs and cats, and the sale to the public of puppies and kittens, is classified as a kennel activity.

2.275 *Labor and political organizations.* These organizations play vital roles in shaping public policy, advocating for workers' rights, organizing collective action, and influencing political and social change. While distinct in focus, these organizations often overlap in their goals—empowering individuals, improving workplace and societal conditions, and representing group interests in government and industry.

2.276 *Landscaping services.* Involve the design, maintenance, and enhancement of outdoor spaces to improve aesthetics, functionality, and overall environment. These services are typically provided for residential properties, commercial properties, parks, and public spaces.

2.277 *Land development and subdivision business.* This business includes acquiring land, planning and designing the development, dividing the land into smaller lots, and ensuring the installation of necessary infrastructure such as roads, utilities, and drainage.

2.278 *Large vehicle rental.* A business that provides rental services for large vehicles, typically including trucks, vans, buses, trailers, and recreational vehicles (RVs). These vehicles are rented for a variety of purposes such as moving, commercial transportation, events, or travel. Large vehicle rental companies may offer short-term or long-term rentals and provide additional services such as delivery, vehicle insurance, and equipment for loading or towing.

2.279 *Large vehicle sales.* The commercial sale, resale, or lease of large motor vehicles, typically including trucks, buses, vans, recreational vehicles (RVs), or other heavy-duty or oversized vehicles. These vehicles are generally used for commercial, industrial, agricultural, or recreational purposes.

2.280 *Laundromat*. A self-service facility where customers can wash and dry their clothes using commercial-grade washing machines and dryers. Laundromats provide an affordable and convenient option for individuals who don't own washing machines or dryers or prefer not to do laundry at home.

2.281 *Lawn and garden supplies sales.* The retail or wholesale sale of tools, building materials, fasteners, and home improvement supplies typically used for construction, repair, maintenance, or DIY projects. These items are sold through hardware stores, home improvement centers, or specialty suppliers.

2.282 *Leather and allied products manufacturing and wholesale trade.* Refers to the processing of hides and skins into leather and the creation of finished goods such as footwear, bags, belts, wallets, apparel, saddlery, and accessories. The wholesale trade side involves bulk distribution of these leather goods to retailers, designers, and other businesses.

2.283 *Leasing of commercial, industrial machinery, and equipment*. A business that provides leasing services for commercial and industrial machinery, equipment, and tools used in various sectors such as construction, manufacturing, agriculture, and logistics. This includes equipment like forklifts, cranes, bulldozers, generators, and specialized machinery.

2.284 *Leasing trucks, trailers, and RVs*. Leasing involves a contractual agreement where an individual or business pays to use these vehicles for a set period rather than purchasing them outright. It can be beneficial for short- or long-term needs, and it's commonly used in both commercial and recreational contexts.

2.285 *Legal services.* Licensed attorneys or legal firms provide professional services to individuals, businesses, and organizations. These services encompass a broad range of legal matters, including but not limited to legal representation in court, legal advice, contract drafting and review, dispute resolution, regulatory compliance, intellectual property protection, estate planning, and corporate law.

2.286 *Legislative and executive functions.* Key components of the separation of powers in a government system, particularly in democratic nations. They refer to the roles and responsibilities of different branches of government — the legislature and the executive — in managing public policy, creating laws, and implementing government actions. (Government and administrative facilities)

2.287 *Less than truckload (LTL).* It refers to a freight transportation service for relatively small shipments that do not require a full truck. Multiple shipments from different customers are combined into a single truckload to optimize space and reduce costs.

2.288 *Libraries* are public or private institutions that collect, catalog, and make available books, magazines, journals, audiovisual materials, and digital media. They serve as information hubs for learning, research, and entertainment. Libraries can be physical locations, digital collections, or both.

2.289 *Life care or continuing care services.* Refer to a long-term housing and healthcare option that provides a continuum of care, from independent living to assisted living and eventually to skilled nursing care, all within the same community.

2.290 *Limousine service.* A luxury transport service that typically involves chauffeur-driven vehicles. Limousines are often booked in advance and are usually more expensive than taxis due to their upscale nature and added amenities.

2.291 *Local transit systems—Mixed mode*. A public transportation system that integrates two or more transit modes—such as buses, light rail, commuter rail, streetcars, or bicycles—within a coordinated network to provide efficient and flexible mobility options across a metropolitan area.

2.292 *Local transit systems—Commuter rail*. A form of public transit that uses trains to carry passengers between suburban or outlying areas and central urban centers, primarily during peak commuting hours.

2.293 *Local transit systems—Mixed mode*. This refers to a public transportation network that combines multiple types of transit vehicles and infrastructure, such as buses, light rail, streetcars, commuter rail, and subways, to move people efficiently within urban and metropolitan areas.

2.294 *Logging.* The process of cutting, processing, and transporting trees for timber and other wood products.

2.295 *Logging and timber contractor.* A professional or business that specializes in the harvesting, processing, and transportation of timber (trees) from forests to mills or buyers. They play a key role in the forestry and wood products industry.

2.296 *Lot.* Parcel of land shown on a recorded plat or the zoning map, or any piece of land described by a legally recorded deed.

2.297 *Local government.* Any county or municipality that exercises zoning power within its territorial boundaries.

2.298 *Lot, corner.* Any lot situated at the junction of and abutting on two or more intersections or intercepting streets or public highways. If the angle or intersection of the direction lines of two highways is more than 135 degrees, the lot fronting on said intersection is not a corner lot.

2.299 *Lot depth.* The horizontal distance from the midpoint of the front lot line to the midpoint of the rear lot line, except on flag lots, where the depth shall be measured at the midpoint of the main body of the lot and does not include the pole or access portion.

2.300 *Lot frontage.* That portion of a lot adjacent to a street.

2.301 *Lot, interior.* Any lot that is not a corner lot that has frontage only on one street, other than an alley.

2.302 *Lot lines, front.* In the case of a lot abutting upon only one street, the front lot line is the line separating such lot from such street. In the case of a corner lot, that part of the lot having the narrowest frontage on any street shall be considered the front lot line. In the case of any other lot, one such line shall be elected to be the front lot line for this article, provided it is so designated by the building plans, which meet the approval of the building and zoning inspector.

2.303 *Lot lines, rear.* The rear lot line is the boundary opposite and most distant from the front lot line. In the case of a lot pointed at the rear or any odd-shaped lot, the building and zoning inspector shall determine the rear lot line.

2.304 *Lot lines, side.* A side lot line is any lot boundary line not a front lot line or a rear lot line. A side lot line separating a lot from a street is an exterior side lot line. A side lot line separating a lot from another lot or lots is an interior side lot line.

2.305 *Lot, through.* Any lot having frontage on two parallel or approximately parallel streets or other thoroughfares.

2.306 *Lot width.* The horizontal distance between the side lot lines, ordinarily measured parallel to the front lot line. The lot width shall be measured beginning at the front lot line, except for lots entirely fronting turnaround areas of cul-de-sacs, where the lot width shall be measured at the minimum required front setback line.

2.307 *Luggage sales.* Refer to the buying and selling of suitcases, bags, and other travel-related storage items. These sales events can happen throughout the year and often coincide with seasonal changes, major holidays, or special promotions.

2.308 *Lumber yard*. A commercial facility where various types of wood and building materials are stored, sold, and sometimes cut or prepared for construction and woodworking projects.

2.309 *Machinery manufacturing.* Machinery manufacturing involves the design, production, and assembly of machines and equipment used across a wide variety of industries such as construction, agriculture, manufacturing, energy, mining, and transportation. This sector produces both specialized and general-purpose machinery and often includes customized engineering and automation components.

2.310 *Mail order or direct selling establishment.* A business operation primarily engaged in retailing merchandise through non-store methods, including the distribution of goods via mail, telephone, online platforms, or in-person sales conducted outside of a fixed retail location. This includes enterprises that take orders through catalogs, websites, or direct contact with customers (e.g., door-to-door sales, pop-up events, or home demonstrations) and deliver products directly to the consumer.

2.311 *Manufactured home.* A dwelling fabricated in an off-site facility for installation or assembly at the building site, bearing a label certifying that it is constructed in compliance with the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. § 5401 et seq.).

2.312 *Manufactured home site.* A parcel of land designed and designated for the location of one manufactured home, its accessory buildings or structures, and accessory equipment for the exclusive use of the home.

2.313 *Manufactured home stand.* That area of a manufactured home site that has been reserved for the placement of a manufactured home.

2.314 *Mapped streets.* A mapped street is any approved street shown on an official map or the projection of any existing street through an unsubdivided parcel of land, whether the street is dedicated or in existence or not.

2.315 *Marina or yachting club facility operators.* An entity that manages and maintains a waterfront facility designed to accommodate, service, and store recreational boats and yachts. These operators provide a range of services to boat owners, including docking, fueling, repairs, maintenance, storage, and access to club amenities and social events, especially in the case of private yachting clubs.

2.316 *Marine craft dealer.* A business or individual licensed to sell, lease, or broker watercraft,

2.317 *Marine cargo handling and dry dock services.* Critical elements of maritime operations include ensuring that goods are safely loaded, unloaded, stored, and that vessels are properly maintained. These services support the global shipping industry and ensure that maritime logistics run efficiently, safely, and on schedule.

2.318 *Marine freight transportation.* Refers to the shipping of goods via waterborne vessels across oceans, seas, and rivers. This form of transportation is a cornerstone of global trade and commerce, as a significant percentage of goods worldwide are transported by sea.

2.319 *Marine passenger transportation.* Refers to the movement of people via waterborne vessels, such as ferries, cruise ships, tour boats, and yachts. This form of transportation is often used for both long-distance travel and short-range commuting, typically between ports, islands, or along coastlines.

2.320 *Marine port and harbor operations.* Ports and harbors serve as the entry and exit points for ships, facilitating the loading and unloading of cargo, fueling and maintaining vessels, and storing goods.

2.321 *Marine navigational and other services.* Marine navigational and other related services are vital to ensure the safe and efficient movement of vessels across waterways. (Faries, boat tours, fishing charters, boat taxi.)

2.322 *Masonry and drywall contractors.* Specialized contractor who provides services related to the construction, repair, and finishing of masonry structures (such as brick, stone, and concrete) and drywall installations.

2.323 *Marshland.* All land subject to tidal action, which is comprised of generally unstable soil materials commonly known as "hard or soft" marsh, which in its natural state is vegetated with marsh grass, reeds, and similar growth, and is usually characterized by poor load-bearing capacity. Marshland lies below an elevation of six feet above mean sea level.

2.324 *Media services.* Encompass activities related to media planning and buying, public relations, content creation, social media management, and strategic communication.

2.325 *Medical and diagnostic laboratories.* Specialized facilities where medical tests and diagnostic procedures are conducted to assist healthcare providers in diagnosing, treating, and monitoring various medical conditions.

2.326 *Messenger services.* Typically smaller-scale and focuses on the delivery of documents or messages rather than packages. These services often emphasize personalized service and local deliveries.

2.327 *Metals.* These facilities focus on the extraction of metals from ores. Metals are often found in the Earth's crust and must be mined and processed to extract valuable material.

2.328 *Middle school.* An educational level between elementary school and high school, typically serving students aged 11 to 14 years old, or covering grades 6th through 8th.

2.329 *Military and national security.* Specialized establishments that are designed to support a country's defense capabilities and protect its sovereignty. These facilities serve a range of functions, from training personnel to housing defense equipment, intelligence gathering, and ensuring cybersecurity. The facilities can be military bases, research centers, intelligence operations hubs, or infrastructures that enable the country to respond quickly to internal or external threats.

2.330 *Mining, state-approved.* Mining operations that have received official authorization and permits from a state government to extract minerals or other natural resources within that state's jurisdiction. This

approval ensures the mining activity complies with state laws, environmental regulations, land use policies, and safety standards.

2.331 *Miniature golf establishment.* A recreational facility where people can play a scaled-down version of traditional golf.

2.332 *Mini storage.* A facility consisting of individual, small-scale storage units or compartments that are rented or leased to the general public for the purpose of storing personal or commercial goods.

2.333 *Mixed-use residential.* The mixing of principal residential uses with nonresidential uses. Mixed-use residential may occur in the following ways:

A) Nonresidential and multifamily in the same building (e.g., retail on ground floor, multifamily above); or

B) Multifamily and other primary nonresidential use are located in different buildings sited on the same lot or parcel (e.g., multifamily situated on the same parcel as an office building).

C) Both options shall be designed, located, and oriented on the site so that nonresidential uses are directly accessible to residents of the development. For the purposes of this section, "directly accessible" shall mean pedestrian access by way of improved sidewalks or paths and streets that do not involve leaving the development or using a major thoroughfare. "Directly accessible" does not necessarily mean that nonresidential uses need to be located in a particular location, but that the siting of such uses considers the accessibility of the residential component of the development to the nonresidential use. Parking areas shall be designed to minimize distances between uses.

2.334 *Mobile food services.* These refer to food establishments that operate out of a vehicle or a movable structure, allowing them to serve food and beverages to customers at various locations. Examples include food trucks, trailers, carts, and pop-up stands.

2.335 *Mobile home.* A dwelling manufactured prior to June 15, 1976, which is transportable in one or more sections; in the traveling mode, is eight body feet or more in width or 40 body feet or more in length, or when erected on site, is 320 or more square feet in floor area; is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities; and includes the plumbing, heating, air-conditioning, and electrical systems contained therein. All mobile homes must be installed in accordance with O.C.G.A. § 8-2-160, et. seq. Mobile homes must meet the construction standards specified in ANSI A119.1. The following procedures shall determine compliance with ANSI A119.1:

For mobile homes that are proposed to be relocated within the county, the county building inspector or designee must inspect the unit to determine if the unit meets the standards of ANSI A119.1 standards and all other applicable county ordinances are met, after which the county administrator or designee may issue the building permit for placement of the mobile home on site. An inspection fee determined from time to time by the board of commissioners shall be charged for each inspection of a mobile home.

2.336 *Mobile home parks.* A mobile home park is an area or tract of land subdivided into smaller spaces and rented to owners of mobile or manufactured homes. It is also called a "trailer park."

2.337 *Mobile home subdivisions.* A subdivision of mobile homes where owners own individual lots.

2.338 *Motel.* A building or group of two or more buildings designed to provide sleeping accommodations for transient or overnight guests with no common entrance or lobby. Each building shall contain a

minimum of ten residential units or rooms, which generally have direct, private openings to a street, drive, or patio, etc.

2.339 *Motion picture and video production, publishing, and distribution.* Industry encompasses all the creative, technical, and commercial activities involved in creating, marketing, and delivering movies, TV shows, and digital video content to audiences worldwide. This includes everything from blockbuster films to independent documentaries, streaming series, music videos, commercials, and more.

2.340 *Motion picture viewing and exhibition services.* These refer to the businesses and venues responsible for presenting films to the public, typically through movie theaters, cinemas, and film festivals and increasingly through special formats like IMAX, 3D, or outdoor screenings.

2.341 *Motorcycles.* This category includes all two- or three-wheeled motorized vehicles. Typical vehicles in this category have saddle-type seats and are steered by handlebars rather than steering wheels. It also includes motorcycles, motor scooters, mopeds, motor-powered bicycles, and three-wheel motorcycles.

2.342 *Motorcycle sales.* The commercial sale, resale, or lease of motorcycles, including new and used motorbikes, as well as related equipment, parts, and accessories. Motorcycle sales are typically conducted by licensed dealers, either franchised by manufacturers or independently operated.

2.343 *Musical instruments manufacturing.* Musical instrument manufacturing is the process of designing, crafting, assembling, and finishing devices that produce sound when played.

2.344 *Musical instrument sales*. Refers to the retail and distribution of various instruments used for creating music, from beginner-level instruments to professional-grade equipment. These products cater to a wide range of customers, including musicians, educators, schools, and hobbyists.

2.345 *Multifamily.* A type of residential building or property that contains multiple separate housing units within one structure or complex, designed to be occupied by more than one household. Examples include apartments, duplexes, triplexes, and fourplexes, townhomes (when individually owned or rented), and condominium buildings.

2.346 *Museums and other special-purpose recreational institutions.* Establishments dedicated to education, culture, history, art, or other specific themes. These venues provide visitors with opportunities to engage with exhibits, artifacts, or interactive experiences related to various subjects, such as science, history, art, and culture.

2.347 *Nail salon.* A beauty salon that specializes in providing nail care services, including manicure, pedicure, and other nail treatments.

2.348 *Net usable acres.* To calculate net usable acres, you start with the gross acres of a site and subtract areas that are not usable for the intended development, which include jurisdictional wetlands or inaccessible uplands.

2.349 *Newspaper, books, and periodicals publishing.* Refers to the industry involved in the creation, editing, production, and distribution of written content for public consumption, whether in print or digital formats.

2.350 *News syndicate.* An organization or agency that gathers, produces, and distributes news content to multiple media outlets, such as newspapers, magazines, websites, and broadcasters.

2.351 *Nonconforming lot.* Any lot that is smaller than the minimum dimensions, area, or other regulations of the district in which the lot is located.

2.352 *Nonconforming use.* Use of any property or premises in any manner that does not comply with the regulations provided for the district in which the property or premises are situated, if such use was originally legally established at the effective date of this ordinance or any amendment thereof.

2.353 *Nondurable goods.* Products that are used up quickly or have a short lifespan, typically less than three years. These are items that are consumed in one use or a few uses and then need to be replaced. (Food and beverages, paper products, clothing, fuel.)

2.354 *Nonmetallic mining.* Refer to the industries and facilities involved in the extraction and processing of nonmetallic minerals. These minerals do not contain metal elements and are typically used for their physical properties, such as durability, density, or insulation properties. Nonmetallic minerals are vital to various industries, including construction, agriculture, and manufacturing.

2.355 *Nonmetallic mineral products manufacturing.* Nonmetallic mineral products manufacturing involves transforming natural, inorganic raw materials—like stone, sand, clay, and glass—into finished products primarily used in construction, infrastructure, and industrial applications. These products do not contain significant amounts of metal and are typically nonconductive, noncombustible, and durable.

2.356 *Nuclear services.* Encompass the operations and activities related to the generation of nuclear energy, as well as the maintenance, safety, and decommissioning of nuclear facilities. These services are essential in the power generation industry, where nuclear power plants provide a significant portion of electricity in many countries.

2.357 *Nursery.* It is a form of early childhood education and care for infants and toddlers, usually from birth up to around three years old.

2.358 *Office and administrative services.* Professional activities that involve managing office operations, supporting business functions, and maintaining organizational efficiency through clerical, organizational, and communication tasks.

2.359 *Office supplies and inks manufacturing.* Office supplies and inks manufacturing involves the production of everyday office products such as pens, pencils, paper, markers, binders, and notebooks, alongside the formulation and production of ink used in writing instruments, printers, and copiers.

2.360 *Oil and natural gas.* Refer to the various facilities, businesses, and operations involved in the exploration, extraction, refining, distribution, and marketing of petroleum products and natural gas.

2.361 *One additional single-family detached dwelling*. Refers to a second, standalone residential unit located on the same lot as an existing single-family home. It's also sometimes called a detached accessory dwelling unit (ADU), granny flat, or backyard cottage.

2.362 *Online information services.* These encompass businesses and organizations that provide access to a wide range of data, information, and content over the Internet. These services can include news, entertainment, databases, educational content, and digital tools for communication, research, or business purposes.

2.363 *Open space.* Refers to any land that is preserved in its natural state or developed for public recreation, scenic beauty, or conservation. It is typically free of buildings and infrastructure, aside from minimal amenities like benches or signage. Examples include parks, greenbelts, nature reserves, and undeveloped natural areas. Can be natural or manufactured (paved, gravel). Parks and recreational fields, courtyards and plazas, greenbelts and buffer zones, cemeteries or natural preserves, undeveloped land within or near urban areas, and paved but non-building areas like civic squares are also available.

2.364 *Optical store.* A retail establishment primarily engaged in the sale of eyewear products and vision care services. This includes prescription eyeglasses, contact lenses, sunglasses, and related accessories. Optical stores may also offer on-site eye examinations performed by licensed optometrists or ophthalmologists, as well as fitting and adjustment services.

2.365 *Outdoor shooting range.* An open-air facility designed for the safe practice and training with firearms, including handguns, rifles, and shotguns. These ranges vary in size and setup, and are commonly used for recreational shooting, hunting practice, competition, and law enforcement or military training.

2.366 *Outfall.* The location where stormwater in a discernible, confined, and discrete conveyance leaves a facility or site, or, if there is a receiving water on site, becomes a point source discharging into that receiving water.

2.367 *Outpatient care centers.* Healthcare facilities that provide medical services to patients who do not require overnight hospitalization. These centers are designed to handle routine medical visits, minor procedures, diagnostic tests, and follow-up care.

2.368 *Overnight truck stop.* A designated or permitted location where commercial trucks (such as semi-trucks, tractor-trailers, or delivery trucks) can legally and safely park and remain stationary for an extended period, typically overnight (six to ten hours), to allow drivers to rest or sleep in compliance with hours of service (HOS) regulations.

2.369 *Packing, crafting, and convention and trade show services.* These services encompass a variety of support services designed to facilitate the logistics, design, and organization of events, trade shows, and conventions. These services are essential for companies, vendors, and participants who need assistance with preparing exhibits, booths, displays, and products for these large-scale events.

2.370 *Painting and wall covering contractor.* Specializes in providing services related to the application of paints, coatings, wallpapers, and other wall coverings. These contractors work in both residential and commercial sectors.

2.371 *Paper and printing materials manufacturing and wholesale trade.* Paper and printing materials manufacturing involves the production of paper, cardboard, and other materials used in printing, such as inks, coatings, and printing presses. Wholesale trade in this context refers to the distribution of paper products and printing materials in bulk to printers, publishers, packaging companies, and other businesses that require these materials for their operations.

2.372 *Park.* A public area of land, often set aside for recreation, relaxation, and enjoyment of nature. It typically includes green spaces, trees, grass, playgrounds, walking paths, benches, and sometimes features like lakes, gardens, or sports facilities.

2.373 *Parking space.* That area required for the parking or storage of one automobile, including necessary aisle or driveway space providing access thereto.

2.374 *Parts, accessories, or tire sales.* The retail or wholesale sale of automobile parts, accessories, or tires used to maintain, repair, or customize vehicles. This category includes both replacement parts (for wear and tear) and performance or aesthetic accessories (for upgrades and personalizations).

2.375 *Passive recreation space.* A common area designated on the final plans of a development permanently set aside for the use by the residents and/or the public that accommodates activities such as walking, jogging, biking, sitting, picnicking, and any activity that does not require improved structures or formal recreation fields.

2.376 *Pedestrian path.* A graded, cleared way for individuals who travel on foot. When located along any improved street or parking area, these paths shall be adjacent to the curb at curb level.

2.377 *Performing arts, sports, and similar events.* Refer to live entertainment or competitive activities presented to an audience, often in venues such as theaters, stadiums, arenas, or outdoor spaces.

2.378 *Permitted use.* That use of a lot which is among the uses allowed as a matter of right under the zoning classifications.

2.379 *Pet or pet supply store.* A retail business that sells animals, pet food, accessories, grooming products, and other pet-related items. Some stores also offer pet grooming, training, adoption, or veterinary services.

2.380 *Petroleum and coal products.* Petroleum and coal products manufacturing involves the refining of crude oil into various petroleum products, including fuels, lubricants, asphalt, and other petrochemical products. It also includes the production of coal and coal-based products. Wholesale trade refers to the bulk distribution of these products to retailers, fuel distributors, chemical manufacturers, and industrial users.

2.381 *Pharmacy or drug store.* A retail establishment that primarily sells prescription medications, over-the-counter drugs, health and wellness products, personal care items, and sometimes medical equipment. Pharmacies or drug stores may also offer additional services such as prescription filling, health consultations, immunizations, and wellness screenings. These establishments are often staffed by licensed pharmacists who provide expert guidance on the proper use of medications and health products. Some pharmacies are also integrated with grocery stores, supermarkets, or healthcare facilities.

2.382 *Photography services.* Specialize in the creation of professional visual content for commercial purposes, including product photography, event coverage, advertising campaigns, corporate portraits, and real estate imagery.

2.383 *Pipeline transmission.* Refers to the transport of gases or liquids through pipelines over long distances, typically from production sites to processing facilities, storage terminals, or distribution centers.

2.384 *Place of worship.* A building or location where individuals or groups gather to practice, observe, or participate in religious activities, ceremonies, or rituals associated with their faith or belief system.

2.385 *Plant nursey.* A place where plants are propagated, grown, and sold for landscaping, gardening, and agriculture. Nurseries specialize in providing young plants (seedlings, saplings, or clones) either for retail customers or for commercial growers.

2.386 *Pools.* A swimming pool, whether in the ground, is hereby defined as any pool, lake, or open tank, other than a farm pond, which is not located within a completely enclosed building and which contains, or is capable of containing, water at a depth at any point greater than 1½ feet.

2.387 *Post-harvest crop activities.* Once crops are harvested, post-harvest management begins. This includes cleaning, sorting, processing, storage, and transport. Effective handling ensures crop quality and reduces post-harvest losses.

2.388 *Powerlines, communications and transmission lines.* Specializes in the installation, maintenance, and upgrading of utility infrastructure, including powerlines, communication cables, and transmission systems. These systems are essential for the delivery of electricity, telephone services, internet connectivity, and other forms of communication.

2.389 *Planned manufactured home community.* A tract used or intended for use as a residential area occupied by manufactured homes; conforming to an approved development plan with appropriate and adequate community services, recreation facilities, utilities, streets, and sidewalks provided by the developer; and in which the resident owns or rents the manufactured home and rents the manufactured home space. All manufactured homes located within a manufactured home community must be installed in accordance with O.C.G.A. § 8-2-160 et seq.

2.390 *Planned Development.* A development governed by an approved master plan and established under the Planned Development (PD) zoning district. A planned development may include residential, commercial, industrial, institutional, recreational, or other uses, individually or in combination, as authorized by the approved PD master plan and applicable provisions of this ordinance.

2.391 *Planning board.* The county planning board, which is a body of people appointed by the commissioners whose responsibilities include the guidance of growth and development within the county. The Planning Board's authority to conduct public hearings and make recommendations on zoning matters shall be limited to those applications specifically identified in section 7.1.4.

2.392 *Plastics manufacturing.* Plastics manufacturing involves converting petrochemicals or bio-based materials into resins or polymers, which are then molded or extruded into finished or semi-finished plastic products.

2.393 *Plat*. A diagram, drawing, or replat containing all the descriptions, locations, specifications, dedications, provisions, and information concerning a subdivision.

2.394 *Plumbing, heating, and air conditioning.* Contractor business provides essential services for maintaining and installing plumbing systems, heating units, and air conditioning systems in residential, commercial, and industrial buildings. These services ensure that buildings remain comfortable, safe, and functional throughout the year, with appropriate systems for water supply, waste management, and temperature control.

2.395 *Pond.* An artificial depression designed to hold water that is less than one acre in size. These include retention, detention, and borrow pits less than one acre.

2.396 *Preschool.* An educational program for children usually between three and five years old, before they enter kindergarten.

2.397 *Primary metal manufacturing.* Primary metal manufacturing refers to the production and processing of metals from raw ore or scrap, transforming them into semi-finished forms (such as ingots, billets, sheets, bars, and coils) that can be further fabricated into end-use products. This sector covers ferrous and non-ferrous metals and includes activities such as smelting, refining, alloying, rolling, drawing, and extruding.

2.398 *Principal building.* The building is situated or to be placed nearest the front property line and the use of which conforms to the primary use permitted by the zoning classification in which it is located.

2.399 *Principal use.* The primary or predominant purpose for which a lot or building is occupied and/or used.

2.400 *Private street.* A street which serves several lots over which the general public has no right of use, as opposed to a driveway which is meant to serve one lot.

2.401 *Professional buildings.* Structures used for the conduct of business in any of the following or related categories: law; architecture; accounting; engineering; medicine; dentistry; optometry; osteopathy; chiropractors; optician; planning, or consulting of the nature of the a forestated categories, not including outside storage space for business vehicles or equipment.

2.402 *Property management, commercial.* A business engaged in the operation, oversight, and administration of commercial real estate properties on behalf of property owners. This includes office buildings, retail centers, industrial facilities, and other income-generating commercial properties. Services typically provided include tenant leasing and relations, rent collection, maintenance and repairs, budgeting, financial reporting, and ensuring compliance with applicable laws and lease agreements.

2.403 *Property management, rental.* A service-oriented business that oversees the daily operations and long-term management of residential or commercial rental properties on behalf of property owners. This includes tasks such as marketing and leasing units, tenant screening, rent collection, property maintenance, handling tenant relations, and ensuring compliance with lease agreements and applicable housing laws. Rental property management may apply to single-family homes, apartment complexes, condominiums, or mixed-use developments, and is typically performed by licensed property managers or management firms.

2.404 *Police.* A specialized building or complex where law enforcement personnel work to maintain public order, enforce laws, and ensure the safety and security of a community. These facilities are equipped with various resources, technologies, and spaces that enable police officers to carry out their duties effectively.

2.405 *Postal services.* Refer to government-regulated or private-sector organizations that handle the collection, transportation, sorting, and delivery of letters, parcels, and packages.

2.406 *Poultry farming.* Involves raising domesticated birds—primarily chickens, but also ducks, turkeys, quail—for meat (broilers) or eggs (layers). Involves Broiler production, layer production, and hatcheries.

2.407 *Public body.* Any government or governmental agency in Effingham County, the State of Georgia, or the United States Government.

2.408 *Public safety.* Refers to the protection and well-being of the general public, typically ensured through the efforts of government agencies and services such as police, fire departments, emergency medical services (EMS), disaster response teams, and public health organizations.

2.409 *Public street.* A street that is owned and/or maintained by Effingham County.

2.410 *Quasi-judicial board or agency.* A board or agency designated by this ordinance to make quasi-judicial decisions pursuant to the standards and procedures established by Article XI of this ordinance and applicable state law.

2.411 *Quarrying and stone-cutting establishments*. These establishments refer to businesses and operations engaged in extracting and processing natural stone materials from quarries. These establishments play a crucial role in the construction, landscaping, and manufacturing industries by providing various types of stone for both decorative and structural purposes. The materials extracted in quarries include limestone, granite, marble, sandstone, slate, and other types of rock, which are then cut, shaped, and polished for a range of applications.

2.412 *Racetrack establishment.* A facility designed and maintained for the purpose of organizing and hosting races, competitions, and events involving various types of vehicles, animals, or athletes. Racetracks are used for a variety of sports, including motor racing (such as car, motorcycle, and truck races), horse racing, and greyhound racing.

2.413 *Radio and television broadcasting.* This industry transmits audio and visual content to the public over airwaves, cable, or satellite, including news, music, entertainment, sports, and educational programming. It plays a central role in mass communication, public discourse, and advertising.

2.414 *Rail freight transportation.* The movement of goods, materials, and commodities by trains across dedicated rail networks.

2.415 *Rail passenger transportation.* Refers to the movement of people by train along established rail networks. It is one of the most efficient, environmentally friendly, and reliable methods of mass transit, especially in regions with well-developed rail infrastructure.

2.416 *Rail transportation support establishment.* Businesses or facilities that provide essential services, infrastructure, and logistical support to ensure the smooth, safe, and efficient operation of rail transportation systems, both freight and passenger.

2.417 *Real estate office.* A business establishment primarily engaged in providing services related to the buying, selling, leasing, or management of real property. Real estate offices may represent clients in residential, commercial, industrial, or agricultural real estate transactions.

2.418 *Recreational goods rentals*. A business that offers the rental of equipment and goods intended for recreational activities, including but not limited to bicycles, kayaks, camping gear, skis, snowboards, boats, and outdoor sports equipment.

2.419 *Recreational vehicle (RV).* A motorized or towable vehicle designed for travel, recreation, and temporary living. RVs typically include sleeping areas, kitchen facilities, and bathroom amenities, making them suitable for road trips, camping, or full-time living.

2.420 *Recreational vehicle park.* A designated area where people can park and live or vacation in their RVs, which include motorhomes, camper vans, and travel trailers. These parks provide temporary or long-term accommodations for travelers or seasonal residents.

2.421 *Rehabilitative services.* Healthcare services are designed to help individuals regain, maintain, or improve their physical, mental, and emotional functioning after an illness, injury, or surgery.

2.422 *Religious housing.* This refers to any residential space connected to or operated by a religious organization or intended for individuals who are part of a faith-based community. It can take different forms depending on the context and religion.

2.423 *Repairs.* Restoration of portions of a building to its condition as before decay, wear, or damage, but not the alteration of the shape or size of any portion.

2.424 *Rental property management.* A service-oriented business that oversees the daily operations and long-term management of residential or commercial rental properties on behalf of property owners. This includes tasks such as marketing and leasing units, tenant screening, rent collection, property maintenance, handling tenant relations, and ensuring compliance with lease agreements and applicable housing laws. Rental property management may apply to single-family homes, apartment complexes, condominiums, or mixed-use developments, and is typically performed by licensed property managers or management firms.

2.425 *Residential.* The term "residential" or "residence" applies herein to any lot, plot, parcel, tract, area, piece of land, and/or any building used or intended to be used exclusively for family dwelling purposes, including concomitant uses specified herein.

2.426 *Residential business.* An occupation or profession that is conducted entirely within a dwelling, which is carried on only by family members residing therein and by no more than one employee who does not reside therein, and which is clearly incidental and secondary to the use of the dwelling for residential purposes.

2.427 *Residential construction.* Refers to the process of building or assembling structures that are intended for people to live in, such as single-family homes, apartments, townhouses, and condominiums. It encompasses all the stages of planning, designing, building, and finishing homes and residential complexes.

2.428 *Research and development services.* Professional services focused on the systematic investigation, innovation, and creation of new products, technologies, processes, or solutions to meet specific needs or market demands.

2.429 *Restaurant.* A building, room, or rooms where food is prepared and served to a group of families, a club, or to the public for consumption within the enclosed structure.

2.430 *Religious housing.* This refers to any residential space connected to or operated by a religious organization or intended for individuals who are part of a faith-based community. It can take different forms depending on the context and religion.

2.431 *Retail front.* The portion of a commercial building or tenant space that directly faces a public street, pedestrian walkway, or other customer-accessible area, and is designed to accommodate direct interaction with the public for the display, sale, or promotion of goods and services.

2.432 *Retail sales and service.* A business established for the sale of goods or services to consumers, usually in small quantities.

2.433 *Right-of-way line.* The outside boundaries of a highway right-of-way, whether such right-of-way is established by usage, dedication, or by the official right-of-way.

2.434 *Roofing, siding, and sheet metal contractors.* Specializes in the installation, repair, and maintenance of roofing systems, exterior siding, and sheet metal components for residential and commercial buildings. These services are essential for protecting properties from the elements, improving energy efficiency, and enhancing a building's overall aesthetic.

2.435 *Rooming and boarding.* A housing arrangement is one in which an individual pays to live in someone else's home or facility. This arrangement is often found in group homes, care facilities, student housing, or transitional housing. It differs from renting an apartment, where meals and other personal services are usually not included.

2.436 *Rubber products manufacturing.* This sector produces items from both natural and synthetic rubber. Products can be molded, extruded, or fabricated for various applications.

2.437 *Rural business.* An occupation or profession that is conducted either entirely or partially within a dwelling, which is carried on by a principal practitioner who at all times maintains said dwelling as their permanent residence, and which employs no more than one employee who does not reside therein.

2.438 *Savings institution.* A financial institution that primarily focuses on accepting savings deposits from individuals and providing loans, particularly for residential mortgages and personal needs.

2.439 *School and employee bus transportation.* Are specialized transit operations that use motor buses, vans, or minibuses to transport students to and from schools and employees to and from workplaces.

2.440 *Screened storage.* An area where items are stored out of direct view, using some form of screening or enclosure for privacy, security, or visual appeal. The screening can be made of fencing, walls, landscaping, or other barriers.

2.441 *Screened storage yard.* An outdoor area used for storing materials, equipment, or goods, which is partially or fully enclosed by a physical barrier (such as a fence or screening material) to restrict visibility and provide security. This type of storage is often used for construction materials, vehicles, industrial equipment, or waste.

2.442 *Securities and brokerage establishment.* A financial services business primarily engaged in the buying, selling, and trading of securities such as stocks, bonds, mutual funds, and other investment instruments on behalf of individual and institutional clients.

2.443 *Sediment.* Solid material, both organic and inorganic, that is in suspension, is being transported, or has been moved from its site of origin by air, water, ice, or gravity as a product of erosion.

2.444 *Self-storage.* Refers to a service that provides individuals or businesses with secure, rentable storage space—typically in the form of individual units—where they can store personal belongings, inventory, equipment, or documents for short or long-term use.

2.445 *Senior care housing.* Refers to a range of residential options designed specifically for older adults, typically aged 55 and up, who may need varying levels of assistance, healthcare, or community support. The term can cover a spectrum of care, from fully independent living to 24-hour medical support. Examples include: Retirement housing services.

2.446 *Septic tank*. A watertight container buried underground, typically made of concrete, fiberglass, or plastic. It receives wastewater from a home or building. It allows the waste to settle, decompose, and undergo primary treatment before being released into a drain field or leach field for further filtration.

2.447 *Septic tank services.* These include the installation, maintenance, and repair of septic systems, ensuring they function effectively and minimize environmental contamination.

2.448 *Setback.* The minimum horizontal distance between the right-of-way line, rear, or side lines of the lot, and the front, rear, or side lines of the building. When two or more lots under one ownership are used, the exterior property line so grouped shall be used to determine offsets.

2.449 *Sewer or sewer line.* Any pipe or conduit used to collect and carry away sewage from the generating source to the treatment plant and other facilities.

2.450 *Sheep and goat farming establishments.* Livestock systems that offer meat, milk, wool, and even manure. These animals thrive in diverse environments and are ideal for both smallholders and commercial operations.

2.451 *Shipping container.* A receptacle designed for intermodal transport of cargo aboard ship, truck trailer, or rail car, and which exhibits features intended to facilitate the movement of containerized cargo, including but not limited to corner fittings for pins, design for stacking, size dimensions of eight feet wide by eight or ten feet high by 20, 35, or 40 feet in length, and which is otherwise designed and constructed in conformance with standards for shipping containers as set forth by the international standards organization.

2.452 *Shipping container facility.* A facility that provides storage for shipping containers awaiting transport or subsequent use.

2.453 *Signs and sign shops manufacturing.* Signs and sign shops manufacturing refers to the design, production, and installation of visual signage used for commercial, industrial, and personal purposes. This includes a wide range of indoor and outdoor signs, such as storefront signs, billboards, wayfinding signs, and vehicle wraps.

2.454 *Silverware manufacturing*. Silverware manufacturing involves the design, production, and finishing of eating utensils and flatware such as forks, knives, spoons, serving pieces, and sometimes decorative tableware like trays, bowls, and teapots.

2.455 *Single-family, attached dwelling.* A single-family attached home is designed for one household but shares one or more walls with another unit. Each unit has its own entrance and is located on a separate lot or parcel.

2.456 *Single-family, detached dwelling.* A building or structure designed for and occupied as a residence exclusively by one family.

2.457 *Site-built single-family detached dwelling.* A single-family detached dwelling constructed on the building site from basic materials delivered to the site and constructed in accordance with all requirements of the building codes as adopted by the county.

2.458 *Site.* An area designated as a separate and distinct parcel of land on a legally recorded subdivision plat or in a legally recorded subdivision plat or a legally recorded deed.

2.459 *Skating rinks.* A facility designed for recreational or competitive skating activities on ice or smooth surfaces. These venues can accommodate ice skating, roller skating, rollerblading, or inline skating, and are popular for both casual fun and organized events like hockey games, figure skating competitions, or themed skate nights.

2.460 *Skilled nursing services.* Refers to medically necessary care provided by licensed healthcare professionals, typically in a skilled nursing facility (SNF) or sometimes in a home health setting. These services go beyond basic personal care and are ordered by a physician.

2.461 *Solid waste collection.* The process of gathering, transporting, and preparing solid waste for treatment, recycling, or disposal. It's a core service provided by municipalities, private waste management companies, or industrial facilities, ensuring public health, environmental protection, and sanitation.

2.462 *Solid waste combustor or incinerator*. A waste treatment facility that burns solid waste at high temperatures to reduce its volume and sometimes generate energy. This process helps minimize landfill use and can recover useful byproducts such as heat or electricity.

2.463 *Solid waste landfill*. A carefully engineered site designed for the long-term disposal of solid waste. It is the final step in the waste management hierarchy when waste cannot be reused, recycled, composted, or incinerated.

2.464 *Small-scale manufacturing.* The production of goods in limited quantities using relatively modest facilities, labor, and capital investment. It typically involves local or niche production rather than mass production and often focuses on customized, high-quality, or specialized products.

2.465 *Snack or nonalcoholic bar.* A type of establishment where customers can enjoy light refreshments, snacks, and beverages, but without alcoholic drinks. These bars focus on offering quick bites, sweet and savory snacks, smoothies, coffee, fresh juices, and other nonalcoholic beverages in a casual, social setting.

2.466 *Space research and technology.* This field involves the scientific study of outer space and the development of technological innovations that enable exploration, observation, and utilization of space.

2.467 *Special purpose transit transportation.* Scenic and sightseeing transit is a form of special-purpose transportation designed specifically to offer recreational, educational, or tourism-based experiences. Unlike standard transit, the goal here is not just to move people from point A to point B but to offer a memorable journey, often through natural landscapes, historic areas, or urban attractions.

2.468 *Specialty food store.* A retail shop that focuses on specific types of food or drink products often offers high-quality, unique, or hard-to-find items that aren't typically available at regular supermarkets.

2.469 *Special exception.* A use, designated explicitly in this ordinance, that would not be appropriate for location generally or without restriction throughout a given zoning district but which, if controlled as to number, area, location, or relation to the neighborhood, would, in the opinion of the county commissioners, promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity, or general welfare.

2.470 *Sports and recreation education.* Refers to academic programs and practical training that focus on the study and practice of physical activities, sports, fitness, and recreational programs.

2.471 *Sports team or club*. An organization or group of individuals that comes together to compete in sports or recreational activities. These teams or clubs can operate at various levels, from recreational leagues to professional sports organizations.

2.472 *Sporting goods sales.* This refers to the process of selling equipment, apparel, and accessories used for various sports and physical activities. This market covers everything from items required for team sports to individual activities, outdoor adventures, and fitness routines. It's a broad category, encompassing products designed for both professional athletes and casual enthusiasts.

2.473 *Spraying (agriculture).* Liquid application of crop protection or nutritional products.

2.474 *Software publisher*. A company or entity involved in the development, marketing, distribution, and licensing of software applications and programs.

2.475 *Sound recording, production, publishing, and distribution.* This sector encompasses the entire process of creating, managing, and delivering audio content, including music, podcasts, audiobooks, and commercial audio. It supports artists, producers, labels, and platforms in delivering high-quality audio experiences to listeners around the world.

2.476 *Steam supply*. Refers to the provision of pressurized steam for heating, sterilization, or mechanical power. It is commonly used in industrial processes, district heating systems, and hospital sterilization.

2.477 *Stormwater runoff.* The flow of surface water resulting from precipitation.

2.478 *Story.* That portion of a building includes the surface of any floor and the surface of the floor next above it, or if there is no floor above it, then there is space between the floor and the ceiling next above it.

2.479 *Street.* A dedicated and accepted public right-of-way for vehicular traffic that affords the principal means of access to abutting properties.

2.480 *Structural alteration.* Any change in the shape or size of any portion of a building or structure, such as walls, columns, beams, arches, girders, floor joists, or roof joists.

2.481 *Structure.* Anything constructed or erected, the use of which requires rigid location on the ground or attachment to something having a permanent location on the ground; provided, however, that utility poles, fences, and walls (other than building walls) shall not be considered to be structures.

2.482 *Structural steel erection contractor.* A specialized construction company responsible for the assembly and installation of steel frameworks in buildings and other structures.

2.483 *Supermarket.* A large, self-service retail establishment that offers a wide variety of food and beverage products, as well as household items, personal care products, and other non-food goods. Supermarkets typically feature a broad selection of fresh produce, meats, dairy, frozen foods, and pantry staples, often organized into distinct sections or departments. Supermarkets are usually part of a chain, may include additional services such as pharmacies or in-store banking, and are designed to cater to the needs of a wide range of customers.

2.484 *Superstore.* A large-scale retail store that combines the features of a department store and a supermarket, offering a broad selection of goods, including groceries, clothing, electronics, household items, and more, under one roof. Superstores typically operate on a big-box model with extended floor space and competitive pricing.

2.485 *Surveyor.* A person who determines or delineates the form, extent, position, distance, or shape of a tract of land by taking linear and angular measurements and by applying the principles of geometry and trigonometry.

2.486 *Subdivision.* "Subdivision" means all divisions of a tract or parcel of land into two or more lots, building sites, or other divisions for the purpose, whether immediate or future, of sale, legacy, or building development, and includes all division of land involving a new street or change in existing streets, and includes resubdivision and, where appropriate, the process of subdividing or the land or area subdivided; provided, however, that the following exceptions are included within this definition only for the purpose of requiring that the planning board be informed and have record of such subdivisions:

Exceptions:

a) The combination or recombination of portions of previously platted lots where the total number of lots is not increased and the resultant lots are equal to the standard of the governing authority;

b) The immediate transfer of property necessitated by death of the property owner to the said property owner's legal heirs, provided that the smallest parcel meets the minimum standards for the zoning district where that property is located and a minimum 60-foot access easement is available to serve a cumulative total of not more than three parcels that do not abut a public road;

c) The transfer of property between family members within the third degree of consanguinity, provided that the smallest parcel meets the minimum standards for the zoning district where that property is located and a minimum 60-foot access easement is available to serve a cumulative total of not more than three parcels that do not abut a public road;

d) The division of land into parcels of ten acres or more where no new street is involved.

e) Plats of such exceptions shall be received as information by the zoning administrator, who shall indicate such fact on the plats.

Conditional exemptions: In order to provide property owners with an expeditious method for subdividing a portion of a tract of land, conditional exemptions from the provisions of this ordinance

are authorized and may be granted by the county zoning administrator, provided such requests for conditional exemptions comply with the following:

The division of land into two parcels when the smallest parcel meets the minimum standards for the zoning district where that property is located and when divided for residential purposes meets health department requirements and where no new street is involved; provided that the same tract cannot be divided using this conditional exemption more than one time in any 12 months beginning on the date of recording.

The county zoning administrator's office will receive plats requesting conditional exemption for review. Plats meeting the requirements stated above can be approved by the zoning administrator, who shall indicate such fact on the plats. If, in the determination of the zoning administrator, a plat requesting conditional exemption does not comply with the above requirements, or other factors peculiar to the individual circumstance of the property in question, the zoning administrator is required to deny the conditional exemption and forward the plat to the planning board for processing as a subdivision.

2.487 *Support functions for animal production.* Critical services and processes that help ensure the success, efficiency, and sustainability of animal farming.

2.488 *Support functions for forestry.* Services and activities that enable the efficient management, conservation, and sustainable use of forest resources.

2.489 *Taxi service*. A type of public transportation that operates on a for-hire basis. Passengers can hail a taxi on the street, call a dispatch center, or use a mobile app to request a ride. Taxis generally have metered fares, meaning prices are calculated based on the distance and time traveled.

2.490 *Telecommunication tower*. A tall structure—usually made of steel—that supports antennas and other equipment used for transmitting and receiving wireless signals, such as cell phone, radio, TV, or internet signals.

2.491 *Telephone and wired telecommunications* refers to communication technologies that use physical cables (such as copper wires or fiber-optic cables) to transmit voice, data, and video signals between users.

2.492 *Temporary model homes and residential sales offices*. Home builders or real estate developers set up short-term structures to showcase new residential developments and facilitate home sales before the whole neighborhood is built.

2.493 *Territorial boundaries.* The unincorporated areas thereof and any area defined in paragraph (5.1) of Code Section 36-70-2.

2.494 *Textile manufacturing and wholesale trade.* Textile manufacturing and wholesale trade refer to the production and large-scale distribution of fibers, yarns, fabrics, and textile-based products used in clothing, furnishings, industrial applications, and more. These operations cover the entire supply chain, from raw material processing to fabric finishing and wholesale sales to retailers or other businesses.

2.495 *Theme parks.* Amusement parks are centered around a specific theme or concept, creating a more immersive experience for visitors. They are often based on movies, characters, or fictional worlds. Theme parks go beyond just rides, offering themed dining, shopping, and storytelling experiences.

2.496 *Theater, dance, or music establishment*. Refers to venues and organizations that provide entertainment in the form of performing arts. These establishments host live performances such as plays, dance recitals, music concerts, and other cultural events.

2.497 *Timber harvesting.* The felling, loading, and transporting of timber products (pulpwood, etc.). The term "timber harvesting" may include both clear-cutting and selective cutting of timber.

2.498 *Tiny House*. A dwelling that is less than 525 square feet in floor area, excluding lofts or any attached structures such as porches, decks, or storage sheds.

2.499 *Tiny house subdivision*. Residential community specifically designed for tiny homes - typically under 400—600 square feet.

2.500 *Tobacco and tobacconist establishments.* Retail businesses that specialize in the sale of tobacco products, smoking accessories, and sometimes related luxury items like cigars, pipes, and lighters. These shops cater to adult customers and often carry specialty or premium tobacco products not typically found in general retail stores.

2.501 *Tobacco manufacturing establishment.* A facility or business that is involved in the production, processing, and packaging of tobacco products. This includes items such as cigarettes, cigars, chewing tobacco, pipe tobacco, snuff, and newer alternatives like heated tobacco and nicotine pouches.

2.502 *Townhouse.* A type of dwelling that is one or more stories in height, which has outside, individual front and rear entrances, is separated from other houses by fire rated common walls extending from the foundation to the roof decking, and is part of a contiguous group of at least three. Still, not more than ten such townhouses, and shall be considered a multifamily structure.

2.503 *Townhouse, fee simple.* A townhouse unit, as defined above, has the common wall or walls between it and the adjoining townhouse unit or units as its property line and has individual meters for all utilities.

2.504 *Towing and other road and ground services.* Refer to services that assist with vehicles experiencing breakdowns, accidents, or other road-related issues. These services are crucial for ensuring safe mobility and quick recovery of vehicles from various road situations, as well as providing additional roadside support like fuel delivery, tire changes, and lockout assistance.

2.505 *Toy manufacturing.* Toy manufacturing is the process of designing, producing, assembling, and distributing toys for children, collectors, or educational purposes. It includes everything from plush toys and dolls to plastic action figures, board games, puzzles, electronic toys, and STEM-based educational products.

2.506 *Toy store.* A retail business that specializes in selling a variety of toys, games, and related products for children of all ages. Toy stores can range from small, independent shops to large chain retailers. They offer a broad selection of toys designed to entertain, educate, and engage kids, as well as support their physical, emotional, and cognitive development.

2.507 *Trailer.* A non-self-propelled vehicle or conveyance permanently equipped to travel upon the public highways that provides temporary use as a residence or living quarters or office; serves as a carrier of people, new or used goods, products, or equipment; or is used as a selling, advertising, or display device whether or not the wheels have been removed and whether or not set on jacks, skirts, masonry blocks, or other foundation.

2.508 *Trails.* These are designated paths or routes used for walking, hiking, biking, or horseback riding. They can be paved or unpaved and often run through open spaces, parks, or natural landscapes, providing access to nature and promoting outdoor recreation.

2.509 *Trash.* Cuttings from vegetation, refuse, paper, bottles, and rags.

2.510 *Trans-load facilities.* A trans-load facility is a type of logistics operation where goods are transferred from one type of transportation mode to another, typically from rail to truck, or vice versa, to continue their journey to the final destination. Unlike cross-docking, where goods are quickly transferred between vehicles without storage, trans-loading often involves a change in the mode of transportation and might require temporary storage or sorting during the transfer process, sometimes referred to as cross-dock facilities.

2.511 *Transitional housing.* A type of temporary housing designed to help individuals or families move from a state of homelessness, crisis, or institutional living toward permanent, stable housing.

2.512 *Transportation equipment and automobile manufacturing.* Transportation equipment manufacturing refers to the design, assembly, and production of vehicles and systems used to move people and goods across land, air, sea, and space. This includes automobiles, trucks, aircraft, ships, rail cars, and space vehicles. Within this, automobile manufacturing is a significant segment focused on cars, SUVs, vans, and light trucks.

2.513 *Travel arrangements and reservation services.* Refer to professional services that assist individuals and organizations in planning, booking, and managing travel-related activities. These services include making reservations for transportation, accommodations, tours, and other travel needs, whether for business or leisure.

2.514 *Truck.* A motor vehicle designed primarily for transporting goods, materials, or equipment. Trucks come in a wide range of sizes and configurations, from small pickup trucks to large commercial freight trucks.

a) *Two-axle, six-tire, single-unit trucks*. All vehicles on a single frame, including trucks, camping and recreational vehicles, motor homes, etc., with two axles and dual rear wheels

b) *Three-axle single-unit trucks*. All vehicles on a single frame, including trucks, camping and recreational vehicles, motor homes, etc., with three axles.

c) *Four or more axle single-unit trucks*. All trucks on a single frame with four or more axles.

d) *Four or fewer axle single-trailer trucks*. All vehicles with four or fewer axles consisting of two units, one of which is a tractor or straight truck power unit.

e) *Five-axle single-trailer trucks*. All five-axle vehicles consisting of two units, one of which is a tractor or straight truck power unit. Six or more axle single-trailer trucks—All vehicles with six or more axles consisting of two units, one of which is a tractor or straight truck power unit.

f) *Five or fewer axle multi-trailer trucks*. All vehicles with five or fewer axles consisting of three or more units, one of which is a tractor or straight truck power unit.

g) *Six-axle multi-trailer trucks*. All six-axle vehicles consisting of three or more units, one of which is a tractor or straight truck power unit.

h) *Seven or more axle multi-trailer trucks*. All vehicles with seven or more axles consisting of three or more units, one of which is a tractor or straight truck power unit.

2.515 *Trucking company*. This is a business that provides goods transportation using trucks. These companies move cargo across local, regional, or national routes and are essential for supply chains in virtually every industry.

a) *General freight trucking, local.* This refers to the transportation of goods over short distances, typically within a single metropolitan area or a regional area. This type of trucking is crucial for

moving goods to and from warehouses, distribution centers, retailers, and other businesses in the local area. It focuses on short-distance haulage and often involves smaller fleets of trucks suited explicitly for local deliveries.

b) *General freight trucking, long-distance*. This type of trucking refers to the transportation of goods over long distances, typically between cities, states, or even countries. It is essential for moving large quantities of goods across the nation or internationally, usually from distribution centers to warehouses, retailers, or industrial locations.

c) *Specialized freight trucking (excluding used goods).* The transportation of specific types of goods that require special handling, equipment, or vehicles. Unlike general freight trucking, which moves a variety of goods under standard conditions, specialized freight includes items that are fragile, oversized, temperature-sensitive, or hazardous.

d) *Specialized freight trucking: (used household and office goods*). Specialized freight trucking for used household and office goods refers to the transportation of second-hand items, particularly those used in moving households or office relocations, such as furniture, equipment, and personal belongings.

2.516 *Truck stop.* This roadside service center is designed primarily to serve long-haul truck drivers, but it's also open to the general public. It offers a variety of amenities for resting, refueling, and resupplying during long-distance travel.

2.517 *Undisturbed.* Land in its natural state of vegetation.

2.518 *Usable Acreage.* Refers to the portion of land that is actually suitable and available for development or intended use.

2.519 *Use.* The purpose for which land or a building is arranged, designed, or intended, or for which either land or a building is or may be occupied or maintained.

2.520 *Utilities, government-owned.* Any government-owned water and sewer utilities and appurtenances, including publicly owned treatment plants permitted by the state, wells, water distribution lines, sewage collection lines, re-use water distribution lines, pump stations, water storage facilities, meter stations, and fire hydrants.

2.521 *Vacant.* A structure in which the principal use has been abandoned. This shall not include structures for sale, rent, or temporarily unoccupied.

2.522 *Variance.* A modification of the strict requirements of this ordinance granted by the Board of Commissioners when, due to conditions unique to the property and not created by the property owner, strict application of the ordinance would result in unnecessary and undue hardship. A variance shall not be contrary to the public interest and shall not authorize a principal or accessory use that is otherwise prohibited within the applicable zoning district.

2.523 *Vegetable farming or growing services.* Vegetable farming involves cultivating edible plants for food. It can range from small-scale, family-run operations to large commercial farms.

2.524 *Vending machine operator.* A business or individual responsible for the management, maintenance, and stocking of vending machines. These machines dispense snacks, beverages, and other products, usually in public places such as offices, schools, hospitals, malls, or airports. The operator either owns the machines or manages them on behalf of clients, ensuring that they are always stocked, functional, and clean.

2.525 *Vehicle.* A conveyance for persons or materials.

2.526 *Vehicle import/export*. Is the business or process of transporting vehicles (cars, trucks, motorcycles, etc.) across national borders for sale, trade, or personal use. Importing refers to bringing vehicles into a country, while exporting involves sending vehicles out of a country to another market, new, used, or wrecked.

2.527 *Veterinary services.* Veterinary services are a wide range of services provided to care for animals' health, including diagnosis, treatment, prevention, and overall wellness.

2.528 *Veterans affairs.* Refers to a range of services, benefits, and programs provided to military veterans and their families to support their health, well-being, and transition to civilian life.

2.529 *Vocational rehabilitation.* A set of services designed to help individuals with disabilities or barriers to employment prepare for, obtain, retain, or regain meaningful employment.

2.530 *Warehouse.* A building or facility used for the storage, management, and distribution of goods and products. It is typically designed to hold inventory, stock, and raw materials for businesses before they are shipped to customers, retailers, or manufacturing facilities. Warehouses are critical to logistics, inventory management, and supply chain operations, serving a wide range of industries, from retail and ecommerce to manufacturing and food production. Includes cross-dock facilities and Transload facilities.

2.531 *Warehouse club.* A membership-based retail store that sells a wide range of goods, often in bulk quantities, at discounted prices from a large, warehouse-style facility. These clubs typically serve both individual consumers and businesses, offering lower prices by operating with a no-frills, high-volume model.

2.532 *Water, sewer, and pipeline construction.* This field focuses on the construction, installation, and maintenance of essential underground infrastructure, including water lines, sewer systems, and pipelines. These systems are vital for public health, sanitation, and the delivery of water, gas, oil, and other utilities.

2.533 *Waterpark.* A recreational facility that features a variety of water-based attractions, such as water slides, wave pools, lazy rivers, splash pads, and swimming pools.

2.534 *Waste treatment and disposal.* Refers to the process of handling, processing, and discarding waste materials in a manner that is environmentally safe, efficient, and compliant with local, national, or international regulations.

2.535 *Wood products manufacturing and wholesale trade.* This sector involves processing raw timber into usable materials or goods and distributing those products in bulk to retailers, builders, furniture makers, and other businesses. It is vital to the construction, furniture production, cabinetry, and even packaging industries.

2.536 *Waterfront.* Any site shall be considered as waterfront property provided any or all of its lot lines abut on or are contiguous to any body of water including creek, canal, river, or any other body of water natural or artificial, including marshland, not including a swimming pool, whether said lot line is front, rear, or side.

2.537 *Wetlands.* Those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. The ecological parameters for designating wetlands include hydric

soils, hydrophytic vegetation, and hydrological conditions that involve a temporary or permanent source of water to cause soil saturation.

2.538 *Wireless telecommunications.* Refers to the transmission of voice, data, video, and other information through the air using electromagnetic waves, rather than physical cables or wires. This industry powers everything from cell phones and Wi-Fi to 5G networks, IoT devices, and satellite communication.

2.539 *Wood products manufacturing.* Refers to the process of turning raw timber into a wide range of finished goods, such as lumber, plywood, furniture, and paper products. It is a key component of the forestry and timber industry and plays an essential role in various sectors like construction, furniture making, and packaging.

2.540 *Wrecked vehicle import/export.* This generally refers to the process of moving damaged or "totaled" vehicles across borders for various purposes. These vehicles may have been in accidents or have substantial damage, but they might still have value in specific markets for parts, repairs, or salvage.

2.541 *Wrecking and demolition establishment.* A business or contractor specializing in the safe and efficient removal or demolition of buildings, structures, and other physical assets. These establishments provide essential services in various sectors, including residential, commercial, and industrial construction, as well as infrastructure development and renovation projects.

2.542 *Yard.* This is an open space on the same lot as a building; it lies between the building and the nearest lot or street line.

2.543 *Yard, front.* That area of open space to the front of the platted lot is the area immediately adjacent to the street side of the lot. If streets are bound on two sides of the lot, the narrower portion fronting on a street shall be declared the front. See "Lot lines, front."

2.544 *Yard, rear.* That area of open space that is opposite the area delineated as the front. That area is the greatest distance from the street. See "Lot lines, rear."

2.545 *Youth home*. It is a residential facility that provides care, supervision, and support for young people, typically those who can't live with their families due to abuse, neglect, behavioral issues, or legal troubles.

2.546 *Zoning.* The power of local governments to provide within their respective territorial boundaries for the zoning or districting of property for various uses and the prohibition of other or different uses within such zones or districts and for the regulation of development and the improvement of real estate within such zones or districts in accordance with the uses of property for which such zones or districts were established.

2.547 *Zoning administrator.* A staff member responsible for overseeing and interpreting the zoning laws and regulations within a specific jurisdiction. This role is crucial in ensuring that land is used in accordance with local zoning ordinances, which dictate how properties can be developed and utilized. The Zoning Administrator often works closely with local government officials, developers, and the community to facilitate appropriate land use while balancing the needs and interests of various stakeholders.

2.548 *Zoning decision.* A final legislative action by a local government that results in:

a) The adoption or repeal of a zoning ordinance;

b) The adoption of an amendment to a zoning ordinance that changes the text of the zoning ordinance;

c) The adoption or denial of an amendment to a zoning ordinance to rezone property from one zoning classification to another;

d) The adoption or denial of an amendment to a zoning ordinance by a municipal local government to zone property to be annexed into the municipality;

e) The grant or denial of a permit relating to a special use of property; or

f) The grant or denial of a variance or conditions concurrent and in conjunction with a decision pursuant to subparagraphs (C) or (E) of this paragraph.

2.549 *Zoning ordinance.* An ordinance or resolution of a local government establishing procedures and zones or districts within its respective territorial boundaries that regulate the uses and development standards of property within such zones or districts. The term also includes the zoning map adopted in conjunction with a zoning ordinance, which shows the zones and districts and zoning classifications of property therein.

2.550 *Zoning map.* The official map of the county.

2.551 *Zoo.* Facilities that house and care for a wide variety of animal species, particularly those that are exotic, endangered, or at risk of extinction. Zoos typically offer opportunities for the public to observe, interact with, and learn about animals while also engaging in breeding, research, and conservation efforts.

(Amend. of 4-4-00(20); Amend. of 4-4-00(21); Amend. of 4-4-00(22); Ord. of 10-21-04, § 1; Ord. of 9-54-07, § 1(a); Ord. of 8-5-08; Ord. of 1-3-11, § 1; Ord. of 7-17-12, § 1; Ord. of 11-5-19; Ord. of 3-1-22(1); Ord. of 11-15-22(1); Ord. of 1-3-23(2); Ord. of 07-18-2023(1), (2); Ord. No. 2025-272, 6-3-25)

ARTICLE III. GENERAL PROVISIONS

3.1 Abandoned real property.

3.1.1 For any public street or alley which is hereafter officially vacated or abandoned, the regulations applicable to each parcel of abutting property shall apply to the centerline of the property which is abandoned. In the event abandoned property is not divided at the centerline for abutting properties, the zoning districts applicable shall apply to such ownership line as determined by virtue of such abandonment.

3.1.2 For any public property other than streets or alleys, the regulations applicable to the zoning classification which abuts the abandoned property for the greatest number of linear feet shall apply to the entire property.

3.2 Abandoned vehicles.

Within all zoning districts, except where specifically authorized, all vehicles which are inoperative and/or unlicensed shall not be abandoned in the public right-of-way or on private property in excess of 30 days during any consecutive 120-day period, except within a completely enclosed garage or other structure. For purposes of this section, the term "vehicle" includes farm and commercial vehicles, machinery, and equipment.

(Ord. of 12-15-92)

3.3 Accessory structures in residential districts.

3.3.1 Accessory structures in the AR-1, AR-2, AR-3, R and PD-R residential districts may be erected within a side or rear yard, provided they conform to the following:

(a) *Maximum height.* 25-foot maximum height to the ridgeline of the roof in the R and PD-R districts; 35 feet in AR-1, AR-2, and AR-3 districts. Accessory structures used for agricultural purposes are exempt from the height restrictions in AR-1.

(b) An accessory structure shall not be less than five feet from the rear property line and not less than five feet from interior side setback lines.

(c) An accessory structure shall not be less than ten feet from a principal structure.

(d) Not more than two accessory structures, including a detached garage, shall be located in any R or PD-R district, on one lot.

3.3.2 Accessory structures in the agricultural residential districts may be placed in the front yard where the property is at least five acres and not in a platted subdivision. All structures on the property must comply with the front setback requirements for a principal structure.

(a) Accessory structures shall not be erected on a lot prior to construction of a principal structure, except for agricultural purpose storage buildings in the AR-1 zoning district, where the property is at least five acres, and not in a platted subdivision.

(b) Accessory structures in the R, PD-R, and AR zoning districts may not be used for any type of commercial operation, except as provided for in section 3.15A and 3.15B.

(c) An accessory structure shall not be used as a dwelling unit.

3.3.3. A shipping container may be utilized as an accessory building in an AR-1, AR-2, and AR-3 zoning districts, provided it shall conform to the following:

(a) Containers shall be painted in solid neutral colors. No writing or advertising of any kind shall be permitted.

(b) Containers shall meet the required side and rear yard setback requirements for an accessory structure, and shall be placed no nearer than ten feet from a primary structure.

(c) Containers shall not be placed in the front yard.

(d) Containers shall not be stacked above the height of a single container.

(e) Containers shall be subject to lot coverage requirements.

(f) Containers shall only be placed on AR-1, AR-2, and AR-3 lots that meet the minimum lot size for the district.

(g) The number of shipping containers on AR-1, AR-2, and AR-3 lots shall be limited to one container per acre of land, to a maximum of five containers on a parcel.

(h) No electricity or plumbing shall be connected to a shipping container.

(i) Ventilation is not required.

(j) No hazardous materials may be stored in a shipping container.

(k) Shipping containers shall be secured from entry by children and the general public when not attended.

(l) Shipping containers used for storage of equipment and supplies, and associated with an approved building construction project, shall be permitted to remain on site until the approval of the project's final building inspection, or expiration of the building permit, whichever is less.

(Ord. of 2-19-91; Ord. of 1-19-21; Ord. of 9-15-20; Ord. of 1-3-23(2); Ord. No. 2025-206, 5-6-25; Ord. No. 2025-516, 11-18-25)

3.4 Buffers.

Purpose and function: To provide minimum separation and screening of different land uses. To minimize the adverse effects of commercial and industrial land uses on surrounding property and public throughfares; to act as a filtration zone for storm water; to make the environment more visually attractive; and to preserve the tree canopy in the county.

The purpose of this ordinance is to ensure adequate separation and effective screening between differing land uses across all zoning districts. Buffers are intended to minimize the adverse impacts of development—including but not limited to commercial, industrial, residential, and mixed-use projects—on adjacent properties and public thoroughfares. Buffers also serve as natural filtration zones for stormwater runoff, enhance the visual quality of the built environment, and protect and preserve the County's existing tree canopy. It is the intent of this ordinance that all buffer areas be properly maintained and controlled so that their screening and environmental benefits are not diminished over time.

3.4.0 Definitions.

Buffer means a naturally vegetated or planted area of land that is required by this ordinance to be maintained between differing land uses or zoning districts to provide separation, screening, and environmental benefit. Buffer width shall be measured horizontally from the applicable property line, perpendicular to that line, inward onto the subject property. Where a property line is irregular, buffer width shall be measured at right angles to the property line at each point along its length.

Buffer Area means the total land area encompassed within the required buffer width along any applicable property line or boundary.

Undisturbed Buffer means a buffer area in which existing vegetation, topography, and natural features are preserved in their natural state and no grading, clearing, construction

or land disturbing activity is permitted except as expressly authorized by Section 3.4.1(B).

Canopy Tree means any tree species that, at maturity, reaches a height of greater than fifty (50) feet, as listed in the Large Trees category of Section 3.4.4.

DBH (Diameter at Breast Height) means the diameter of a tree trunk measured at a height of four and one-half (4.5) feet above natural grade.

Director means the Director of Development Services for Effingham County, or their authorized designee.

Buffer design standards:

1. Plant material: Existing plant materials including understory vegetation in buffers shall be maintained whenever possible. All trees over six inches diameter at breast height (dbh) shall be retained. Additional planting may be required when existing plant material is inappropriate for screening. Additional landscaping may be added at the property owner's discretion.

2. Encroachment: Buffer areas should remain natural. The following are the only permitted encroachments:

1. Drainage ditches, utility, and service lines provided that they are approximately perpendicular to the property line.

2. Sidewalks and pathways that connect multiple parcels.

3. Lighting fixtures.

4. Signs.

5. Flagpoles.

6. Structural elements: Privacy fences or walls located in a buffer shall provide a minimum of two feet from the element to the exterior property line to allow for plant material.

7. Landscaping retaining wall if integrated into the buffer and subject to approval by the zoning administrator.

8. Berms, subject to the following standards if encroaching within a buffer:

    a. Minimum slope of 4:1.

    b. Maximum height of the berm shall be based on the width as provided below and shall be reduced by six feet for every one foot of berm height:

        i. For a 25 feet high berm, the buffer requirement is reduced from a 300 feet buffer to a 150 feet buffer. The 150 feet wide buffer includes 35 feet of natural and undisturbed buffer and remaining buffer is the berm. If the berm base is beyond 115 feet, the berm extends into the property and not the 35-foot undisturbed area.

        ii. For a 16 feet high berm, the buffer requirement is reduced from a 300 feet buffer to a 200 feet buffer. The 200 feet wide buffer includes 35 feet of natural and undisturbed buffer and remaining buffer is the berm. If the berm base is beyond 165 feet, the berm extends into the property and not the 35-foot undisturbed area.

        iii. For a 10 feet high berm, the buffer requirement is reduced from a 300 feet buffer to a 240 feet buffer. The 240 feet wide buffer includes 35 feet of natural and undisturbed buffer and remaining buffer is the berm. If the berm base is beyond 180 feet, the berm extends into the property and not the 35-foot undisturbed area.

        iv. The height of the berm is measured perpendicular off the nearest adjacent property line using the natural grade; height cannot be determined by infill grade.

        v. Major subdivisions with rear or side facing homes will install a six (6) foot tall berm with approved landscaping material at the apex of the berm. Minimum width of the berm is fifteen (15) feet at the base. Major subdivisions with rear or side-facing homes shall provide a minimum fifty (50) foot vegetative buffer. If the required vegetative buffer

cannot be established, a six (6) foot tall berm with approved landscaping material may be installed with the fifty (50) foot buffer.

9. Privacy fence or wall used as a buffer reduction measure, subject to the following: the fence or wall material must be approved by Development Services prior to installation; the fence or wall shall not exceed seven (7) feet in height; where a compliant privacy fence or wall is installed, the otherwise required residential buffer may be reduced by ten (10) feet (e.g., from 30 feet to 20 feet) for residential-to-residential buffers only. This reduction is not available for buffers between residential and commercial, institutional, or industrial uses.

C. Required setbacks shall be inclusive of buffer areas.

D. When a less intense zoning district abuts a more intense zoning district, the responsibility for providing the required buffer shall rest solely with the property in the more intense district.

Existing Zoning	**Proposed Zoning**															
	AR-1	**AR-2**	**AR-3**	**R-1**	**R-2**	**R-3**	**R-4**	**R-5**	**R-6**	**B-1**	**B-2**	**B-3**	**MXD PD**	**I-1**	**LI**	**HI**
AR-1	15 ft	15 ft	15 ft	15 ft	30 ft	30 ft	15 ft	15 ft	15 ft	30 ft	30 ft	30 ft	20 ft	300 ft	150 ft	300 ft
AR-2	15 ft	15 ft	15 ft	15 ft	30 ft	30 ft	15 ft	15 ft	15 ft	30 ft	30 ft	30 ft	20 ft	300 ft	150 ft	300 ft
AR-3	15 ft	15 ft	15 ft	15 ft	30 ft	30 ft	15 ft	15 ft	15 ft	30 ft	30 ft	30 ft	20 ft	300 ft	150 ft	300 ft
R-1	30 ft	30 ft	30 ft	15 ft	30 ft	30 ft	15 ft	15 ft	15 ft	30 ft	30 ft	30 ft	20 ft	300 ft	300 ft	300 ft
R-2	30 ft	30 ft	30 ft	30 ft	15 ft	15 ft	30 ft	30 ft	30 ft	20 ft	20 ft	20 ft	15 ft	300 ft	150 ft	300 ft
R-3	30 ft	30 ft	30 ft	30 ft	15 ft	15 ft	30 ft	30 ft	30 ft	20 ft	20 ft	20 ft	15 ft	300 ft	150 ft	300 ft
R-4	30 ft	30 ft	30 ft	30 ft	30 ft	30 ft	15 ft	15 ft	15 ft	30 ft	30 ft	30 ft	20 ft	300 ft	300 ft	300 ft
R-5	30 ft	30 ft	30 ft	30 ft	30 ft	30 ft	15 ft	15 ft	15 ft	30 ft	30 ft	30 ft	20 ft	300 ft	300 ft	300 ft
R-6	30 ft	30 ft	30 ft	30 ft	30 ft	30 ft	15 ft	15 ft	15 ft	30 ft	30 ft	30 ft	20 ft	300 ft	300 ft	300 ft

B-1	30 ft	30 ft	30 ft	30 ft	20 ft	20 ft	30 ft	30 ft	30 ft	15 ft	15 ft	15 ft	15 ft	150** ft	50** ft	150** ft
B-2	30 ft	30 ft	30 ft	30 ft	20 ft	20 ft	30 ft	30 ft	30 ft	15 ft	15 ft	15 ft	15 ft	150** ft	50** ft	150** ft
B-3	30 ft	30 ft	30 ft	30 ft	20 ft	20 ft	30 ft	30 ft	30 ft	15 ft	15 ft	15 ft	15 ft	150** ft	50** ft	150** ft
MXD PD	30 ft	30 ft	30 ft	30 ft	15 ft	15 ft	20 ft	20 ft	20 ft	15 ft	15 ft	15 ft	10 ft	300 ft	150 ft	300 ft
I-1	300* ft	300* ft	300* ft	300* ft	300* ft	300* ft	300* ft	300* ft	300* ft	150 ft	150 ft	150 ft	300 ft	25 ft	25 ft	25 ft
LI	150 ft	150 ft	150 ft	300 ft	150 ft	150 ft	300 ft	300 ft	300 ft	50 ft	50 ft	50 ft	50 ft	25 ft	50 ft	50 ft
HI	300* ft	300* ft	300* ft	300* ft	300* ft	300* ft	300* ft	300* ft	300* ft	150 ft	150 ft	150 ft	150 ft	25 ft	25 ft	25 ft

Subdivisions of less than five lots are exempt from buffer requirements when neighboring property is under the same ownership.

E**.** The constructed berm shall have vegetative cover applied immediately post-construction to assist in stabilization of the berm.

Before final plat approval of a subdivision or sketch plan approval of a commercial, industrial or PD development, a bond shall be submitted to development services in the amount of ten (10) percent of the construction cost of the berm as determined by EOM, or such other office as the Board of Commissioners may designate.

** Adjacent commercial, institutional, and industrial developments which are designed as a single development or share parking may reduce the buffer width by up to 50 percent between these parcels. If commercial property is developed with zero lot lines, then the buffer between parcels shall be eliminated. At no time may buffers be reduced between commercial, institutional, or industrial and residential uses.

*** Where a Residential or Commercial development abuts a railroad right-of-way, a vegetative buffer of 30 feet in width shall be provided.

**** The required plant material portion of a buffer may be reduced by 50% when adjacent to agricultural or conservation areas if replaced by additional storm water management areas.

***** Industrial surface mines will follow the buffer requirements in section 3.17.4.

3.4.2 Adjacent public street buffers: All developments excluding industrial development shall maintain a ten-foot wide landscaped buffer between any parking or loading area and an adjacent accessed public right-of-way (ROW). In single family subdivisions a ten-foot landscaped buffer must be maintained between any lot or internal street and any public collector or arterial ROW accessed from the subdivision.

A. In cases where the adjacent public street is also the exterior boundary of the site, the buffer required in table 3.4.1 shall be inclusive of this ten-foot-wide landscaped buffer.

1. Where parcels abut a street without access to that street the buffer on that side of the parcel shall equal the required buffer for the use on the other side of the street in the above chart

2. Street buffers for industrial property shall equal the required buffer for the use on the other side of the street in the above chart.

3. Residential subdivisions shall have visual buffers consisting of either vegetative cover or fencing and shall have a minimum 50 percent opacity. If vegetation is used, it shall be projected to reach the required opacity within one year of installation and shall maintain the minimum required opacity during all seasons of the year. A visual buffer may be no higher than six feet in height, except on main or collector streets where the buffer is a maximum height of twenty (20) feet. If an installed vegetative buffer fails to achieve or maintain the required 50 percent opacity, the Director shall issue a written notice of deficiency to the property owner. The property owner shall replant or supplement the buffer as necessary to achieve compliance within ninety (90) calendar days of receipt of said notice. Failure to achieve compliance within the notice period shall constitute a violation of this ordinance subject to enforcement under Section 3.4.3.

4. PDs may have different buffer requirements; however, buffers are still required in all approved PDs. Please refer to PD ordinance in Article X.

5. Where property lines run adjacent to federally designated interstate highways, regardless of zoning or proposed use, that section of the property is exempt from all buffer requirements along the property line with frontage on the interstate highway. For the avoidance of doubt, this exemption applies only to property line(s) with direct frontage on the interstate right-of-way and does not reduce or eliminate any required buffer along any other property line of the same parcel. Properties within the I-1, LI, and HI zoning districts are exempt from the required buffer adjacent to the interstate right-of-way. In lieu of the required buffer, a minimum fifteen-foot landscaped strip shall be provided along interstate frontage.

3.4.3 Enforcement:

- Pre-Construction Buffer Protection. Prior to the issuance of any land disturbing activity permit for a development, all required buffer areas shall be clearly delineated in the field with highly visible silt fencing or other approved protective barrier. The purpose of this requirement is to ensure that buffer areas are protected and remain undisturbed throughout all phases of site preparation and construction. The silt fencing shall be installed along the outer edge of the buffer area closest to the area of disturbance and must remain in place and properly maintained until all construction activity has ceased and final stabilization is achieved. Buffer delineation and fencing shall be verified by County staff during the pre-construction inspection.

- Where trees do not already exist they must be planted at a rate of one tree, at least two inches DBH, every 15 linear feet of buffer. The following list specifies recommended trees for this area. For buffers greater than 30 feet in depth required tree planting must come from the large tree list.

- Buffers in industrial zones must include understory plantings at a rate of one three (3) gallon plant every five linear feet if sufficient understory foliage does not exist

D. Unauthorized removal, disturbance, or destruction of any required buffer shall result in the following:

1. A stop work order will be issued.

2. Subject to all requirements and procedures of the Effingham County Code of Ordinances, Article X – Tree Protection and Preservation.

3. The landscape restoration plan shall be drawn to scale and include sufficient detail to demonstrate compliance with the requirements of this section. At a minimum, the plan shall identify the species, quantity, size, spacing, and location of all proposed replacement vegetation, as well as any existing vegetation to be preserved.

4. Civil Penalties. Any person, firm, corporation, or entity found to have violated this Section 3.4 shall be subject to a civil monetary penalty of not less than five hundred dollars ($500.00) per day for each day the violation continues, beginning on the date the stop work order is issued or, if no stop work order is issued, the date written notice of the violation is delivered to the responsible party. Penalties shall be assessed and collected in accordance with the Effingham County Code of Ordinances. The assessment of civil penalties shall be in addition to, and not in lieu of, any other remedies available to the County, including injunctive relief, restoration requirements, and any penalties available under the Georgia Erosion and Sedimentation Act.

3.4.4 Required Plant Materials:

Large Trees >50' Suitable for areas with more than 400 square feet of total planting area; in a planting strip at least 16' x 25' or 20' x 20'

Common/Scientific Name	Height & Width	Sun/Shade	Insect & Disease Resistance	Growth Rate	Deciduous/Evergreen	Remarks
Beech, American Fagus grandifolia	50-75' h 40-80' w	PS/FS	L	S	D	Native. Needs ample room. Acid soil. Fruit attracts wildlife. Zones 4-9
Blackgum Nyssa sylvatica	65-75' h 25-35' w	PS/FS	H	S	D	Native. Soil pH below 6 best. Drought & wet tolerant. Zones 4-9

Cypress, bald Taxodium distichum	60-80' h 25-35' w	FS/PS	M	F	D	Native. Drought & wet tolerant. Zones 4-11
Cypress, pond Taxodium ascendens	50-60' h 50-60' w	PS/FS	H	F	D	Native. Soil adaptable below 7.5. Zones 5-9
Hickory, pignut Carya glabra	50-65' h 30-40' w	PS/FS	M	M	D	Native. Drought tolerant. Zones 4-9
Hickory, shagbark Carya ovata	60-80' h 25-35' w	PS/FS	H	S	D	Native. Abundant nuts attract wildlife. Zones 4-8
Magnolia, Southern Magnolia grandiflora	60-80' h 30-40' w	PS/FS	M	M	E	Native. Soil adaptable. White showy blooms. Zones 7-9

Maple, Red Acer rubrum	60-75' h 25-35' w	PS/FS	H	F	D	Native. Prefers acidic soil. Zones 4-9
Oak, laurel Quercus laurifolia	60-70' h 50' w	PS/FS	H	F	SE	Native. Soil adaptable. Zones 6- 10
Oak, live Quercus virginiana	60-80' h 60- 120' w	PS/FS	H	M	E	Native. Wind resistance. Zones 8- 10

Oak, shumard Quercus shumardii	60-80' h 40-50' w	FS	M	F	D	Native. Urban tolerant. Zones 5-9
Oak, southern red Quercus falcata	60-80' h 60-70' w	FS	M	M	D	Native. Acidic soil. Urban tolerant. Zones 7-9
Oak, scarlet Quercus coccinea	60-75' h 45-60' w	FS	M	M	D	Native. Acidic soil. Zones 5-8
Oak, swamp chestnut Quercus michauxii	60-70' h 30-50' w	PS/FS	M	M	D	Native. Occasional wet. Zones 6-9
Oak, white Quercus alba	60-100' h 60- 80' w	PS/FS	H	M	D	Native. Acidic soil. Zones 3-9
Oak, willow Quercus phellos	60-75' h 40-60' w	FS	M	F	D	Native. Drought & urban tolerant. Zones 5-9
Pine, loblolly Pinus taeda	50-80' h 30' w	FS	M	F	E	Native. Soil adaptable, acidic. Zones 6-9
Pine, longleaf Pinus palustris	60-80' h 30-40' w	FS	M	F	E	Native. Drought tolerant once established. Zones 7-10
Redcedar, eastern Juniperus virginiana	40-50' h 8-25' w	FS	H	F	E	Native. Soil tolerant. Good windbreak. Zones 3-9

Sweetgum Liquidambar styraciflua	75' h 50' w	PS/FS	H	M	D	Native. Soil pH 7.5 or less. Zones 5-9
Sycamore, American Platanus occidentalis	75-90' h 60-70' w	FS	L	F	D	Native. Prefers moist soil. Zones 4-9
Tulip poplar Liriodendron tulipifera	80-120' h 25- 40' w	FS	H	F	D	Native. Acidic soil. Showy blooms. Zones 4-9

KEY

Sun/shade exposure: FS = Full sun | PS = Part sun | S = Shade

Growth rate: S = Slow (less than 1' per year) | M = Medium (1-2' per year) | F = Fast (more than 2' per year)

Pest resistance: H = High | M = Medium | L = Low

Type: D = Deciduous | E = Evergreen | SE = Semi Evergreen

Medium Canopy Trees 30'-50' Suitable for spaces with 100 to 200 sq ft of total planting space; in a planting strip at least 4-7 feet wide; or place at least 4' from pavement or wall

Medium and small tree approved plant lists are maintained by the Director of Development Services and incorporated herein by reference. See administrative guidelines for current approved species lists.)

Small Trees <25' Useful under utility lines; areas with less than 100 sf of total planting area; a planting strip with a width of at least 4'.

3.4.5 Administrative Plant List Maintenance:

The Director of Development Services shall maintain and periodically update the approved plant material lists referenced in Section 3.4.4, subject to approval by the Board of Commissioners. Updated lists shall be posted on the County's official website and made available at the Development Services office.

Species not appearing on the approved lists may be proposed for inclusion by a registered landscape architect and approved by the Director upon written request.

3.4.6 Right-of-Way Acquisition Buffer Adjustments:

A. **Applicability.** This section applies when Effingham County acquires fee simple right-of-way (ROW) or a permanent easement from a private property owner through purchase, condemnation, or any other lawful means, resulting in a reduction of the subject property's depth, area, or dimensions that would otherwise be used to satisfy a required buffer under Section 3.4.1. This section governs both the buffer obligations of property owners following such acquisition and the County's restoration obligations following temporary construction easement activity.

B. **New Development After Acquisition.** Any structure, improvement, or land use established **after** the recorded date of a County right-of-way acquisition shall comply with all applicable buffer requirements of this ordinance to the fullest extent physically achievable given the post-acquisition property dimensions. Compliance shall be measured from the new property line established by the acquisition. No variance or administrative reduction shall be granted solely on the basis that the acquisition has reduced the available buffer area, except as provided under subsection C below.

C. **Existing Development — Right-of-Way Acquisition Buffer Reduction Formula.** Where a County right-of-way acquisition reduces the depth of a previously conforming required buffer on a legally established, pre-existing development or use, the required buffer width shall be administratively recalculated using the following formula:

Adjusted Buffer Width = Required Buffer Width × (Remaining Parcel Depth ÷ Pre-Acquisition Parcel Depth)

The adjusted buffer width shall be subject to the following limitations:

1. Minimum Floor. The adjusted buffer shall not be reduced below fifteen (15) feet under any circumstance, regardless of the outcome of the formula.

2. Maximum Reduction Cap. The formula shall not produce an adjusted buffer that is less than fifty percent (50%) of the originally required buffer width. Where the formula would yield a result below the 50% threshold, the adjusted buffer shall be set at fifty percent (50%) of the originally required buffer width, unless the 15-foot minimum floor produces a greater result.

3. Controlling Standard. Where the 15-foot minimum floor and the 50% reduction cap yield different results, the greater of the two values shall control.

4. Site Plan Required. The property owner shall submit a site plan to the Director demonstrating that the maximum feasible buffer width is being maintained given the post-acquisition dimensions. The Director shall review and approve the adjusted buffer calculation prior to issuance of any permit.

5. Illustrative Examples.

Example 1: Required buffer = 30 ft. Parcel depth reduced by 40%. Formula: 30 × 0.60 = 18 ft. Result exceeds 15-ft floor and exceeds 50% cap (15 ft). Adjusted buffer = 18 feet.

Example 2: Required buffer = 30 ft. Parcel depth reduced by 60%. Formula: 30 × 0.40 = 12 ft. Fails 15-ft floor. Adjusted buffer = 15 feet.

Example 3: Required buffer = 300 ft (industrial). Parcel depth reduced by 55%. Formula: 300 × 0.45 = 135 ft. 50% cap = 150 ft. 150 ft > 135 ft and > 15 ft floor. Adjusted buffer = 150 feet.

6. **Pre-Existing Nonconforming Buffers.** A buffer that was nonconforming prior to the County acquisition shall not be further reduced below its pre-acquisition nonconforming width. The property owner shall document the pre-acquisition condition by survey or other means acceptable to the Director.

D. Temporary Construction Easement — County Restoration Obligation. When Effingham County or its contractor enters a private property pursuant to a Temporary Construction Easement (TCE) for right-of-way improvements, grading, utility installation, drainage work, or any related construction activity, the County shall bear full responsibility for restoration of all buffer areas disturbed within the TCE area, as follows:

1. **Pre-Construction Documentation.** Prior to any land disturbing activity within the TCE area, the County or its contractor shall document the existing condition of all buffer areas through photographs, field notes, and a vegetation inventory. Documentation shall be provided to the property owner and retained in the County's project file.

2. **Scope of Restoration.** Upon completion of construction and release of the TCE, the County shall restore all disturbed buffer areas to functionally equivalent pre-disturbance condition, including: (a) replacement of removed trees at 3:1 by caliper inch using species from the approved lists in Sections 3.4.4 and 3.4.5; (b) replacement of understory plantings per Section 3.4.3(C); (c) restoration of ground cover and erosion control per Georgia Stormwater Management Manual BMPs; and (d) completion of all planting within ninety (90) calendar days of final construction completion, subject to seasonal planting conditions.

3. **Restoration Plan.** The County shall submit a written Restoration Plan to the Director and property owner within thirty (30) calendar days of substantial construction completion. The plan shall be prepared by a registered landscape architect and shall include species, caliper size, spacing, scaled site plan, and a two (2) growing season maintenance schedule.

4. **Financial Assurance.** Prior to commencing land disturbing activity within the TCE, the County shall maintain financial assurance — through its normal budgeting process — in an amount not less than one hundred ten percent (110%) of the estimated restoration cost, for a minimum of two (2) full growing seasons following completion of all required restoration plantings, subject to annual appropriation by the Board of Commissioners.

5. **Property Owner Remedy.** If the County fails to complete required restoration within the timeframe of the approved Restoration Plan, the property owner may, upon thirty (30) calendar days' written notice to the Effingham County Manager's Office, complete the restoration independently and present a claim to the County for reimbursement of documented, reasonable costs, not to exceed the estimated restoration cost identified under subsection D.4. Claims shall be presented in accordance with O.C.G.A. § 36-11-1. This remedy lapses two (2) years after expiration of the TCE.

6. **Coordination with State and Federal Law**. Nothing in this section relieves the County or its contractor of compliance with the Georgia Erosion and Sedimentation Act, the Effingham County Land Disturbing Activity Ordinance, or any other applicable law. Where requirements conflict, the more protective standard applies.

E. Recordkeeping. The Director shall maintain a record of all buffer adjustments granted under this Section 3.4.6, including pre-acquisition buffer width, formula result, controlling adjusted width, and approval date. Records shall be available for public inspection during normal business hours.

(Amend. of 12-12-06; Ord. of 11-4-08; Ord. of 12-8-09, § 1; Ord. of 8-2-16, § 1(a) ; Ord. of 11-07-2023(1) ; Ord. of 11-4-2; Ord of 9-01-2026, 9-1-2026

3.5 Buildings on through lots.

Where a lot extends through from one street to another, the setback requirement for each such street shall be complied with and any building shall have dual facing. No accessory building or other structure shall be placed on through lots if said structures would conflict with other building values or uses on the same street. On lots having frontage on more than two streets, the minimum front yard shall be provided in accordance with the provisions of this ordinance on at least two of the street frontages.

3.6 Family cemeteries.

(A) *Purpose and intent*. The purpose of this section is to permit the establishment of limited, noncommercial family cemeteries on private property in a manner that is compatible with agricultural and residential land uses, protects adjoining properties, and ensures compliance with applicable provisions of state law.

(B) *Applicability*.

1. A family cemetery may be established only on a conforming parcel zoned AR-1 agricultural-residential that contains a minimum of five acres, and only upon approval of a conditional use permit in accordance with this appendix.
2. A family cemetery shall require conditional use approval by the Board of Commissioners at a duly noticed public hearing, in accordance with the applicable procedures of Article IX.
3. A family cemetery shall be noncommercial in nature and shall comply with all requirements of this section as conditions of approval.
4. The parcel on which a family cemetery is approved shall remain a conforming AR-1 parcel containing a minimum of five acres for so long as the family cemetery exists. No subdivision, boundary line adjustment, or other action shall be permitted that would reduce the parcel below the minimum acreage required by this section or otherwise render the parcel nonconforming.

(C) *Definitions*. For purposes of this section, the following definitions shall apply:

Family cemetery - A burial ground located on private property that is established and maintained solely for the interment of members of a single family or related families by blood, marriage, or adoption; that is noncommercial in nature; that is not open to the general public for burial purposes; and that is permitted only in accordance with the standards of this appendix.

Delineated cemetery boundary survey - A land survey prepared and certified by a Georgia-licensed professional land surveyor that identifies and depicts the location and boundaries of a family cemetery on a parcel of land for purposes of compliance with this appendix, recordation, and enforcement.

(D) *Development and recordation standards*. A family cemetery shall comply with the following minimum development and recordation standards:

1. *Delineated cemetery boundary survey*. Prior to any interment, the property owner shall cause a delineated cemetery boundary survey to be prepared and certified by a Georgia-licensed land surveyor. The survey shall, at a minimum:

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- Delineate the boundaries of the family cemetery by metes and bounds and clearly show the cemetery area as a distinct, labeled tract;
- Depict and label the applicable setback lines and/or distances necessary to demonstrate compliance with subsection (D)(3), including distances to property lines, existing dwellings or structures located on the subject parcel (if present), and wells, streams, ponds, or other water bodies (if present);
- Identify the location and type of the required buffer and/or four foot fence or wall;
- Show the location of all existing and proposed utilities and utility features serving or affecting the cemetery area, including septic systems and known underground utilities;
- Depict the required minimum 60-foot wide access and drainage easement; and
- Be sufficient to demonstrate compliance with the applicable standards of this subsection.

2. *Maximum number of burial plots*. A family cemetery shall contain no more than eight burial plots, unless otherwise approved by the board of commissioners as part of the conditional use permit. The board of commissioners may approve a lesser or greater number of burial plots based upon site conditions, compatibility with surrounding uses, and compliance with the intent of this section.
3. *Setbacks*. Burial plots shall be located a minimum of 150 feet from:
   a) Any property line;
   b) Any existing dwelling or structure located on the subject parcel; and
   c) Any well, stream, pond, or other water body.
4. *Buffers and fencing*. The cemetery area shall be screened from adjoining properties by existing vegetation, supplemental landscaping, or a four-foot fence or wall, sufficient to minimize visual impacts.
5. *Access and easement*. The cemetery shall have safe and legal access from a public or private road and shall provide a minimum 60-foot wide access and drainage easement to the cemetery area.
6. *Recordation, deed notice, and continued conformance*.
   a) The delineated cemetery boundary survey shall be recorded with the Effingham County Clerk of Superior Court prior to any burial activity.
   b) The recorded survey shall include a statement that:
      1. The area shown is designated as a family cemetery;
      2. The cemetery is noncommercial in nature;
      3. The designation shall run with the land and shall not be extinguished by sale, transfer, or conveyance of the property; and
      4. The parcel shall remain a conforming AR-1 parcel containing a minimum of five acres for so long as the family cemetery exists.
   c) Following recordation of the delineated cemetery boundary survey, the property owner shall cause the deed to the property to be updated, revised, or re-recorded, as applicable, so as to reference and incorporate the recorded cemetery survey and its description. The deed shall reflect the existence and location of the family cemetery and shall reference the recorded plat or survey by book and page.

d) No subdivision, boundary line adjustment, or other action shall be permitted that would reduce the parcel below the minimum acreage required by this section or otherwise eliminate or impair the recorded family cemetery designation.

7. *Burial depth and interment standards*.

a) *Minimum burial depth*. Each burial shall be placed at a depth of not less than four feet, measured from the natural ground surface to the top of the burial container. A burial depth of six feet is preferred, where site conditions reasonably allow. This requirement is adopted pursuant to the county's zoning and land-use authority and is not intended to regulate the handling, preparation, or disposition of human remains, which shall remain subject to applicable provisions of Georgia law.

b) *Casket requirement*. At a minimum, all human remains shall be interred within a casket or coffin.

c) *Vaults and ground liners*. Burial vaults and ground liners are not required by Georgia law for family cemeteries. Such vaults and liners are commonly utilized in registered cemeteries to protect burial sites from heavy equipment used in cemetery operations and to reduce the likelihood of ground subsidence or collapse of the casket due to deterioration; however, their use shall be optional for family cemeteries permitted under this section.

(E) *Prohibited activities*.

1. No family cemetery shall be used for commercial purposes, including but not limited to the sale of burial plots or burial services.

2. No mausoleums, crematories, or columbaria shall be permitted within a family cemetery.

(F) *Compliance with State law*. All family cemeteries shall comply with all applicable provisions of Georgia law relating to burial sites, cemetery protection, and the disturbance of human remains.

(G) *Enforcement*. Failure to comply with the provisions of this section shall constitute a violation of this appendix and shall be subject to enforcement and penalties as provided herein.

(Amend. of 7-3-01(1); Ord. No. 2026-045, 3-3-26)

Ord. No. 2026-045, adopted March 3, 2026, amended the title of § 3.6 to read as herein set out. The former § 3.6 title pertained to cemeteries, mausoleums, and crematories.

3.7 Churches and schools.

Public schools shall be subject to the regulations set forth in section 5.3 of this appendix.

3.7.1 Schools, churches, and religious institutions shall be permitted in agricultural, single-family residential districts, agricultural residential districts, multifamily residential districts, general commercial districts, and neighborhood commercial districts provided that the following requirements are complied with:

3.7.1.1 Off-street parking shall be provided as set forth in section 3.30 of this appendix.

3.7.1.2 The principal building and accessory buildings shall comply with the yard and setback requirements of the district in which they are located.

3.7.2 Schools, churches, and religious institutions may be permitted in other districts upon conditional use approval by the Board of Commissioners at a duly noticed public hearing, in accordance with Article IX.

3.7A Conditional zoning.

3.7A.1. In deciding any application for an amendment to the zoning classification of a parcel of property or to the zoning map, the board of commissioners may, on their own motion or upon the recommendation of the planning board or the zoning administrator, grant the application subject to certain conditions deemed necessary by the board to promote and protect the health, safety, morality, and welfare of the county and to further the purposes of this ordinance. Such provisions shall be imposed for the benefit of the community to prevent or lessen any negative impact expected to result from the zoning reclassification or zoning map amendment.

3.7A.2. Conditions that may be adopted include, but are not limited to, conditions as to buffers, preservation of existing vegetation and tree cover, maximum density and/or number of lots, minimum lot size, setback restrictions, and property use restrictions. Conditions imposed under this section shall be in addition to the applicable requirements and use-specific standards of this ordinance and shall be binding upon the property and any successor in title.

3.7A.3. If the conditions under consideration by the board are unacceptable to the applicant, the applicant may withdraw its application without prejudice to the filing of a new application requesting a different zoning classification.

3.7A.4. Map amendments and zoning classification amendments approved conditionally shall be reflected on the zoning map by a notation indicating that the property has been conditionally zoned.

(Ord. of 12-14-99(1))

3.8 Conversion of dwellings.

The conversion of any building into a dwelling, or the conversion of any dwelling so as to accommodate an increased number of dwelling units or families, shall be permitted only within a district in which a new building for similar occupancy would be permitted under this ordinance, and only when the resulting occupancy will comply with the requirements governing new construction in such district with respect to minimum lot size, lot area per dwelling unit, percentage of lot coverage, dimensions of yards and other open spaces, and off-street parking. Each conversion shall be subject also to such further requirements as may be specified hereinafter within the article applying to such district.

3.8A Construction sites (portable toilets).

Portable toilet facilities, as approved by the building inspector, shall be furnished at all construction sites for which a building permit has been issued prior to the commencement of work. The building inspector is authorized to waive this requirement upon a showing that alternate sanitary facilities are available to workers at the site.

3.8B Construction sites (waste material).

All landowners, construction and demolition contractors, and other responsible persons for construction or demolition sites shall provide on-site refuse receptacles, bulk containers or detachable containers for loose debris, paper, building material wastes, scrap building materials, and other trash produced by those working on the site. All of the above-mentioned materials shall be containerized by the end of each day, and the site shall be kept in a reasonably clean and litter free condition. Dirt, mud, construction materials, or other debris deposited upon any public or private property as a result of construction or demolition shall be immediately removed by the landowners, construction and demolition contractors, and other responsible persons. Construction or demolition sites shall be kept clean and orderly at all times.

(Ord. of 10-1-19)

3.9 Deed restrictions.

These regulations shall not lessen any previous deed restrictions or restrictive covenants recorded with any deed, plat, or other legal document relating to the use of lot and building requirements. The person or agency in the capacity of administering and enforcing these regulations shall abide by any deed restrictions or restrictive covenants provided the restrictions are known.

3.10 Excavation of sand, gravel, or other material (for industrial or commercial use).

Excavation shall be considered a temporary use, and shall be permitted only in industrial and agricultural districts. Excavations shall not be nearer than 100 feet to any school, church, dwelling, or highway right-of-way.

3.11 Existing uses.

Nothing contained in this ordinance shall be deemed or construed to prohibit a continuation of any particular lawful use or uses of any land, building, structure, improvement, or premises legally existing in any of the respective districts at the time this ordinance becomes effective; provided, however, that if any such existing lawful use changes to a different use after the date of the adoption of this ordinance, such different use shall conform to the provisions of this ordinance regulating the particular district in which said premises is situated. If any legally existing use or occupancy of a building or premises conflicts with any requirement of this ordinance or any of its amendments, such building shall not be moved, structurally altered, or added to except with the approval of the county commissioners.

All future building structures, repairs, alterations, or other improvements shall comply with all district requirements contained herein, and such structural provisions of the building code and other regulations as have been incorporated herein and made a part hereof, including any building on which construction has been suspended at the time this ordinance was adopted and any building for which foundations were not completed at said time.

No nonconforming building or structure shall be extended or enlarged except when authorized by the board of commissioners, which may permit one enlargement or extension up to 25 percent of the floor area of the structure as it existed at the time of passage of this ordinance.

3.12 Fences.

Except in planned manufactured home communities, industrial districts, and general and neighborhood commercial districts, no fence, wall, or screened structure, excluding plants and shrubbery, over ten feet in height shall be built within any yard.

3.13 Garbage disposal.

Garbage or other refuse shall be deposited only in approved garbage cans or in approved garbage disposal areas.

3.14 Government uses.

The board of county commissioners of Effingham County are not legally exempt from the provisions of this ordinance.

3.15 Home occupations.

(a) *Definitions*.

Bona fide residence: The primary, legal residence where the practitioner resides full time.

Business vehicle: A vehicle used in conjunction with a home occupation, excluding heavy equipment or commercial trucks exceeding one ton capacity.

Hazardous materials: Substances regulated by applicable fire code (NFPA/IFC) that pose a risk to health, safety, or the environment. Storage and use shall comply with local fire code and all applicable Environmental Protection Division (EPD) regulations; Class I flammable liquids are limited to household exemption amounts unless otherwise approved by the fire marshal; any hazardous material storage requires disclosure with the application.

Home occupation: An occupation or profession that is conducted entirely within a dwelling or accessory structure, which is clearly incidental and subordinate to the primary residential use of the property. The occupation shall be conducted exclusively by family members residing on the premises, shall not involve customers or clients visiting the property, and shall not alter the residential character of the structure or surrounding neighborhood.

Principal dwelling: The primary residential structure on the property that is lawfully occupied as the full-time residence of the property owner.

Property tax compliance: The condition in which all ad valorem property taxes assessed by Effingham County on a parcel are paid in full and current, with no outstanding delinquencies, liens, or unpaid balances.

Utility trailer: A non-commercial trailer not exceeding 22 feet in overall length, used for home occupation activities. A utility trailer shall not display any commercial markings, logos, advertising, or equipment and shall not be equipped with racks or lifts.

3.15.2 Development Standards. Home occupations shall be permitted in all districts provided the following criteria are met:

(a) No home occupation may commence operations without prior written approval from the zoning administrator or their designee.

(b) *Property tax compliance*. No home occupation, residential business or rural and agritourism business shall be approved, renewed, or continue operation if any county ad valorem property taxes assessed against the parcel are delinquent or otherwise not in compliance. Proof of tax compliance shall be verified by the tax commissioner prior to issuance or renewal of any approval under this section.

(c) A home occupation shall be permitted only if it is conducted entirely within the principal dwelling or an accessory structure located on the same residential parcel. The principal dwelling must serve as the bona fide residence of the principal practitioner.

(d) No more than two approved home-based commercial ventures, including any combination of home occupation and/or residential business, shall be permitted per residential parcel at any given time.

(e) Home occupations must be incidental to the use of the premises as a residence, compatible with surrounding residential uses, limited in extent, and not detracting from the residential character of the neighborhood.

(f) The total area utilized for the home occupation shall not exceed 500 square feet or 25 percent of the total heated floor area of the dwelling or accessory structure, whichever is less. This area must be declared at the time of application.

(g) The total area proposed for the home occupation shall be declared in the application submitted to the zoning administrator or their designee.

(h) All activities related to the home occupation shall occur entirely within the principal dwelling or accessory structure located on the same residential parcel.

(i) Any structural modifications to the principal dwelling or accessory structure for purposes of conducting a home occupation shall be architecturally compatible with surrounding development and comply with all applicable building and zoning codes.

(j) No customers or clients shall be permitted on the premises in connection with the home occupation.

(k) Home occupation operations shall not produce noise that constitutes a nuisance. Operations shall not produce odors, vibrations, fumes, glare, electrical interference, or any other disturbances that are disruptive to the surrounding residential environment. All such activities shall remain entirely contained within the dwelling or accessory structure in which the occupation is conducted and shall not result in impacts that are perceptible beyond the property boundaries.

(l) *Hours of operation*: Home occupation activities are limited to 8:00 a.m. thru 7:00 p.m. Monday thru Friday and 9:00 a.m. thru 5:00 p.m. Saturday; none on Sundays or county holidays unless otherwise approved by the zoning administrator or their designee.

(m) Waste disposal for home occupation shall not produce hazardous materials, excessive waste or pollutants beyond what is normally associated with a residential use.

1) No on-site burning, burying, or stockpiling of waste materials is permitted.

2) Waste or by-products shall not be stored outdoors unless enclosed and screened from public view.

3) The property shall not be used for the storage or disposal of toxic, flammable, or hazardous substances beyond household quantities. All uses must comply with all applicable Environmental Protection Division (EPD) regulations. Substances that pose a risk include any chemical, biological, or radiological material that, in excessive amount could endanger human health, safety, or the natural environment.

4) Noise/odor impact: Waste shall not result in odor, vermin, or unsanitary conditions detectable beyond the property line.

(n) Only one business vehicle and utility trailer used exclusively by the resident is permitted.

1) The motor vehicle shall be no larger than a pickup truck, panel truck, or van and limited to a one-ton carrying capacity. Such vehicle shall have no visible business equipment or modifications that alter its residential appearance and shall not include box trucks, step vans, flatbeds, buses, semi-tractors, or other heavy equipment. Trailers are prohibited except as allowed under 'Utility Trailer'.

2) *Utility trailer*. Utility trailer shall comply with the following standards:

a) The trailer shall be a non-commercial trailer not exceeding 22 feet in length and used in connection with residential business activities.

b) A maximum of one utility trailer shall be permitted.

c) The utility trailer shall be stored entirely within an enclosed garage or located behind opaque screening in the rear yard

d) On-street storage of a utility trailer is prohibited.

e) Loading and unloading of a utility trailer shall occur only during permitted business hours.

(o) All home occupation approvals shall be subject to periodic review and shall coincide with the annual renewal of the home occupation license, as provided in section 3.15.4, renewal of home occupation approvals.

Approvals may be granted for the initial term of one year and renewed annually thereafter, subject to continued compliance with all applicable standards.

At the time of renewal, the county reserves the right to:

1) Reevaluate the operation for compliance with this ordinance.

2) Modify conditions of approval to address new or ongoing impacts.

3) Require updated documentation or inspection as part of renewal.

4) Revoke or deny renewal if violations are found and not corrected within a reasonable timeframe.

Failure to renew in accordance with section 3.15.4 shall result in automatic expiration of the approval.

3.15.3 Non-Transferability. Approval of any home occupation shall be issued specifically to the principal practitioner and shall not be transferable upon sale, lease, or change of occupancy of the property. Any subsequent owner or occupant seeking to continue such activity shall be required to submit a new application in accordance with the procedures established in this section.

3.15.4 Application Submittal Requirements. Each application for home occupation approval shall include the following documentation, as determined necessary by the zoning administrator or their designee:

1. Concept Plan - A scaled plan showing parcel boundaries, the principal dwelling, accessory structures, total floor area to be used for the occupation, designated parking areas, access points, and any equipment.

2. **Operational Statement.** A written description of the proposed home occupation identifying the nature of the business, hours of operation, number of employees, anticipated customers or clients, portion of the dwelling or property devoted to the business, equipment and materials used or stored on the property, parking and vehicle activity, and any measures necessary to minimize impacts on surrounding residential properties.

4. Additional Documentation - The zoning administrator may require additional information necessary to verify compliance with the provisions of this ordinance and to ensure compatibility with the surrounding residential character.

3.15.5 Compliance with Permit Conditions. All home occupations shall remain in compliance with the approved plans, conditions, and operational standards established under this section. Failure to maintain compliance, including exceeding the maximum permitted area or engaging in unapproved activities, shall constitute a zoning violation and shall be subject to enforcement under section "enforcement and violations" of this ordinance.

3.15.6 Renewal of Home Occupation Approvals.

(a) *Purpose*. To ensure continued compliance with all applicable requirements through an annual administrative review process.

(b) *Renewal frequency*. Each approved home occupation shall be renewed annually in conjunction with the county's business license renewal cycle. Failure to renew within the prescribed period shall render the approval void.

(c) *Renewal application requirements*. A renewal application shall include:

1. A renewal form signed by the business owner and property owner, if different;
2. A statement identifying any changes to the approved home occupation; and
3. Certification that the home occupation remains in compliance with all applicable conditions and requirements of this ordinance.

The Zoning Administrator may require additional information when necessary to verify compliance or evaluate a proposed change to the approved home occupation.

(d) *Administrative review*. The zoning administrator shall review all renewal applications. Approvals demonstrating continued compliance shall be renewed administratively. Where noncompliance is identified, the administrator may deny renewal pending correction or refer the matter for enforcement.

(e) *Lapse of approval*. Failure to submit a complete renewal application within the required period shall result in automatic expiration of approval. Any continued operation thereafter shall require a new application pursuant to this section.

3.15.7 Prohibited Activities.

(a) Repair or mechanical maintenance of motor vehicles, boats, recreational vehicles, or equipment, or any use which creates noise, noxious odors, or hazards that may endanger the health, safety, or welfare of the neighborhood.

(b) Any use that causes electrical interference detectable beyond the dwelling or accessory structure in which it operates is expressly prohibited.

(c) Any other use determined by the zoning administrator or their designee to be incompatible with the residential nature of the neighborhood.

(d) There shall be no exterior visibility of a business being conducted on the premises.

(e) No signage related to the home occupation is permitted on the premises to maintain the residential character of the property.

3.15.8 Enforcement and Violations.

(a) The code enforcement or their designee may inspect home occupations to ensure compliance.

(b) The county reserves the right to inspect home occupations for compliance with waste disposal requirements.

(c) Any person operating a home occupation in violations of the provisions of this ordinance shall be subject to enforcement actions, which may include written warnings, fines, revocation of approval, stop-work orders, and legal proceedings as provided by County Code. Each day a violation continues shall constitute a separate offense, with a maximum fine of $1,000.00 per day as stated in County Ordinance, Part II - Official Code, chapter 1, section 1-19, general penalty, continuing violations; authority granted to court.

(d) Failure to comply with the terms and conditions of approval may result in revocation and prohibition from reapplication for a period of 12 to 24 months.

(e) Continued noncompliance may result in legal action, including injunctive relief.

3.15.9 Appeals.

(a) Any applicant whose home occupation request has been denied by the zoning administrator or their designee shall have the right to appeal the decision.

(b) A written notice of appeal must be submitted to the county planning Department within 30 calendar days of the date of denial. The notice shall state the grounds for appeal and include any supporting documentation the applicant wishes to provide.

(c) Upon receipt of a timely and complete appeal, the matter shall be scheduled for a public hearing before the board of commissioners.

(d) The board of commissioners shall consider the appeal at its next regularly scheduled meeting, provided proper public notice requirements are met. The board may affirm, modify, or overturn the decision of the zoning administrator based on the evidence presented. The final decision shall be documented in writing and provided to the applicant.

(e) The decision of the board of commissioners shall be final, subject to any further legal remedies available under state law.

(Ord. of 12-14-99(2), § 1; Amend. of 12-14-04(1); Ord. No. 2025-404, 9-2-25; Ord. No. 2025-544, 12-2-25; Ord. No. 2026-083, 3-17-26)

3.15A Residential businesses.

(a) *Purpose and intent*. This section establishes regulations for residential businesses to ensure that such uses remain clearly secondary to the principal residential use of the property, preserve neighborhood character, and protect the health, safety, and welfare of the community.

(b) *Definitions*. For purposes of this section, the following terms shall have the meanings indicated:

Clients: Includes anyone receiving goods or services, whether formal or informal. Repeated visits (more than twice in 30 days) will be considered business-related regardless of the stated relationship to the principal practitioner.

Commercial vehicle: A motor vehicle used for business purposes, limited to a passenger car, van, or light truck with a manufacturer's rated carrying capacity of no more than one ton. Such vehicle shall have no visible business equipment or modifications that alter its residential appearance and shall not include box trucks, step vans, flatbeds, buses, semi-tractors, or other heavy equipment.

Customer: Any person visiting the premises to receive goods or services.

Dwelling: A structure or portion thereof designed or used exclusively for residential occupancy.

Group activity: Any occurrence in which two or more unrelated persons are simultaneously present for business purposes, except for licensed childcare/daycare duly authorized by applicable regulations.

Hazardous materials: Substances regulated by applicable fire code (NFPA/IFC) that pose a risk to health, safety, or the environment. Storage and use shall comply with local fire code and all applicable Environmental Protection Division (EPD) regulations; Class I flammable liquids are limited to household exemption amounts unless otherwise approved by the fire marshal; any hazardous material storage requires disclosure with the application.

Incidental: A use or activity that is clearly secondary and subordinate to the principal residential use of the property, both in scale and in effect, and which does not alter the residential character of the dwelling, accessory structures, or surrounding neighborhood.

Nonconforming property: A parcel, structure, or use of land that was lawfully established prior to the adoption or amendment of this Development Code, but which does not conform to one or more of the current zoning, dimensional, or development standards applicable to the district in which it is located.

Non-resident employee: Any individual not residing on the property who provides labor or services for the residential business, regardless of classification (employee, contractor, sub-contractor, agent, vendor, volunteer,

intern, trainee, or gig worker). Any such individual physically entering the parcel for business purposes counts toward the concurrent on-site headcount and trip thresholds.

On-site: Any area within property lines, including structures, attached or detached garages, outbuildings, and yards.

Participant: Each person other than the principal practitioner physically present for business purposes, except for licensed childcare/daycare duly authorized by applicable regulations.

Primary residence: The dwelling for which the practitioner qualifies for homestead exemption or, if ineligible, provides two forms of proof of primary occupancy.

Principal practitioner: The person primarily responsible for the operation of the residential business whose primary residence is the dwelling, evidenced by a homestead exemption or, if ineligible, two forms of proof of primary occupancy (e.g., driver's license and recent utility bill).

Property tax compliance: The condition in which all ad valorem property taxes assessed by Effingham County on a parcel are paid in full and current, with no outstanding delinquencies, liens, or unpaid balances.

Public road frontage: Property that directly abuts and has legal access to a public roadway.

Rear yard: The portion of the lot between the rear lot line and the rear line of the principal structure, excluding side yards.

Residential business: An occupation or profession that is conducted primarily within a dwelling or accessory structure, with no outdoor business activity permitted except as expressly authorized under section d.5 through conditional approval by the board of commissioners (BOC). Any approved outdoor use shall be limited to the designated rear yard area, subject to conditions on size, setbacks, screening, noise, hours, equipment, and attendance, as set forth in section d.5. The business must be operated solely by residents of the home and no more than one non-resident person performing work on-site at any time, and shall remain clearly incidental and secondary to the primary residential use of the property.

Trip: Each vehicle arrival to or departure from the parcel for business purposes, counted individually.

Utility trailer: A non-commercial trailer not exceeding 22 feet in overall length, used for residential business activities. A utility trailer shall not display any commercial markings, logos, advertising, or equipment and shall not be equipped with racks or lifts.

(c) *Applicability*. Residential businesses are permitted within the AR-1, AR-2, AR-3, and R-1 zoning districts, provided the following criteria are met:

(d) *Approval and renewal*.

(1) A conditional use permit to operate all residential businesses must receive approval from the board of commissioners prior to commencement of operations.

(2) The board may impose reasonable conditions to ensure compatibility with surrounding properties and maintain neighborhood character.

(3) A public hearing shall be held in accordance with article IX of this ordinance.

(4) Tax compliance. No home occupation, residential business or rural and agritourism business shall be approved, renewed, or continue operation if any county ad valorem property taxes assessed against the parcel are delinquent or otherwise not in compliance. Proof of tax compliance shall be verified by the tax commissioner prior to issuance or renewal of any approval under this section.

(5) Nonconforming property compliance. A legally established nonconforming lot, structure, or use shall not be required to come into full compliance with current dimensional or development standards solely as a condition of consideration for a conditional use permit or residential business approval. The

proposed use or business shall comply with all applicable use-specific standards and shall not create, expand, or increase the degree of any existing nonconformity, unless otherwise authorized by this ordinance. Any existing violations unrelated to a lawful nonconforming condition shall be corrected prior to approval. The Zoning Administrator shall verify the property's compliance status before the application is scheduled for hearing.

(6) Renewal must be applied for annually and is subject to review by the zoning administrator or their designee. All applications and renewal documents are subject to applicable public disclosure laws to promote transparency with adjacent property owners. Renewal requirements and procedures shall be governed by section d.11 (renewal of residential and home-base business approvals).

(7) The county or its authorized agents may conduct random, unannounced site inspections to ensure ongoing compliance with all requirements and business representation as stated in application materials.

(8) Failure to renew prior to expiration shall render the permit void. Continued operation without renewal shall be a violation of this ordinance and will require an appeal to the board of commissioners for reinstatement.

(9) An occupational tax certificate is mandatory and must be maintained as a condition of operation.

(10) Annual compliance statement: The applicant shall annually attest to compliance with all applicable federal, state, and local laws, including accessibility requirements when the business serves the public on premises. County staff shall not determine ADA applicability; the applicant bears responsibility for compliance.

(d.1) *Residence requirements*.

(1) No more than two approved home-based commercial ventures, including any combination of home occupation and/or residential business, shall be permitted per residential parcel at any given time.

(2) The dwelling must be the bona fide residence of the principal practitioner at the time of application.

(3) Approval is valid only as long as the original practitioner resides in the home, actively operates the business, and maintains a valid business license.

(d.2) *Incidental use and operational standards*.

(1) *Floor area limitation*. The business floor area shall not exceed the lesser of 35 percent or 700 square feet of the dwellings conditioned floor area or within a fully enclosed, code-compliant accessory structure.

- Election of option: The principal practitioner shall elect one of the options in section d.2., Subsection (a) at the time of application or permit approval. Once elected, the option shall remain in effect unless a modification is approved by the county.
- Prohibition on dual application: Under no circumstances shall both the percentage-based limit and the square-footage limit be applied simultaneously to increase the allowable business area.
- Code compliance: All accessory structures used for business purposes must meet current building, fire, and zoning code requirements.

(2) *Hours of operation*. Businesses requiring on-site customers presence, deliveries, or outdoor business activity are limited to 8:00 a.m. thru 7:00 p.m. Monday thru Friday and 9:00 a.m. thru 5:00 p.m. Saturday; none on Sundays or county holidays unless otherwise approved by BOC.

(3) *Trip caps*. The total number of trips associated with any home-based commercial venture, including, without limitation, trips by customers, employees, contractors, service providers, and commercial or passenger deliveries, shall not exceed eight per day and 40 per week, unless otherwise authorized by

the board of commissioners. Where more than one home-based commercial venture operates on the same Parcel, trips shall be aggregated and calculated in accordance with section d.10(d) (cumulative traffic thresholds), and compliance shall be enforced on an aggregate basis across all such ventures.

(4) Noise shall not exceed 55 dBA at any property line during permitted hours and 50 dBA at other times; no amplified outdoor sound.

(5) *Employee/on-site personnel*. No more than one non-resident person performing work on-site at any time, inclusive of employees, contractors, sub-contractors, vendors, volunteers, interns, trainees, or gig workers.

(6) All business-related parking must be on-site; on-street parking by business vehicles or customers is prohibited.

(7) *Enforcement*. The county reserves the right to review and determine whether a residential business meets the definition and criteria for "incidental." Failure to comply shall constitute a zoning violation subject to fines, abatement orders, and potential revocation of residential business permit approval.

(d.3) *Site and access requirements*.

(1) The property must have frontage on a public road.

(2) Clients or customers may only visit the site if adequate off-street parking is provided. Adequate off-street parking shall mean:

a. A designated parking area located entirely on the subject property, specifically within the existing driveway or approved parking pad.

b. No use of the public right-of-way, street shoulder, or sidewalk areas for customer parking is permitted.

c. The parking area must accommodate all expected vehicles associated with the business, including those of clients, customers, and non-resident employees.

d. Parking areas must be surfaced with gravel, concrete, asphalt, or another stable, erosion-resistant material.

e. The layout must not obstruct access to neighboring properties, pedestrian walkways, or emergency vehicle routes.

(3) All parking areas for residential business use must be clearly demarcated and approved by the zoning administrator or their designee. Approvals shall consider the number of visitors served, traffic patterns, proximity to adjacent properties, and visual impact from the street. Parking configurations must also comply with ADA standards where applicable, including accessible parking and clear entry access.

(4) All residential businesses that allow customer access must ensure that their premises and operations are compliant with applicable provisions of the Americans with Disabilities Act (ADA), including but not limited to accessible parking, entryways, and restrooms where applicable. Inspections related to ADA compliance must be approved by the building official or their designee.

(5) *Parking location restrictions*. Any vehicle, regardless of duration, beyond approved parking locations is prohibited for business activity. Use of side streets, neighbors' property, easements, or street parking for client or business vehicles, even temporarily, is a violation. All business-related vehicles shall park on-site on paved or stabilized surfaces. On-street parking by customers or business vehicles is prohibited. Driveways and sidewalks shall not be blocked.

(d.4) *Delivery and transportation restrictions*.

(1) No truck-based deliveries or pickups are permitted in connection with a residential business, except those conducted by U.S. mail or commercial parcel service (e.g., USPS, UPS, FedEx).

(2) Deliveries must be made using standard passenger vehicles, including non-commercial vans or light trucks with no more than two axles.

(3) Business-related deliveries or pickups shall not exceed two per day and must occur only between the hours of 8:00 a.m. thru 7:00 p.m. Monday thru Friday and 9:00 a.m. thru 5:00 p.m. Saturday; none on Sundays or County holidays unless otherwise approved by BOC.

(4) Delivery activity shall be conducted in a manner that does not create excessive traffic, on-street parking, or other adverse impacts inconsistent with residential character of the surrounding area.

(d.5) *Interior use, accessory structures and outdoor activity*.

(1) All business operations shall be conducted entirely within a fully enclosed residential dwelling or an approved accessory structure located on the same premises. No portion of the business shall be conducted in any outdoor area, including but not limited to any yard, driveway, patio, porch, or other exterior portion of the property, unless express conditional approval is granted by the board of commissioners as part of the initial application and review process.

Any proposal involving outdoor activity, including the use of any exterior area of the lot, shall be explicitly identified in the application and subject to public hearing and discretionary review. The board may, in its sole discretion, grant approval for such activities if it determines that they are compatible with the surrounding residential character will not create adverse impacts on neighboring properties, and comply with all applicable provisions of this ordinance. Approval may be subject to conditions, limitations, or performance standards as deemed necessary by the board to mitigate potential impacts and ensure ongoing compliance.

(2) Where outdoor activity is conditionally approved by the board of commissioners pursuant to subsection (a), such activity shall be subject to the following limitations and performance standards:

a. Outdoor business operations shall be limited to a total area not exceeding 200 square feet.

b. All outdoor activity areas shall maintain a minimum setback of 20 feet from all property lines.

c. The designated outdoor area located in the rear yard shall be fully screened from view of adjacent properties and public rights-of-way by a six-foot tall opaque fence, supplemented with landscaping to minimize visual and noise impacts.

d. The use of power equipment in outdoor areas shall be prohibited except during hours expressly permitted by this ordinance or as established by the board of commissioners through the conditional approval process.

e. No outdoor storage of materials, tools, equipment, or vehicles related to the business shall be permitted, unless specifically authorized under conditions of approval.

f. Hours of operation for any outdoor activity shall be subject to limitations established by the board of commissioners and specified in the conditional approval.

(3) Visibility of the business from adjacent properties and public rights-of-way shall be minimized to the greatest extent practicable and shall be designed and maintained in a manner consistent with the existing residential character of the surrounding neighborhood and shall not detract from the visual quality or appearance of the property or area.

(d.6) *Signage*.

(1) One non-illuminated sign up to one square foot may be permitted, or signage may be prohibited entirely, as determined by BOC. In no case shall signs be illuminated or inconsistent with residential

character, it must be flush-mounted on the primary structure's facade, no higher than five feet from ground level.

(2) All signs, including temporary banners, flags, or window notices visible from any public way, are prohibited.

(3) Off-site signage is prohibited and constitutes a violation of the county's sign ordinance. Such violations shall be subject to enforcement actions as provided by the County Code.

(d.7) *Storage and display*.

(1) No outdoor storage or display of business materials is allowed.

(2) *Window and door restrictions*. All windows and exterior doors in the business area must remain uncovered except for standard residential drapes or blinds visible from residential street view. Mirror tints, painted glass, or permanent coverings are prohibited.

(d.8) *Commercial vehicles and utility trailers*.

(1) The principal practitioner may park one commercial vehicle on-site, limited to a pickup truck, panel truck, or van with a maximum carrying capacity of one ton. The vehicle shall not have visible business equipment from surrounding properties. Box trucks are prohibited; trailers are prohibited except as allowed under 'Utility Trailer'.

(2) *Utility trailer*. Utility trailer shall comply with the following standards:

a. The trailer shall be a non-commercial trailer not exceeding 22 feet in length and used in connection with residential business activities.

b. A maximum of one utility trailer shall be permitted.

c. The utility trailer shall be stored entirely within an enclosed garage or located behind opaque screening in the rear yard

d. On-street storage of a utility trailer is prohibited.

e. Loading and unloading of a utility trailer shall occur only during permitted business hours.

(d.9) *Waste disposal and environmental impact*. Residential businesses shall not produce hazardous materials, excessive waste, or pollutants beyond what is normally associated with a residential use.

(1) No on-site burning, burying, or stockpiling of waste materials is permitted.

(2) Waste or by-products shall not be stored outdoors unless enclosed and screened from public view.

(3) The property shall not be used for storage or disposal of toxic, flammable, or hazardous substances beyond household quantities. All uses must comply with all applicable Environmental Protection Division (EPD) regulations. Substances that pose a risk include any chemical, biological, or radiological material that, in excessive amounts, could endanger human health, safety, or the natural environment.

(4) Waste shall not result in odor, vermin, or unsanitary conditions detectable beyond the property line.

(5) Definition of "Normal Household Quantities": Defined as the greater of one U.S. gallon of any single liquid hazardous material or ten pounds of any solid hazardous material, per residence.

(6) Zero-tolerance penalty: Any violation of this threshold, intentional or unintentional, results in mandatory revocation and a 12- to 24-month ban on reapplication.

(d.10) *Combined standards for home occupations and residential businesses*.

(1) *Intent and purposes*. This subsection establishes cumulative limitations for home-based commercial ventures operating on a single residential parcel to ensure such activities remain clearly subordinate to

the principal residential use, preserve neighborhood and agricultural character, and prevent over-intensification of commercial activity within residential areas.

(2) *Number of permitted ventures*. As provided in subsection D.1, no more than two approved home-based commercial ventures - including any combination of home occupation and/or residential business, shall be permitted per residential parcel at any given time.

(3) *District-specific standards and cumulative area limitations*. The combined area for all home-based ventures on a parcel shall not exceed the following, whichever is less per line item:

a. AR-1, AR-2, AR-3 and R-I Districts: 700 square feet or 35 percent of the heated floor area of the principal dwelling;

b. Districts where only home occupations are permitted: 500 square feet or 25 percent of the heated floor area of the principal dwelling.

This total includes all interior work areas, accessory structures, and storage areas associated with the approved ventures.

(4) *Cumulative traffic thresholds*.

a. *Purpose*. To ensure that the intensity of activity from multiple home-based commercial ventures remains compatible with residential areas and does not create cumulative traffic or parking impacts inconsistent with neighborhood character.

b. *Daily and weekly limits*. The combined total for all approved ventures on a single parcel shall not exceed eight business-related trips per day or 40 trips per calendar week, unless specifically modified by the board of commissioners under conditional approval.

c. *Shared operations*. Where more than one venture operates on a parcel, all trips shall be tallied cumulatively across ventures. Applicants must demonstrate - via concept plan and business plan, that combined activity will remain within the trip caps.

d. *Exceedance review and mitigation*. Exceeding trip caps constitutes a zoning violation subject to enforcement under section (h). Applicants may request a conditional modification from the board of commissioners demonstrating that additional trips will not adversely affect adjacent properties. Mitigation measures may include restricted delivery windows, staggered scheduling, or enhanced on-site parking management.

e. *Monitoring and verification*. The zoning administrator may require submission of periodic trip-log affidavits or evidence (e.g., appointment schedules, delivery records) to verify compliance.

(5) *Non-Transferability*. Approval shall be issued to the principal practitioner and shall not transfer upon sale, lease, or change of occupancy.

(6) *Application submittal requirements*. Each application shall include the following:

a. *Concept plan*. A concept plan shall be required verifying the total heated floor area used for business purposes. If a business is currently being operated on the residential parcel, it shall be identified on the concept plan along with the proposed new business being applied for. The concept plan shall depict, at a minimum: parcel boundaries; principal dwelling and accessory structures; floor-area calculations for all business spaces; parking/driveway layout; loading/delivery areas (if any); customer entrance (if any); and the location of any proposed signage, outdoor storage, or equipment.

b. *Business plan*. A business plan shall be required at the time of application and shall include, at a minimum: business description; principal practitioner information; operations summary; staffing; floor-area allocation table; parking/access plan; equipment and vehicles; materials, storage, and

waste; neighborhood impacts and mitigation; signage; licenses and approvals; and a compliance affidavit.

c. *Administrative review*. The zoning administrator shall review the concept plan and business plan for completeness and compliance. Additional documentation may be requested as necessary to verify compliance with this ordinance.

d. *Photographs*. The applicant shall provide current color photographs sufficient to document compliance, including at a minimum: (a) front and side elevations of the principal dwelling; (b) driveways, parking areas, and points of access; (c) any accessory structures or detached work areas proposed for business use; (d) any existing or proposed signage; and (e) any outdoor storage or equipment associated with the business. Photographs shall be dated within 14 days of the application and become part of the permanent record of approval.

(7) *Enforcement*. Exceeding the maximum permitted area, number of ventures, or violating any condition of approval constitutes a zoning violation subject to enforcement as provided in subsection (h) of this ordinance (enforcement).

(d.10A) *Agricultural-related residential businesses (AR-1 zoning district only)*.

(1) *Purpose*. The purpose of this subsection is to allow limited business activity on residential property in the AR-1 zoning district where such activity is directly related to agricultural operations, provided that it remains clearly subordinate to the residential use of the property and consistent with the rural character of the area.

(2) *Eligibility*. This subsection shall apply only to properties zoned AR-1 (agricultural residential) that meet all of the following criteria:

a. The property consists of a single parcel containing not less than five acres;

b. The parcel is not located within a platted subdivision; and

c. The proposed business use is agricultural-related, as defined herein.

For the purposes of this subsection, "agricultural-related business" shall mean a business whose primary function supports or is derived from agricultural production, including but not limited to the processing, storage, or direct marketing of agricultural products, or the repair of agricultural equipment, provided that:

1. No more than two pieces of agricultural equipment may be worked on or stored on the property for repair, service, or maintenance at any given time; and

2. All repair or maintenance activity shall occur within a fully enclosed building or within a designated work area screened from view of adjoining properties and public rights-of-way.

(3) *Conditional expansion of allowable area*.

a. In lieu of the standard limitation of 700 square feet or 35 percent of the principal dwelling's floor area permitted for a residential business, an applicant meeting the eligibility requirements above may request approval to:

1. Utilize up to 1,000 square feet of enclosed floor area; and

2. Occupy up to 45 percent of the principal dwelling's heated floor area, whichever is less.

This total includes all interior work areas, accessory structures, and storage areas associated with the approved ventures.

b. Such request shall be subject to review and final determination by the Effingham County Board of Commissioners in accordance with the procedures established for residential business approvals.

(4) *Additional standards and stipulations*.

a. All other applicable standards of section 3.15A shall apply unless specifically modified herein.

b. The board of commissioners may impose additional stipulations as reasonably necessary to protect the public health, safety, and welfare, including but not limited to:

1. Limitations on hours of operation;

2. Screening or buffering of outdoor storage, parking, or repair areas;

3. Limitations on the number of employees or customer visits; and

4. Access or roadway improvements as necessary to ensure safe ingress and egress.

(5) *Road access conditions*.

a. Where the subject property has access from a county-maintained public road, the board of commissioners may require driveway, apron, or frontage improvements to ensure compatibility with anticipated business activity.

b. Where access is via a private road or easement, the applicant shall demonstrate that such access is adequate for the proposed level of activity and that business use of the road does not violate existing covenants, easements, or private agreements.

c. The board of commissioners may limit or deny approval if it determines that use of a private road for business purposes would create a safety hazard or impose undue maintenance or access burdens on other property owners.

(6) *Findings*. Before granting approval under this subsection, the board of commissioners shall find that:

a. The use is clearly incidental and subordinate to the agricultural and residential use of the property;

b. The proposed business will not create excessive traffic, noise, or other impacts inconsistent with the character of the area;

c. Adequate access, buffering, and operational controls are provided; and

d. The business activity will not adversely affect adjoining properties or the rural residential environment.

(7) *State law compliance; agricultural practice protection*.

a. The use permitted under this subsection shall be conducted in accordance with all applicable state and federal laws, regulations, and permits (including environmental, health, fire, building and septic-system requirements).

b. The business activity shall be operated so as not to interfere with the lawful agricultural operations, as defined under O.C.G.A § 41-1-7 ("Treatment of agricultural facilities and operations as nuisances"), on adjoining or nearby agricultural parcels.

c. The applicant shall certify that the business activity will be subordinate to the residential and agricultural uses, and will not supersede or convert the parcel to a primarily non-agricultural commercial operation.

(9) *Review of changes in intensity*. Any change in the nature or intensity of the business approved under this subsection (including but not limited to increased equipment, new structures, expanded hours, increased number of employees or customer visits, or increased floor-area use beyond what was approved) shall require a new application or amendment to the existing approval and may be subject to additional stipulations by the board.

(8) *Monitoring and revocation*.

a. The board of commissioners shall require an annual review to confirm compliance with all conditions of approval. Such review shall occur in conjunction with the county's business license renewal cycle and may include inspection by the zoning administrator or their designee to verify ongoing compliance.

b. Failure to comply with any condition imposed hereunder may result in revocation or suspension of the business authorization granted under this subsection.

(10) *Renewal submittals*.

a. At each annual renewal pursuant to section (d.11), the applicant shall submit an updated concept plan and an updated business plan reflecting any changes in operations, staffing, floor-area allocation, equipment/vehicles, parking and access, deliveries, outdoor areas, signage, materials and waste handling, and mitigation measures.

b. The applicant shall also submit current color photographs sufficient to document compliance, including, at a minimum, the principal dwelling (front and side elevations), driveways/access and on-site parking, any accessory structures or detached work areas, any existing or proposed signage, and any outdoor storage or equipment.

c. Renewal submittals shall meet or exceed the minimum contents specified in section (d.11) (renewal application requirements) and the photograph standards set forth in this section, and failure to provide complete renewal submittals shall be grounds for denial or non-renewal.

(d.11) *Renewal of residential and home-based business approvals*.

(1) *Purpose*. To ensure continued compliance of approved ventures through an annual administrative review process.

(2) *Renewal frequency*. Each approved home occupation or residential business, shall be renewed annually in conjunction with the county's business license renewal cycle. Failure to submit a renewal application within the prescribed period shall render the prior approval void.

(3) *Renewal application requirements*. A renewal packet shall include, at a minimum:

a. Renewal form signed by the principal practitioner and property owner (if applicable).

b. Updated business plan summary detailing any changes in operations, staffing, traffic, or equipment.

c. Floor-area verification demonstrating continued compliance with applicable district limitations.

d. Concept plan update, if applicable.

e. Compliance affidavit affirming ongoing conformance with this ordinance.

f. Photographs showing the principal dwelling, driveways/access, on-site parking, accessory structures, outdoor storage, and signage.

g. Inspection authorization granting code enforcement or their designee access for site inspection if necessary.

(4) *Administrative review*. Renewal applications shall be reviewed administratively by the zoning administrator. The administrator shall approve renewals that demonstrate continued compliance. If noncompliance is found, the administrator may deny renewal pending compliance or refer the matter for enforcement under section (h) of this ordinance (enforcement).

(5) *Lapse of approval*. Failure to submit a complete renewal application and associated documentation by the renewal deadline shall result in automatic expiration of the approval. Any subsequent operation shall require a new application pursuant to subsection (d.10).

(6) *Transfer and ownership changes*. Approvals are specific to the principal practitioner and shall not transfer upon sale, lease, or change of occupancy. A new practitioner must apply as a new business under this ordinance.

(e) *Prohibited residential business types*. The following business types are strictly prohibited within residential dwellings under this ordinance, regardless of scale, frequency, or proposed mitigation measures:

- Vehicle or equipment repair: Automotive, boat, motorcycle, equipment, and small engine repair, and vehicle detailing are prohibited uses unless expressly authorized by BOC under conditional approval with specific standards.
- Appliance repair: Including repair of major household appliances such as refrigerators, ovens, washers/dryers, etc.
- Retail sales: Sale of goods not produced or fabricated on-site, including online resale operations, pawn shops, or storefront activity.
- Food or beverage service: Including any restaurant, commercial kitchen, tavern, catering facility, or food sales operation.
- Group activities or assembly-based uses: Group instruction, meetings, counseling, classes, or assembly uses involving more than one participant (excluding the principal practitioner) present at the same time are prohibited, except licensed childcare/daycare duly authorized by applicable regulations. 'Participant' means each person other than the principal practitioner physically present for business purposes, except for licensed childcare/daycare duly authorized by applicable regulations. Serial appointments shall be managed to comply with trip caps, parking, and hours.
- Hazardous or industrial operations: Including use or storage of chemicals beyond household quantities; manufacturing, welding, or woodworking with industrial equipment; and any operation producing fumes, noise, or pollutants beyond the dwelling.
- Dispatch or commercial vehicle storage: Including on-site parking or dispatch of tow trucks, delivery fleets, heavy equipment, or landscaping crews.

These uses are inconsistent with the intent of this section, which is to preserve the residential character of neighborhoods and protect the health, safety, and welfare of surrounding property owners.

(f) *Prohibited activities*.

(1) Repair or mechanical maintenance of motor vehicles, boats, recreational vehicles, or equipment is prohibited, as is any business activity that: creates noise, odors, vibration, fumes, glare, electrical interference, or other nuisances that are perceptible beyond the structure of the dwelling; causes electrical interference detectable beyond the dwelling; or endangers the health, safety, or welfare of the neighborhood.

(2) *Misrepresentation ban*. Any pattern of unreported or misrepresented employment is grounds for immediate revocation and a 12- to 24-month reapplication ban.

(3) *E-commerce and retail ban*. No on-site retail or wholesale sales to customers are permitted without BOC approval. Storage of inventory produced off-site is prohibited. Storage of finished goods produced on-site is limited to 50 square feet and 100 cubic feet unless otherwise approved by BOC. Customer pickup of goods on-site is prohibited absent BOC approval, regardless of where payment occurs. 'Retail activity' includes order pickups, curbside exchanges, and any transfer of possession to customers at the premises.

(g) *Architectural consistency*.

(1) Any modifications or additions to the residence for business purposes must match the architectural character of the surrounding residential or agricultural area.

(2) *Defined business area*. Before approval, floor areas to be used for business shall be permanently marked and documented on the dwelling's layout. Unauthorized expansion is a violation.

(3) *Renovation disclosure*. Any proposed renovations that would expand usable space must be disclosed and separately approved before any work or business activity begins.

(h) *Enforcement*.

(1) The code enforcement or their designee shall be responsible for the enforcement of this ordinance.

(2) Any person operating a residential business in violation of the provisions of this ordinance shall be subject to enforcement actions, which may include written warnings, fines, revocation of the conditional use permit, stop-work orders, and legal proceedings as provided by County Code. Each day a violation continues shall constitute a separate offense, with a maximum fine of $1,000.00 per day as stated in County Ordinance, Part II - Official Code, chapter 1, section 1-19, general penalty, continuing violations; authority granted to court.

(3) The county reserves the right to inspect residential businesses for compliance with waste disposal requirements.

(4) Failure to comply with the terms and conditions of approval may result in revocation of the permit and prohibition from reapplication for a period of 12 to 24 months.

(5) Complaints must be submitted in writing and will be investigated by the code enforcement or their designee.

(6) The board of commissioners reserves the right to revoke approval for cause, following a public hearing.

(7) *Immediate review trigger*. Any violation found during unannounced inspections or substantiated complaints triggers immediate review and possible summary suspension of business activity by county code enforcement.

(8) *Repeat violation ban*. Any business found in non-compliance more than once within a two-year period is permanently disqualified from residential business operation at that address.

(9) *Surveillance requirement*. Businesses are subject to video monitoring or time-stamped photo records of parking area use upon county inspection demand.

(10) *Employee limits*. Business records, including all compensation forms (W-2, 1099-MISC, cash logs) for every individual providing services for the business, must be available for inspection upon request.

(11) *Annual zoning compliance renewal is required*. The county may inspect upon credible complaint or with reasonable notice. Violations are subject to a tiered enforcement path: warning, fine, suspension, and revocation. Repeated or material violations constitute grounds for revocation.

(i) *Consistency clause*. In the event of a conflict between this section and other provisions of the zoning code, the more restrictive provision shall control. All activities remain subject to general nuisance, noise, and property maintenance regulations.

(Ord. of 12-14-99(2), § 2; Amend. of 12-14-04(1); Ord. No. 2025-404a, 9-2-25; Ord. No. 2025-545, 12-2-25)

3.15B Rural businesses.

"Rural business" means an occupation or profession which is conducted either entirely or partially within a dwelling, which is carried on by a principal practitioner who at all times maintains said dwelling as his or her permanent residence, and which employs no more than one employee who does not reside therein.

Rural businesses are permitted as a conditional use only in Agricultural Residential (AR-1 and AR-2) districts, and a rural business may be permitted in said district only if it meets the following criteria:

(a) Intent. A rural business shall be a small office or small-scale retail sales or service-type business which shall be secondary or incidental to the primary use of property for agricultural or residential purposes. Such business shall be primarily directed toward providing local or neighborhood service to the rural-residential area in which it is located. Rural businesses are intended to be of a smaller size, intensity, and scale than commercial uses which would be more commonly found in commercial or business zoning districts. Rural business activities may occur in an accessory structure detached from the principal residence or in a screened area outside of the dwelling. In addition, an applicant for a rural business must have established residency and be living in a residence upon the subject property prior to any application being filed for consideration by the zoning administrator. There are no restrictions on customers coming to the premises.

(b) Each rural business must be approved by the board of commissioners before any activities in connection with the occupation begin. The board of commissioners may place reasonable conditions on the proposed use as deemed necessary to insure the orderly operation of the proposed business and its compatibility with the surrounding properties. The board of commissioners shall hold a public hearing as provided in article IX of this ordinance.

(c) Rural businesses shall be limited to no more than 1,000 square feet if in a structure, and 1,000 square feet of land if outside a structure. Should the use require both inside and outside area, the total area used may not exceed 1,000 square feet. If the rural business is to be conducted in the residence, no more than 45 percent of the heated floor space or 1,000 square feet, whichever is less, may be used for the business. The proposed size of the business shall be specified at the time that the application is submitted to the zoning administrator.

(d) Any additions or alterations to the residence which will be used for the rural business must be of an architectural style in keeping with the surrounding residential and agricultural development. Any structure built to house the business must be located to the side or rear of the residence, unless it is at least 100 feet from the front property line and meets all applicable side and rear setbacks. The structure must be readily and easily usable for customary agricultural and residential uses.

(e) Any outside area in which the business is conducted, other than parking area, shall be completely enclosed in a manner that the business is not visible from surrounding property.

(f) Only one nonilluminated sign not to exceed 16 square feet is permitted, location to be approved by the zoning administrator. Said location must be at least 15 feet from all property lines.

(g) No more than two commercial ventures (home occupations, residential businesses, and/or rural businesses) shall be allowed in any residence at one time.

(h) Property on which the rural business is proposed must have frontage on a public road.

(i) Parking for customers/clients must be provided on-site, and the location of the parking approved by the zoning administrator.

(j) Days and hours of operation requiring access by the public, customers and/or clients shall be Monday through Saturday, daylight hours only.

(k) Rural business shall be located on property containing at least three acres of land.

(l) Uses permitted (as rural businesses):

1. Offices;

2. Beauty shops, barber shops;

3. Retail sales or services of a specialty nature, such as antique shops, specialty food shops, custom furniture stores, custom-made sporting goods shops, and meat cutting as a retail service to the public provided, however, that no slaughtering or wholesale meat cutting or processing is permitted;

4. Small repair shops for appliances, machinery, farm equipment, or automobiles with the following limitations:

   a. Repair shops shall not create noise, noxious odors, or any hazard which would adversely affect the health, safety, or welfare of the adjoining property owners or the neighborhood in general;

   b. Repair shops shall operate during daylight hours only;

   c. No more than two vehicles shall actually be serviced, actively worked on, or repaired at any one time. Any pieces of machinery equipment or vehicles stored for service or awaiting pick-up after servicing shall be parked within an area reserved for that purpose (maximum 1,000 square feet) and designated at the time of approval by the board of commissioners. The storage area must be located to the side or rear of the shop building unless normal operation would generate large amounts of vehicular traffic.

(m) Uses not permitted as rural businesses:

1. Any use which clearly is out of scale or character with an agricultural or residential area.

(Ord. of 12-14-99(2), § 3; Amend. of 12-14-04(1))

3.16 Junk yards.

3.16.1 All junk yards shall be completely screened from roads or developed areas with a solid fence or wall a minimum of seven feet, maintained in good condition as determined by the governing authority, and painted except for masonry construction, or with suitable evergreen plantings. Refer to section 3.4 for additional requirements.

3.16.2 No operations shall be conducted which shall cause a general nuisance or endanger the public health.

3.16.3 All existing junk yards shall comply with these requirements within one year of the date of this ordinance, or shall then terminate their operation.

3.16.4 Wrecked automobiles shall be stored in an orderly manner with an adequate area for maneuvering provided within the property boundaries. All loading and unloading shall occur within the property boundaries and no trucks delivering or picking up the wrecked automobiles shall park in the public road or public road rights-of-way. Under no circumstances may wrecked automobiles be stacked and at no time may any storage yard contain more than 50 wrecked automobiles. Further, all wrecked automobiles shall be free of all motor fuels and fluids including, but not limited to, gasoline, diesel fuel, oil, brake fluid, engine coolant and transmission fluids.

(Ord. of 11-5-19

3.16A Shipping container facility.

3.16A.1 Buffers. A shipping container facility shall be subject to the buffer requirements for heavy industrial uses pursuant to section 3.4, buffers. A variance to the buffer requirements may be requested, according to the following:

(a) The width of the vegetative buffer required in HI-Heavy industrial may be reduced six feet for every one feet of berm height.

3.16A.2 Facility operation limitations. All repairs, with the exception of general maintenance and minor repairs, shall only occur within an enclosed building.

3.16A.3 Signs. All signage shall meet the requirements for signs in industrial districts per part II, chapter 62-signs, article III, section 3.38, signs.

3.16A.4 Parking and access. Parking and access for customers and employees must be provided on-site, pursuant to section 3.30, off-street access control and parking.

3.16A.5 Hours of operation. Days and hours of operation requiring access by customers and/or clients shall be Monday through Saturday, daylight hours only, except in cases of emergencies, natural disasters, or required maintenance.

3.16A.6 Uses permitted. Shipping container storage, including offices related to the business operations.

3.16A.7 Uses not permitted: Any use which is ineligible for state or local permits, or a county occupational tax license.

3.16A.8 Performance standards. Shipping container storage facilities are subject to section 5.12.4, performance standards.

3.16A.9 Approval. A shipping container facility conditional use application shall be submitted for review by the planning board and approval by the board of commissioners.

3.16A.10 Transportation network and road impacts.

(a) A traffic impact study shall be required, pursuant to the county traffic impact study requirements.

(b) All vehicles entering and exiting the site are subject to section 74-8, designated truck routes.

(c) The property on which the shipping container facility is proposed must have frontage on a paved roads built to county or GDOT standards.

(d) No shipping container facility operators or transportation partners, customers, etc., shall damage any portion of a county road or right-of-way or cause a road to become impassable or unsafe to normal passenger traffic.

3.16A.11 Minimum requirements for operating a shipping container facility using a county road access:

(a) Entrance drive/road into shipping container facility property is to be paved from edge of existing road to county right-of-way or to radius point. Pavement is to be at minimum eight inches thick graded aggregate base course with three inches thick asphalt surface course.

(b) Pavement section is to be 24-foot minimum width at county right-of-way, with a 30-foot radius on each side.

(c) Figure 1 of this section illustrates the shipping container facility entrance road requirements.

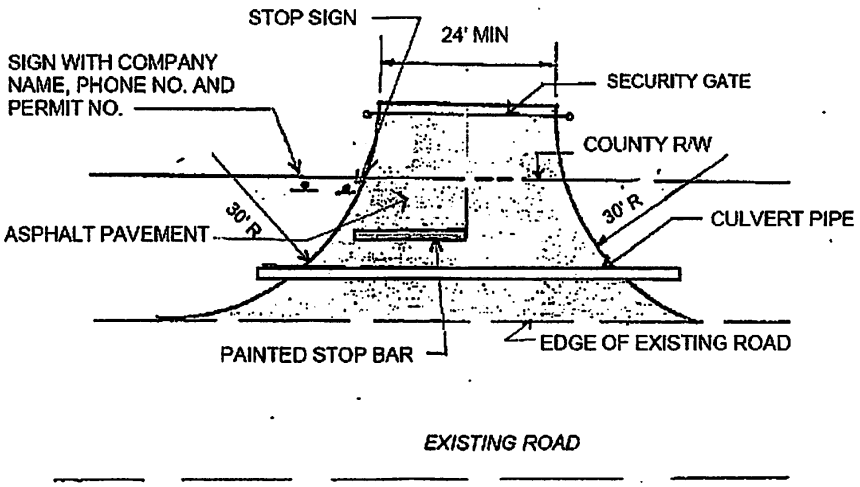
(d) A driveway culvert is to be installed if the right-of-way contains a roadside ditch or drainage swale, to allow for the continuation of drainage control along the right-of-way.

(e) The shipping container facility operator must install a sign facing the county road. The sign shall include the following information:

1. Operator/company name, and
2. Operator/company phone number.

(f) "Trucks Entering Road" signs are also to be installed at locations to be determined by the county engineer. A "Stop" sign is to be placed in the right-of-way to control trucks entering a county road from the shipping container facility.

Figure 1 Shipping Container Facility Entrance Road Requirements



(Ord. of 1-3-23(2))

3.17 Excavation, mining, ponds, and fills of land and/or state/federal jurisdictional waters or wetlands.

3.17.1 The following activities shall be subject to review by the board of commissioners:

1. Excavation of land, or removal of earth that exceeds one acres of disturbed area.
2. Removal of earth or like material from the subject site to another parcel.
3. Filling of land and/or state/federal jurisdictional waters or wetlands.

If two out of the three items above meets the project criteria, review and approval by the board of commissioners is mandatory. If one of the three items above meets the project criteria, review by the county engineer or their designee is mandatory.

3.17.2 Excavation, mining, and fills of land and/or state/federal jurisdictional waters or wetlands. Excavation, mining, and fills of land and/or state/federal jurisdictional waters or wetlands that are associated with a specific project that has been approved by the board of commissioners that comply with all other regulations set forth in this ordinance are exempt from section 3.17.

3.17.3 Requirements for submittal for planning board and/or staff review.

1. Application and checklist.
   a. Applications and a checklist may be obtained from the development services office.

b. Application and checklist must be complete and submitted with all required information.

c. Fees in accordance with the county schedule of fees must be paid at the time of application submittal.

2. Excavation activities that have greater than one acre of disturbed area must obtain a state mining permit. A copy of the approved state mining permit must be submitted to the development services office prior to work commencing.

3. Any excavation activity between one acre and ten acres that requires a state mining permit or is a GDOT-approved borrow-source or pit for a GDOT-approved project, may be permitted as a conditional use in the AR-1 and AR-2 zoning districts, upon approval of the board of commissioners, and after review by the planning board.

4. Any excavation activity greater than one acre of disturbed area may be permitted in the PD zoning district. Excavation activities that have greater than ten acres must be permitted in PD.

3.17.3A Requirements for approval and final inspection.

1. Pond of less than one acre of disturbed area. Construction of the pond shall cease within six months of the approval date. The pond may be subject to a final inspection.

2. For any excavation activity between one acre and ten acres that is approved as a conditional use in AR-1 or AR-2, and requires a state mining permit, or is a GDOT-approved borrow-source or pit for a GDOT-approved project, the bond shall be submitted to DNR, if required. Excavation activities shall cease within three years of DNR or GDOT approval date. Extension of excavation activities beyond three years will require approval by the board of commissioners, after review by the planning board. Business operator shall maintain an annual occupation tax certificate, pursuant to article II, business and occupation tax, for a license to operate a surface mine. Applicant shall submit a survey of the completed excavation site to development services. A final inspection is required. All DNR reclamation requirements shall be met.

3. For any excavation activity greater than one acre that requires a state mining permit and is permitted in PD ~~MR~~, or is a GDOT-approved borrow-source or pit for a GDOT-approved project, the bond shall be submitted to DNR, if required. Excavation activities shall cease within five years of DNR or GDOT-approval date. Extension of excavation activities beyond five years shall require approval by the board of commissioners, after review by the planning board. Business operator shall maintain an annual occupation tax certificate, pursuant to article II, business and occupation tax, for a license to operate a surface mine. Applicant shall submit a survey of the completed excavation site to development services. A final inspection is required. All DNR reclamation requirements shall be met.

3.17.4 Construction requirements.

1. All projects must comply with best management practices as outlined in the "Manual for Soil and Sediment Control in Georgia" as specified in O.C.G.A. § 12-7-6.

2. Side slopes of any excavated area must be constructed at a maximum of 3:1 slope (one foot in elevation change per three feet of horizontal distance) from the top of the excavation to the bottom at all times during construction and at completion of the excavation. All wet ponds must have a minimum five feet depth and a minimum ten feet width from bottom of the bank, excluding stormwater ponds.

3. All digging and hauling operations must be completed within six months. All disturbed areas will have a permanent stand of grass established at completion.

4. No digging and hauling activities shall take place except between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday for a pond less than one acre and in an R Zoning District. A project of regional

significance may be permitted alternative hours of operation, upon review and approval by the county manager or his designee.

5. Unless a pond/excavation is to be shared by two or more parcels it shall be located at least 50 feet from the nearest property line. Proposed excavations shall not be nearer than 100 feet to any existing school, church, dwelling, or highway right-of-way. The location of the existing Pond may not be within 50 feet from any proposed school, church, dwelling or highway right-of-way. No pond shall be located less than ten feet from the nearest access or utility easements. Refer to the Buffer Ordinance (Section 3.4) for Buffer requirements for surface mining operations.
6. All wetland impacts must be approved by the USACE.
7. The construction entrance and roadway shall be designed and built pursuant to GSWCC Construction Exit Guidance (2016 Edition). The roadway shall extend a minimum of 50 feet into the mine site from the paved entrance.

(Ord. of 7-5-05; Ord. of 8-2-16, § 1; Ord. of 9-15-20; Ord. of 1-3-23(1); Ord. No. 2024-348, 8-20-24)

3.17A Reserved.

Ord. No. 2024-348, adopted Aug. 20, 2024, repealed § 3.17A, which pertained to ponds—construction and derived from Ord. of Sep. 4, 2007, § 1(b).

3.18 Land subject to flooding.

No building or mobile home shall be moved into or constructed in a flood prone area unless the first floor elevation, including all mechanical and electrical equipment, ductwork, and any basement, is one foot above the highest elevation at that location expected to be flooded in a 100-year flood. These requirements shall be enforced in accordance with the county floodplain management ordinance.

3.19 Living units in zones other than residential.

Dwellings shall not be permitted in any industrial district as a principal use. However, living units may be established conditionally within an industrial district, provided that such living units are accessory to the industrial use and have direct access to an abutting street.

(Ord. of 12-8-09, § 1)

3.20 Minimum living area.

Single-family and multifamily dwelling units shall comply with all applicable building, fire, health, and development requirements. Dwelling units shall be designed and constructed in a manner that does not adversely affect the public health, safety, or general welfare or the character of the surrounding area. (This section shall not apply to mobile homes meeting all other requirements of this ordinance.)

3.21 Mobile homes, trailers, mobile home parks, and trailer parks.

No trailer, manufactured home, industrialized home, or mobile home shall be parked outside of a campsite/RV park or planned manufactured home community unless specifically permitted in a particular zoning district to provide living quarters or space for the conduct of a business. A trailer, manufactured home, industrialized building, or mobile home may be used temporarily for office purposes during the construction of a principal building or road upon the issuance of a temporary permit by the zoning officer. Notwithstanding the

foregoing, any owner of camping and recreational equipment, including but not limited to travel trailers, pick-up coaches, motorized homes, and boat trailers, may park or store such equipment on private residential property subject to the following conditions:

3.21.1 Such parked or stored camping and recreational equipment shall never be occupied or used for living, sleeping, or housekeeping purposes.

3.21.2 If the camping or recreational equipment is parked or stored outside of a building, it shall be parked or stored, if possible, to the rear of the front building line of the lot.

3.21.3 Notwithstanding the provisions of subsection 3.21.2 above, camping and recreation equipment may be parked anywhere on the premises while actually being loaded or unloaded.

3.21A. Mobile and manufactured homes septic tank installation.

Any certificate of occupancy and any building permit issued for a mobile home or manufactured home may be revoked by the zoning administrator 30 days or more after issuance of such certificate or permit upon a determination that the mobile home or manufactured home has not been connected to a properly functioning septic tank or sewage system, duly approved by the county health department.

3.22 Reserved.

3.23 Moving of buildings.

Whenever a building is moved from any location to a site within Effingham County, the building shall immediately be made to conform to all provisions of the building, plumbing, and electrical codes, if any, and this ordinance. The person causing the building to be moved shall secure a building permit from the zoning office.

3.24 Nonconforming buildings or structures.

3.24.1 Any lawful use of any dwelling, building, or structure existing as of the effective date of this ordinance may be continued, even though such use does not conform to the provisions hereof. Routine maintenance and repair that does not increase the degree of nonconformity shall be permitted. If no structural alterations are made, a nonconforming use may be changed to another nonconforming use of a more restricted classification. Whenever a nonconforming use has been changed to a more restricted use or to a conforming use, such use shall not thereafter be changed to a less restricted use. No nonconforming building or structure shall be extended or enlarged except when authorized by the board of commissioners, who may permit a cumulative enlargement or extension up to 50 percent of the gross floor area of the structure as it existed on the effective date of this ordinance.

Any such enlargement or extension shall not increase the degree of nonconformity and shall be evaluated for consistency with the future land use map and comprehensive plan.

Any enlargement, extension, or expansion of a nonconforming structure or use shall comply with all applicable current zoning standards to the maximum extent practicable, including but not limited to setbacks, buffers, and screening requirements. In addition, all enlargements, extensions, or expansions shall comply with applicable current building and fire code standards.

3.24.2 Whenever the use of a building shall become nonconforming through a change in the zoning ordinance including zoning map amendments or text amendments, or the district boundaries, such use may be continued, and if no structural alterations are made, may be changed to another nonconforming use of the same or a more restricted classification.

Discontinuance of such use shall be governed by section 3.24.3.

3.24.3 A nonconforming use of a building or portion thereof that is discontinued for a continuous period of 12 months shall not be reestablished except in conformity with the regulations of the district in which such building is located.

Discontinuance shall create a rebuttable presumption of abandonment, and the burden shall be on the property owner to demonstrate otherwise.

Seasonal, agricultural, or temporary uses shall not be considered discontinued solely due to periods of inactivity, provided evidence of ongoing or intended use is demonstrated.

3.24.4 A nonconforming building, other than a single-family dwelling, which has been damaged by fire, explosion, act of God, or act of war to the extent of more than 75 percent of its fair market value at the time of damage shall not be restored except in conformity with the regulations of the district in which it is located. When damage is less than 75 percent of its fair market value a nonconforming building may be repaired or reconstructed and used as before the time of damage, provided such repairs or reconstruction are completed within two years of the date of such damage. Such reconstruction shall not increase the degree of nonconformity and shall comply with applicable floodplain management regulations where applicable.

Where the extent of damage is disputed, the county may require an independent appraisal by a licensed Georgia real estate appraiser at the property owner's expense. The board of commissioners shall make the final determination of fair market value for purposes of this section.

3.24.5 Subject to the limitation set forth in section 2.55.2 of this ordinance, a nonconforming single-family dwelling which has been damaged or destroyed by fire, explosion, act of God, or act of war may be repaired, reconstructed, or replaced with a nonconforming structure of the same dimensions and used as before the time of damage, provided such repair, reconstruction, or replacement is completed within two years of the date of such damage and provided that the structure meets all applicable county building and permitting requirements. The replacement structure shall not exceed the original footprint, height, or gross floor area. The board of commissioners may grant a one-time extension of up to one additional year for good cause.

3.24.6 A nonconforming structure located on a lot in any district, when once removed, shall not be relocated on such lot and shall not be replaced with another nonconforming structure except as otherwise permitted by this ordinance. This provision shall apply only to voluntary removal and shall not prohibit reconstruction permitted under sections 3.24.4 and 3.24.5 or relocation required by condemnation or governmental action.

(Ord. No. 2026-189, 5-19-26)

3.25 Nonconforming lots.

3.25.1 Remedies. Where two or more nonconforming lots with continuous frontage are under the same ownership or where a nonconforming lot has a continuous frontage with a larger tract under the same ownership, such lot or lots shall be combined to form one or more building sites meeting the lot requirements of the district in which they are located.

3.25.2 Dwellings on nonconforming lots. A building permit may be issued for at least one single-family dwelling on a legally existing nonconforming lot, provided that the remedies set forth in this section cannot be complied with and that all other applicable regulations of the zoning district are met.

Legally existing lots that do not meet the minimum dimensional requirements of the zoning district shall be considered nonconforming lots and shall not be required to rezone solely due to such dimensional nonconformity.

Nothing in this section shall be interpreted to limit or prohibit the number of dwelling units otherwise permitted by the underlying zoning district, including, but not limited to, districts that allow two or more primary dwelling units per lot.

Where a zoning district permits more than one dwelling unit per lot, such units may be permitted on a nonconforming lot only where all applicable zoning, health, and development standards can be met.

Where a proposed development cannot meet applicable zoning requirements, the property owner may seek relief through a variance, rezoning, or other applicable approval process in accordance with this Ordinance.

3.25.3 Nonconforming uses of land. The nonconforming use of land not involving any principal building or structure existing on the effective date of this ordinance may be continued for a period of not more than five years; provided, however, that no such nonconforming use of the land shall in any way be expanded or extended either on the same or adjoining property. If such nonconforming use of land or any portion thereof is discontinued or changed, any future use of such land shall be in conformity with the provisions of this ordinance. Active agricultural and forestry uses consistent with the comprehensive plan shall be exempt from this limitation, provided they do not create adverse impacts on surrounding properties.

3.25.4 Dwellings on nonconforming lots. The board of commissioners may authorize the issuance of a building permit for a single-family dwelling on a legally existing nonconforming lot only where it is demonstrated that compliance with the requirements of this section cannot be achieved. The board of commissioners may also grant variances to lot and building requirements in cases of hardship, provided that such relief does not create conditions detrimental to the public health, safety, and welfare.

(Ord. No. 2026-189, 5-19-26)

3.26 Nonconforming use of buildings and structures.

Use of any building or structure not in conformance with these regulations pertaining to uses permitted on the effective date of this ordinance may not be:

3.26.1 Changed to another nonconforming use except where it is determined by the county commissioners that the design, construction, and character of the building is suitable for uses permitted in the district in which such nonconforming use is situated.

3.26.2 Reestablished after discontinuance for 12 months except where it is determined by the board of commissioners that the design, construction, and character of the building is unsuitable for conforming uses.

3.26.3 Extended, enlarged, or expanded except when authorized by the board of commissioners who may permit a cumulative enlargement or extension up to 50 percent of the gross floor area of the structure as it existed on the effective date of this ordinance. Such expansion shall not increase the degree of nonconformity and shall be evaluated for consistency with the future land use map and comprehensive plan.

(Ord. No. 2026-189, 5-19-26)

3.27 Nursing homes.

Nursing homes shall include convalescent homes, homes for the aged, and such other activities designed to take care of the aged or persons unable to care for themselves without supervision or assistance. Nursing homes shall be permitted as a conditional use in any multifamily residential district. Such uses shall comply with all regulations applicable to the district. Such uses shall comply with the off-street parking requirements set forth in this article. In addition, such uses shall meet the minimum requirements as set forth by state or federal agencies

regulating such activities and shall, upon application for either building permit or occupancy certificate, provide certificates indicating approval by such state and federal agencies.

3.28 Obstruction to vision at road intersections and driveways.

3.28.1 The minimum development standards set forth in this section shall apply to land abutting streets, street intersections, and driveways delineated as follows:

(a) The triangle bounded on two sides by the intersecting right-of-way lines, measured 40 feet in each direction from the point of intersection, and on the third side by the diagonal line connecting the ends of the 40-foot sides, as illustrated in Figure 1.

(b) The triangles bounded on two sides by the intersection of a private driveway, measured 40 feet along the road right-of-way and 12.5 feet along the private driveway. This shall apply to each side of the private driveway.

(c) Additional sight distance requirements may be imposed on streets and roads maintained by Effingham County or the State of Georgia based on design speed and Institute of Transportation Engineers and American Association of State Highway Transportation Officials standards.

3.28.2 Within the triangles identified in subsection 3.28.1 above, and except as provided in subsection 3.28.2 below, no structure, sign, plant, shrub, tree, berm, fence, wall, or other object of any kind shall be installed, constructed, set out or maintained so as to obstruct cross-visibility at a level between 30 and 120 inches above the level of the center of the street intersection or driveway.

3.28.3 The restrictions of this section shall not apply to:

(a) Existing natural grades which, by reason of natural topography, rise 30 or more inches above the level of the center of the adjacent intersection;

(b) Trees having limbs or foliage trimmed in such a manner that no limbs or foliage extend into the area between 30 and 120 inches above the level of the center of the abutting intersection; or

(c) Fire hydrants, public utility poles, mailboxes, street markers, governmental signs, and traffic control devices.

(1) All items listed in (c) above, shall be installed and maintained in accordance with approved standards.

3.28.4 In other than 90 degree intersections or where grades mandate, the Effingham County Building and Zoning Department in coordination with the public works department may impose additional sight triangles under standards adopted by the American Association of State Highway Transportation Officials.

3.28.5 The director of building and zoning shall investigate violations, issue notices and orders, and perform other duties required for enforcement under this section.

3.28.6 The director of building and zoning, with the concurrence of the public works director, may, based on design speed and Institute of Transportation Engineers and American Association of State Highway Transportation Officials standards, reduce or waive all or part of these requirements of this section where a waiver could not constitute a traffic hazard or a condition dangerous to public safety. A decision by the director of building and zoning may be appealed to the board of commissioners.

3.29 Offensive color, designs, smoke, noise, etc.

Nothing shall be allowed on the premises in any district which would in any way be offensive or obnoxious by reason of the emission of odors, liquids, gas, dust, smoke, vibration, or noise; nor shall anything be placed,

constructed, or maintained that will in any way constitute an eye-sore or nuisance to adjacent property owners, residents, or to the community. All uses must satisfactorily comply with the requirements of the state department of natural resources as required by the United States Environmental Protection Agency.

3.30 Off-street access control parking and loading.

In all districts off-street parking facilities shall be provided and properly maintained, as set forth in this section for any building which is hereafter erected, enlarged, or increased in capacity. Such facilities shall be made available for public use.

3.30.1 [Generally.] In order to promote the safety of motorists and pedestrians and to minimize traffic congestion and conflict by reducing the magnitude of and the number of points of contact, the following regulations shall apply:

3.30.1.1 A point of access, that is, a driveway or other opening for vehicles onto a public street, shall be a minimum of 12 feet in width and not exceed 25 feet in width, except as otherwise provided in this section.

3.30.1.2 The maximum number of points of access permitted onto any one street shall be as follows:

Lot Width Abutting Street	Maximum Number of Points for Access
Less than 65 feet	1
65 feet to 200 feet	2
Greater than 200 feet	2 plus 1 for each additional 200 feet or fraction thereof.

3.30.1.3 In lieu of any two openings permitted on any one street, there may be permitted a single point of access up to 35 feet in width. However, service stations shall be permitted two openings, not to exceed 35 feet each in width along any abutting public street, provided that such property abuts such street for a distance of not less than 120 feet.

3.30.1.4 There shall be a minimum distance of 12 feet between any two openings onto the same street.

3.30.1.5 No point of access shall be allowed within 20 feet of the intersection of the right-of-way lines of any two local streets, nor within 30 feet at an intersection of a state or federal highway.

3.30.1.6 No curbs shall be cut or altered and no point of access or opening for vehicles onto a public street shall be established without a permit issued by the commissioners under the supervision of the county road superintendent.

3.30.2 Size and access. Each off-street parking space shall have an area of not less than 180 square feet exclusive of access drives or aisles and be in usable shape and condition, except in the case of dwellings, and shall have no parking area containing less than three spaces. There shall be adequate ingress and egress to all parking spaces. Where a lot does not abut on a public or private alley or easement or access, there shall be provided an access drive leading to the parking or storage areas or loading spaces. Such access drive shall be not less than 12 feet in width in the case of a dwelling, and not less than 20 feet in width in all other cases.

Access to off-street parking areas shall be limited to several well-defined locations, and in no case shall there be unrestricted access along the length of a street or alley.

3.30.3 Number of parking spaces required. The number of off-street parking spaces required are set forth in the following table. Where the use of the premises is not specifically mentioned, requirements for similar uses shall apply.

Uses	Required Parking
Automatic laundry	1 for each laundry machine
Automobile sales and service garage	1 for each 400 square feet floor area
Banks/Professional offices	1 for each 300 square feet floor area
Bowling alleys	4 for each alley
Churches, temples, or places of worship, funeral homes, schools, public buildings, theaters, auditoriums, areas, and places of assembly, private clubs, community buildings, social halls, and lodges	1 for each 4 seats of maximum seating capacity in principle assembly area or 1 for each 17 classroom seats, whichever is greater
Country clubs, golf clubs, gun clubs, tennis clubs, and organizations designed to provide outdoor sporting or recreational activities	1 for each 5 members
Dental offices	2 for each dentist
Driving ranges and golf courses	2 for each tee
Dwellings—single-family	2 for each unit
Dwellings—multiple-family	1½ for each unit
Food store, supermarket	1 for each 200 square feet floor area
Funeral homes, mortuaries	20 for each parlor
Furniture, appliance stores	1 for each 200 square feet floor area
Hospitals, sanitariums, and nursing homes	1 for each 2 patient beds
Hotels and motels	1 for each guest room plus 1 for each 3 employees
Manufacturing, industrial plant, research laboratory, bottling plants	1 for each 2 employees on largest shift plus 1 for each company vehicle
Manufacturing and industrial concerns with retail business on premises	1 for each 2 employees on largest shift plus 1 for each 150 square feet devoted to sales or service
Medical offices	10 for each doctor
Restaurants, beer parlors, nightclubs	1 for each 2.5 seats plus 1 for each 3 employees
Retail stores and shops	1 for each 300 square feet floor area
Rooming houses, boardinghouses, dormitories, fraternities, and sororities	1 for each 2 beds
Service station	2 for each pump
Sports arenas, auditoriums, theaters, assembly halls	1 for each 3.5 seats
Trailer or monument sales or auctions	1 for each 2,500 square feet of lot area
Wholesale and warehouse concerns	1 for each 2 employees, plus 1 for each 50 square feet of retail sales or service

3.30.4 Location of off-street parking spaces.

3.30.4.1 Such parking spaces as required in this section shall in no part exist upon and no portion of any vehicle shall overhang the right-of-way of any public road, street, alley, or walkway. There shall be no off-street parking in the front yards of residential districts except as normally exists in driveways.

3.30.4.2 The parking spaces for all dwellings shall be located on the same plot as the main building.

3.30.4.3 Parking spaces for all other uses shall be provided on the same plot with the main building or not more than 300 feet in distance, as measured along the nearest pedestrian walkway, provided that such area is under the same ownership as the principal use. The applicant for a building permit which proposes to use an area for off-street parking in order to meet the requirements of this ordinance and in accordance with the provisions of this subsection shall submit evidence of a restrictive covenant running with the land to be used for off-street parking purposes stating that such land shall not be encroached upon, used, sold, leased, or conveyed for any other purpose until such time as the principal building ceases to be required to provide such off-street parking facilities.

3.30.4.4 Parking requirements for two or more uses of the same or of different types may be provided by the establishment of the required number of spaces for each use in a common parking area when under the same ownership. Accessory uses shall not be required to have additional parking spaces other than those required by the principal use.

3.30.4.5 Off-street parking areas may be situated in any residential district abutting any commercial district or industrial district to a depth not exceeding 120 feet, provided that all off-street parking lot improvements as provided in section 3.30.5 of this article are complied with.

3.30.5 Parking lot improvement requirements. Any off-street parking lot of five or more parking spaces serving any use other than dwellings of four units per building or less shall meet the following off-street parking lot improvement requirements. Certain types of developments can obtain an exemption from the parking lot tree requirements listed in this section. These include, but are not limited to: warehouse loading and unloading areas, tractor-trailer parking, container storage yards, car dealerships, etc. Any exemption to the parking lot requirements must be approved by the zoning administrator prior to issuance of a LDA permit.

3.30.5.1 Screening and landscaping. Off-street parking areas for more than five vehicles and off-street loading areas shall be effectively screened on each side which joins or faces residential or industrial premises situated in any residential district.

1. In addition to required buffer planting trees from the large tree list (see buffer ordinance) which are at least two-inch dbh shall be provided and maintained at a ratio of one tree for every 12 spaces.
2. All landscape islands shall be at least as large as the adjoining parking spaces.
3. There shall be a minimum of curb radii of three feet required on the corners of all landscape islands and medians to allow for free movement of motor vehicles around planting materials. Although innovative storm water management techniques are strongly encouraged, all islands and medians shall have raised curbs unless other storm water management techniques are approved by the zoning administrator.
4. At the end of all rows of parking a terminal landscape island or area shall be provided to protect parked vehicles, confine moving traffic to aisles and driveways, and provide space for landscaping. A terminal island for a single row of parking spaces shall be planted with at least one tree. A terminal island for a double row of parking spaces shall contain two large trees.

3.30.5.2 Surfacing for all retail sales and services, business services, and professional services. Off-street parking areas for all retail sales and services, business services, and professional services serving the general public and having access to and abutting a paved street shall be provided with a hard surface, all-weather pavement of asphalt or cement and shall be so graded and drained to provide for the adequate runoff and disposal of surface water.

3.30.5.3 Lighting. Where lighting facilities are provided for the parking area, they shall be designed and installed so as to reflect the light away from any contiguous residentially zoned property.

3.30.6 Off-street loading requirements.

3.30.6.1 Every hospital, institution, commercial, or industrial building, or similar use having a floor area of 20,000 square feet or more and requiring receipt or distribution by vehicle of materials or merchandise shall have at least one permanent off-street loading space for each 20,000 square feet of gross floor area or fraction thereof immediately adjacent to the principal building.

3.30.6.2 Every building which requires the receipt or distribution of material and/or merchandise by motorized vehicles shall provide off-street loading berths in accordance with the following table:

Off-Street Loading Space Requirements

Uses	Square Feet of Floor Area	Required Off-Street Loading Berths
Schools	15,000 or more	1
Hospitals (in addition to space for ambulance)	10,000—300,000	1
	For each 1 additional 300,000 or major fraction thereof	1 additional
Undertakers and funeral parlors	All funeral homes	1
Hotels, offices, and multi-dwellings	10,000 or more	1
Commercial, wholesale, manufacturing, and storage	10,000—25,000	1
	25,000—40,000	2
	40,000—60,000	3
	60,000—100,000	4
	For each additional 50,000 or major fraction thereof	1 additional

3.30.6.3 Every off-street loading and unloading space shall have direct access to the public street or alley and shall have the following minimum dimensions: length, 30 feet; width, 12 feet; height, 14 feet.

(Ord. of 12-8-09, § 1)

3.31 Overhanging or extruding projections.

In single-family residential districts, multifamily residential districts, and planned manufactured home community districts, every part of a required yard or court shall be open from its lowest point to the sky, unobstructed except for the customary ornamental features and eaves; provided, however, that none of the above projections shall extend into a required yard more than four feet. Open or enclosed fire escapes, outside stairways, balconies, chimneys, flues, or other projections shall not extend into any required yard except that uncovered steps may project not more than four feet into the required yard.

(Amend. of 4-4-00(23); Ord. of 12-8-09)

3.32 On street parking.

3.32.1 Within any R district no trucks or trailers in excess of one ton capacity shall be parked for storage purposes, including overnight, on any public right-of-way.

3.32.2 Dumpsters and temporary storage units may not be placed on any roadway open to the public.

3.32.3 Parking is allowed on local streets only. If they have a pavement width of at least 28 feet then parking is allowed on one side of the road. If they have a pavement width of at least 36 feet then parking may be allowed on both sides of the road.

(Ord. of 1-19-16, § 1)

3.33 Performance standards.

These performance standards shall apply to all nonresidential uses.

3.33.1 Smoke, dust, and dirt. All emissions of visible smoke, dust, dirt, fly-ash, or any particulate matter from any pipes, vents, or other openings from any other source shall conform to state and federal standards.

3.33.2 Fumes, vapors, and gases. All emissions of any fumes, vapors, or gases of a noxious, toxic, or corrosive nature which can cause any damage or irritation to health, animals, vegetation, or to any form of property shall conform to state and federal regulations.

3.33.3 Sewerage. There shall be no discharge at any point of liquid or solid waste into any public sewage disposal system which will overload such system or create detrimental effects in the flow and treatment of public sewage.

There shall be no treatment of public sewage. There shall be no discharge of any industrial wastes into any private sewage disposal system, stream, or into the ground of any kind or nature which would contaminate any water supply or otherwise cause emission of dangerous or objectionable elements or conditions. There shall be no accumulation of solid waste conducive to the breeding of rodents or insects.

3.33.4 Odors. There shall be no emission of odorous gases or other odorous matter in such quantities as to be offensive, obnoxious, or unpleasant beyond the property line on which the principal use is located. Any process including the preparation of food which may involve the creation and emission of any such odor shall be provided with a primary and secondary safeguard system so that odor control may be maintained in the event of failure of the primary safeguard system. Any odorous matter shall be kept a minimum of 1,500 feet from any residence, school, hospital, or church, and any commercial district.

3.33.5 Noise. The permitted level of noise or sound emission at the property line of the lot on which the principal use is located shall not at any time exceed the average noise level prevailing for the same hour as generated by streets and traffic activity. The determination of noise level shall be measured with a sound level meter that conforms to specifications published by the American Standards Association.

3.33.6 Glare. There shall be no direct glare visible from any residential district caused by unshielded floodlights or other sources of high intensity lighting.

3.34 Permitted building area.

The principal building on any lot or parcel of land shall be erected within the area bound by the building lines established by setback of yard requirements. Accessory buildings may be erected within any building line established for the principal building and in required rear yards as may be otherwise provided in these regulations.

3.35 Principal building on a lot.

Except in planned manufactured home communities and in the AR-1 district as provided in these regulations, only one principal building and its customary accessory buildings may be erected on any lot of record. Any dwelling

shall be deemed to be the principal building on the lot on which the same is located. An addition to any building shall not be construed as a principal building.

3.36 Retaining walls.

Nothing in these regulations shall be construed to prohibit or to prevent the erection of a retaining wall on any property, provided that such retaining wall does not adversely affect the natural flow of surface water or create any other adverse effect upon adjacent or adjoining properties. However, any application for a retaining wall shall be subject to approval of the zoning administrator before the issuance of a permit.

3.37 Shopping centers.

Shopping centers are hereby defined as a group of retail stores or shops under single ownership or management with an area of five acres or more and with a minimum depth of 300 feet established as a shopping entity with common parking facilities, ingress, and egress, and loading and unloading facilities. Shopping centers shall be permitted in any general or neighborhood commercial district and may be developed in accordance with approval of a plat of a subdivision or development as approved by the board of commissioners. The shopping center shall not be divided into separate lots for each store or use. No permit shall be issued for the construction of a shopping center until the plans and specifications, including the design of ingress and egress roads, parking facilities, and other such items as may be found of importance have been approved by the board of commissioners. No buildings shall be erected closer than 50 feet to any road right-of-way line. There shall be provided a minimum of one parking space for each 200 square feet of floor area designed to be used for business or shopping purposes. Such parking area, including maneuvering areas, ingress and egress roads, and driving lands, shall be paved and kept in good repair at all times with a hard, all-weather surface. All points of access shall be to the public road; however, there shall be no public roads or alleys within the shopping center property. All loading and unloading shall be done entirely within the shopping center property. Except as otherwise provided in this section all uses within the shopping center shall conform with other regulations as set forth in this ordinance.

3.38 Signs.

The purpose of this section is to:

A. Promote the safety of persons and property by providing that signs do not create traffic hazards or hazards due to collapse, fire, collision, decay or abandonment.

B. To protect the public welfare and county property values by preserving the aesthetic quality of the natural environment.

C. Promote efficient commercial and non-commercial identification or information by improving the legibility and effectiveness of signs through the control of their number, location, size, appearance, illumination, and animation.

D. Preserve the right of free speech and expression.

3.38.1 Sign permits. All signs on commercial or industrial property must have a sign permit issued by the Effingham County Zoning Department. Multiple similar signs such as real estate or political signs shall only be required to have a single sign permit. All signs other than temporary event signs shall be required to get a building permit and meet all required wind load and building regulations.

3.38.2 Legal signs.

A. Any permitted sign which complies with the provisions of this article, and any subsequent amendments hereto, is hereby deemed to be a legal sign. Any proposed alteration to or relocation of such sign shall require a new permit pursuant to this section.

B. Any legal sign which does not comply with the provisions of this article solely due to the enactment of an amendment shall, upon the effective date of such amendment, become a nonconforming sign and shall be considered a legal sign unless it is relocated or altered.

3.38.3 Illegal signs. Any existing sign that does not have a permit issued by Effingham County pursuant to this section is hereby deemed to be an illegal sign and such sign and the person or persons responsible for such sign shall be subject to the enforcement and penalty provisions in this title.

3.38.4 Signs exempt from regulation.

A. Governmental agency signs

B. Property addresses up to 12 inches in height

C. Incidental signs one square foot or less

3.38.5 Prohibited signs.

A. Any sign, except those erected by a governmental agency, in a public street or highway right-of-way.

B. Inflatable signs.

C. Signs mounted on a roof or extending above the roofline.

D. Ribbons, and pennants.

E. Any sign resembling the shape, size, or color of a governmental traffic sign.

F. Any sign with lights that resemble the lights used by police, fire, and emergency vehicles.

G. Any light source on a sign that is directly visible from a vehicle or residence.

H. Any flashing or intermittent light.

I. Any sign attached to a natural feature such as a tree or rock.

J. Any sign attached to a telephone pole or utility pole.

K. Any unpermitted sign attached to a permitted sign.

L. No sign shall be placed in or obstruct the view of an area of designated historic interest.

3.38.6 Billboards.

A. *Uniform size.* The outside measurements of all billboards shall be 12 feet in height and 25 feet in length.

B. *Location.* The billboard must be on commercial or industrial land. It must be located on a parcel with at least 200 feet of state or federal highway frontage.

C. *Illumination.* All illuminated billboards shall use base-mounted lights. The light source must not be visible from a vehicle or a residence. No additional lighting shall be allowed.

D. *Height.* All billboards shall be a minimum of ten feet above grade and a maximum of 30 feet above grade.

E. *Extrusions prohibited.* Extrusions beyond the face of the billboard, excluding aprons, are prohibited.

F. *Number of signs per location.* Only one billboard shall be allowed to face the same direction per location. This allows back to back or V formation billboards but prohibits two billboards facing the same direction.

G. *Spacing.* Billboard location shall be no less than 500 feet from the nearest billboard measuring from the nearest point. No more than three billboards shall be permitted per mile when such billboards are located on the same side of the road.

H. *Distance from property line.* Billboard structures shall be no less than ten feet from any property line.

I. *State law.* All billboards must also comply with all aspects of the Georgia Outdoor Advertising Code.

J. *Changeable copy signs.*

1. General Rule — Animated or changeable copy signs shall be erected, posted, displayed or modified only in accordance with the criteria hereunder as well as all other generally applicable standards of this ordinance related to the location, height, size, and other characteristics. Billboards that move, flash or simulate movement are prohibited.

2. Each message displayed on any changing billboard display shall remain static for at least ten seconds following the completion of its transition from the previous message. As used in this subsection "static" shall mean a display that is fixed in one position with no portion of the display being in motion or changing in color or light intensity.

3. Changing of image shall be substantially instantaneous, two seconds or less, as seen by the human eye and shall not use fading, rolling, window shading, dissolving or similar effect as part of the change.

4. No display or other effect from any electronically changed billboard shall cause a glare or other condition that impairs the vision of the driver of any motor vehicle or which otherwise interferes with the safe operation of a motor vehicle.

5. Video technology in billboards shall use automatic level controls to reduce light levels at night and under cloudy or other darkened conditions, in accordance with the following standards. All electronic or digital display unit message boards shall have installed ambient light monitors, and such monitors shall at all times automatically adjust the brightness level of the electronic billboard based on ambient light conditions. Maximum brightness levels for electronic or digital display boards shall not exceed ambient light levels by more than 0.3 foot candles.

6. Any billboard using video technology which malfunctions, fails, or ceases to operate in its usual or normal manner causing therein motion, movement, flashing or any other similar effects shall be repaired or disconnected within 48 hours by the owner or operator of such billboard, and shall be equipped so that it may be turned off by the county in the event of such malfunction or failure.

7. The county shall be permitted to post emergency notices on electronically changeable billboards on 24 hours' notice.

8. Conversion of an existing billboard to an automatic changeable copy video billboard or to add an automatic changeable copy video element to it is allowed only if the billboard as modified will conform with all standards in this section and with all other applicable standards related to the height, size, location and other characteristics of the billboard.

3.38.7 Signs in commercial zones.

A. Each parcel in a commercial zone is entitled to one freestanding sign for up to 200 feet of street frontage.

B. Each parcel in a commercial zone may have an additional freestanding sign for each additional 200 feet of street frontage and must be separated by at least 200 feet from any other sign on the property.

C. A multi-unit building on a single commercial parcel may have multiple tenant panels on a single sign.

D. No sign shall encroach into the street right-of-way or be within 25 feet of an established street intersection and no sign or support thereof shall obstruct driver visibility.

3.38.8 Number of signs. In addition to any potential free standing sign, each business in a commercial or industrial zone shall be limited to one facade sign, one projecting sign attached to the building and one wall sign for each exposed side of the building other than the front.

3.38.9 Freestanding sign size. The maximum size of the signable area of a freestanding sign is as follows:

A. In the B-2, B-3, and I-1 districts: 64 square feet for a single tenant parcel or 100 square feet for a multiple tenant parcel.

B. In the B-1 zoning district: 32 square feet.

C. In the R-3 and R-4 zoning districts: 50 square feet.

D. In the R-1, R-1A, and R-2 zoning districts: Six square feet excluding signs at the entrance to neighborhoods which may be up to 24 square feet.

E. In the CP zoning district: 16 square feet.

F. In the PD zoning district: Sign regulations not less stringent than the regulations herein must be included in the written development text required by section 5.15.3.3 of the Effingham County Zoning Ordinance.

3.38.10 Height.

A. *Maximum height.* In all commercial and industrial districts no freestanding sign shall exceed 30 feet from grade.

B. *Clearance.* No hanging, suspended, or projecting sign shall have a vertical clearance of less than 14 feet over any vehicular public way, nor less than nine feet over any pedestrian public way. Public ways include privately owned sidewalks and drives customarily used by the public.

Permitted Freestanding Signs - By Land Use						
	Agricultural Property	Single and Two Family Residential	Multi-Family Residential	Commercial Property	Industrial Property	Public or Community Use Property
Principal Freestanding Sign — Depending on Zoning District						
Maximum Number	1 per lot	1 per lot	1 per street frontage	1 per 200 feet street frontage	1 per 200 feet street frontage	1 per 200 feet street frontage
Maximum Signable Area	16 square feet	6 square feet	50 square feet	64 square feet for single tenant, 100 square feet for multiple tenants	64 square feet for single tenant, 100 square feet for multiple tenants	64 square feet for single tenant, 100 square feet for multiple tenants
Maximum Height	6 feet	5 feet	30 feet	30 feet	30 feet	30 feet

3.38.11 Institutional uses. Institutional uses are allowed one sign per 200 feet of street frontage with a maximum signable area of 64 square feet regardless of which zoning district they are located in.

3.38.12 Projections. No sign shall project more than six feet from the wall of a building.

3.38.13 Event signs.

A. In the B-1, B-2, B-3, I-1, R-3, or R-4 zoning districts one temporary event sign not to exceed 24 square feet in size and not to be displayed for more than 30 days may be located on each parcel. Temporary event signs in these districts must be secured to a building.

B. In all zoning districts each parcel is entitled to one temporary event sign not to exceed six square feet in size. Such signs may be displayed for the length of the event. Each parcel may have no more than three such events per calendar year.

C. When there is the threat of a serious wind event the county reserves the right to remove any temporary event sign that it deems to be a hazard to public safety. It will be the responsibility of the sign owner to retrieve any impounded sign from the county zoning office.

D. Signs not removed within ten days following the occurrence of an event or expiration of the permitted period may be removed by the county zoning office and impounded. The costs of removal shall be charged to the person owning or using the sign or the owner of the building or premises.

E. Impounded signs will be held for ten days, after which they will be destroyed.

3.38.14 Flags. In the B1, B-2, B-3, and I-1 zoning districts no more than three flags are allowed per parcel. The combined square footage of all flags displayed on a parcel in these districts shall be no more than 64 square feet.

3.38.15 Sign conditions.

A. *Unsafe signs.* Whenever a sign becomes structurally unsafe or otherwise endangers the safety of the building or the public, the zoning administrator shall order that such sign be made safe or removed. The person owning or using the sign or the owner of the building or premises on which such unsafe sign is affixed or erected shall comply with such order within ten days of receipt thereof.

B. *Unmaintained signs.* Whenever a sign is physically damaged or is not maintained and is determined by the zoning administrator to negatively impact the visual character of the surrounding area or pose an unsafe condition, the zoning administrator shall order that such sign be properly maintained or removed. The person owning or using the sign or the owner of the building or premises on which such unsafe sign is affixed or erected shall comply with such order within 60 days of receipt thereof.

3.38.16 Nonconforming signs. No nonconforming sign may be relocated or altered other than for routine maintenance without bringing the sign into conformance with the current sign ordinance. A temporary sign may not be considered a nonconforming sign for purposes of grandfathering.

3.38.17 Sign definitions.

Awning: A cloth, plastic, or other nonstructural covering that either is permanently attached to a building or can be raised or retracted to a position against the building when not in use. A sign on an awning is considered a projecting sign.

Banner: A sign on a lightweight material that is secured or mounted to a building.

Billboard: A large sign erected along a state or interstate highway and intended to be viewed from travelers on said highway.

Changeable copy: Copy, including text and/or graphics that changes at intervals.

External illumination: Illumination of a sign that is affected by an artificial source of light not contained with the sign itself.

Facade: The side of a building below the eaves.

Flag: Lightweight material, usually with a political symbol, that is attached on one side to a pole.

Flashing illumination: Illumination in which the artificial source of light is not maintained stationary or constant in intensity and color at all times when a street graphic is illuminated, including illuminated lighting.

Free standing sign: A sign that is not attached to a building or other structure.

Graphic: Written or pictorial representation.

Historic or scenic area: An area that contains unique historic or scenic characteristics that require special regulations to ensure that street graphics displayed within the area are compatible with its visual character.

Incidental sign: A sign of one square foot or less.

Indirect Illumination: A source or external illumination located away from the sign.

Institutional uses: Schools, hospitals, churches, and government facilities.

Internal illumination: A light source that is concealed or contained within a sign.

Monument sign: A sign that is permanently affixed to the ground at its base, supported entirely by the base structure, and not mounted on a pole.

Multi-use building: A building consisting of more than one commercial use.

Neon sign: A sign that is created by bending a neon filled glass tube to form text or graphics.

Nonconforming sign: A sign that was lawfully constructed or installed prior to the adoption or amendment of this ordinance and was in compliance with all ordinances at the time of installation, but which does not presently comply with these regulations.

Pole sign: A freestanding sign other than a billboard that is permanently supported in a fixed location by a pole(s), uprights, or braces from the ground and not supported by a building or a base structure.

Portable sign: A sign not permanently attached to the ground or a building or designed to be permanently attached to the ground.

Projecting sign: A sign attached to and projecting from a wall and not in the same plane as the wall.

Roof sign: A sign that is displayed above the peak or parapet of the building.

Shopping center: A commercial development under unified control consisting of four or more separate commercial establishments sharing a common building, or are in separate buildings that share a common parking area or entryway.

Sign: Any structure, display, or device that is used to advertise, identify, direct, or attract attention to a business, institution, organization, person, idea, product, service, event, or location by any means, including words, letters, figures, design characteristics, symbols, logos, fixtures, colors, movement, or illumination.

Signable area: An area within a single continuous perimeter composed of a single rectangle, circle, or triangle enclosing the extreme limits of characters, lettering, illustrations, ornamentations, or other figures.

(Ord. of 2-4-97; Amend. of 11-7-06; Ord. of 4-7-09)

3.40 Traffic visibility across corner lots.

On any corner lot in any district, no fence, structure, or planting more than 30 inches high measured from the center of the road shall be erected or maintained within 20 feet of the corner so as not to interfere with traffic visibility across the corner.

3.41 Swimming pools, private community, or club.

3.41.1 Swimming pools. A swimming pool, whether in the ground, is hereby defined as any pool, lake, or open tank, other than a farm pond, which is not located within a completely enclosed building and which contains, or is capable of containing, water at a depth at any point greater than 1½ feet. No such private swimming pool shall be permitted by Development Services in the B-1, AR, PUD districts, or in any R district, except as an accessory use, and unless it complies with the following conditions and requirements:

3.41.2 Use. The pool is intended and is to be used solely for the enjoyment of the occupants of the principal use of the property on which it is located and their guests, and no fee shall be charged.

3.41.3 Location. It may not be located, including closer than ten feet from water's edge to any property line of the property on which it is located, and ten feet from any dwelling. Swimming pools are prohibited in the front yard of any agricultural and/or residential zoning district.

3.41.4 Fence. The swimming pool should be fenced at a minimum of four foot with a self-latching gate with a lockable device that opens away from the pool to prevent uncontrolled access by children.

3.41.5 Community or club swimming pools. A community or club swimming pool shall be any pool constructed by an association of property owners, or by a private club solely for use and enjoyment by members of the association or club and their families and guests of members. Community and club swimming pools shall comply with the following conditions and requirements:

3.41.5.1 The pool and accessory structures thereto, including the areas used by the bathers, shall meet the front setback for the district in which it lies. Side and rear setbacks shall be ten feet.

3.41.5.2 The swimming pool and all of the area used by the bathers shall be so walled or fenced as to prevent uncontrolled access by children from the street or adjacent properties. The said fence or wall shall not be less than four feet in height and maintained in good condition and grounded for electricity. The area surrounding the enclosure, except of the parking spaces, shall be suitably landscaped with grass, hardy shrubs, and trees and shall be maintained in good condition.

3.41.6 Private swimming pools used for swimming lessons. A private pool hosting swimming lessons must adhere to the same standards as a community or club swimming pool in section 3.41.5, as well as obtain a home occupation tax certificate.

(Ord. of 6-23-15; Ord. No. 2024-349, 8-20-24)

3.42 Time limitation.

No building permit for construction, erection, or alteration of any building or structure or part thereof, or for signs or outdoor advertisements, or part thereof, shall be valid for more than six months unless work at the site has commenced within such period.

3.43 Notice of starting work.

The building and zoning inspector shall be given at least 24 hours' notice by the owner or applicant prior to commencement of work at the site under building permits.

3.44 Temporary dwelling allowance.

In the case of a single-family residence being destroyed by natural disaster or accidental fire it shall be allowed in all agricultural and single-family residential districts for a recreational vehicle or trailer to be moved

onto the property for use as a temporary dwelling during the replacement of the primary residence. This special exemption shall be permitted for a period of no longer than one year. Placement of the vehicle must meet all setback requirements and be approved by the Effingham County Building Department. Sanitation must be approved by the Effingham County Health Department.

(Ord. of 5-4-10, § 1)

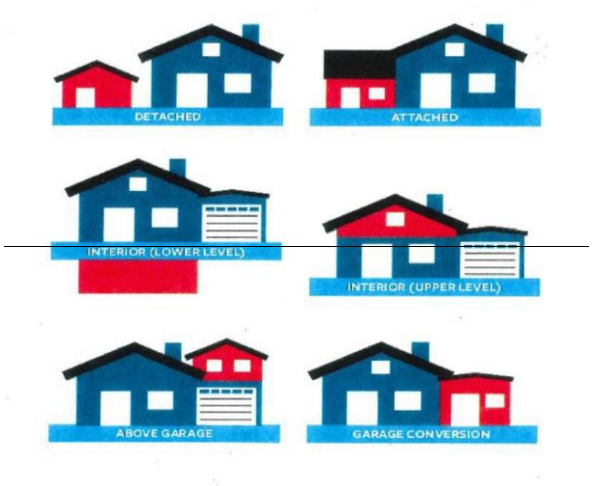
3.45 County surveyor.

The county manager or designee shall appoint a professionally licensed land surveyor. The county surveyor will be responsible for preforming land surveying and related services for the county. The county surveyor is empowered to appoint one or more assistants or deputies, for whose conduct he/she is responsible.

(Ord. of 08-01-2023(1))

Ord. of 08-01-2023(1), set out provisions intended for use as § 3.1. Inasmuch as there were already provisions so designated, said section has been codified herein as § 3.45 at the discretion of the editor.

3.46 Accessory dwelling units.



3.46.1 Purpose. The purpose of this section is to establish uniform standards for accessory dwelling units as an accessory residential use, ensuring consistency with established development patterns, compatibility with surrounding properties, and clear, objective administration of this ordinance.

3.46.2 General Provisions. Definitions:

A. *Accessory dwelling unit (ADU).* An accessory dwelling unit (ADU) is a subordinate, self-contained dwelling unit located on the same lot as a principal dwelling and providing permanent provisions for living, sleeping, eating, cooking, and sanitation.

B. *Dwelling unit requirements.* A structure or portion thereof shall be considered a dwelling unit for the purposes of this section only if all of the following conditions are met:

1. The accessory dwelling unit shall contain no more than two bedrooms.

2. The unit contains permanent kitchen facilities, including a fixed sink, counter surface, and appliance connections.

3. The unit contains permanent sanitary facilities, including a toilet, bathing/shower fixture, and sink.

4. All habitable rooms meet the minimum standards for livable space defined by the International Residential Code (IRC) or the building code adopted by the county.

5. The unit is constructed as a permanent structure and not a temporary, mobile, or portable structure.

C. *Subordination.*

1. The accessory dwelling units (ADUs) shall remain subordinate to the principal dwelling in size, scale, and function.

2. The livable floor area of an accessory dwelling unit (ADU) shall not exceed 75 percent of the livable floor area of the principal dwelling.

3. Accessory dwelling units (ADUs) livable floor area shall be measured only by space that meets building-code requirements for habitable space. Garages, unfinished attics, unfinished basements, storage areas, mechanical rooms, and similar non-habitable areas shall not be included.

D. *Quantity.* No more than one accessory dwelling unit (ADU) is permitted per lot of record.

E. *Ownership.* The accessory dwelling unit (ADU) shall remain in common ownership with the principal dwelling and shall not be subdivided, platted separately, or conveyed as an independent parcel.

F. Types of accessory dwelling units (ADUs).

1. Detached accessory dwelling unit (ADU): A stand-alone permanent structure.

2. Attached accessory dwelling unit (ADU): A structure sharing at least one common wall with the principal dwelling.

3. Interior accessory dwelling unit (ADU): A dwelling unit located entirely within the principal dwelling.

3.46.3 Districts Where Permitted.

A. Accessory dwelling units (ADUs) are permitted in all residential (R) districts and all agricultural-residential (AR) districts in which detached single-family dwellings are permitted.

B. An accessory dwelling unit (ADU) is considered an accessory residential use and shall not increase the allowable density of the zoning district.

3.46.4 Standards for accessory dwelling units (ADUs) in AR Districts.

A. Maximum livable floor area. The accessory dwelling units (ADUs) shall not exceed 75 percent of the livable floor area of the principal dwelling or 1,200 square feet, whichever is less.

B. Height. The maximum height of a detached accessory dwelling unit (ADU) in AR districts shall be 35 feet.

C. Setbacks. Detached accessory dwelling units (ADUs) shall comply with all required setbacks for accessory structures in the applicable AR district. Where greater setbacks apply due to buffers, easements, conservation requirements, or overlays, the greater requirement shall control. Attached accessory dwelling units (ADUs) shall comply with all setback requirements applicable to the principal structure.

D. Minimum lot size. The lot shall meet the minimum lot area requirement of the underlying AR zoning district.

3.46.5 Standards for accessory dwelling units (ADUs) in R Districts.

A. Maximum livable floor area. The accessory dwelling unit (ADU) shall not exceed 75 percent of the livable floor area of the principal dwelling or 1,000 square feet, whichever is less.

B. Height. The maximum height of a detached accessory dwelling unit (ADU) in R districts shall be 25 feet.

C. Setbacks. Detached accessory dwelling units (ADUs) shall comply with all required setbacks for accessory structures in the applicable R district. Where greater setbacks apply due to buffers, easements, conservation requirements, or overlays, the greater requirement shall control. Attached accessory dwelling units (ADUs) shall comply with all setback requirements applicable to the principal structure.

D. Minimum lot size. The lot shall meet the minimum lot area requirement of the underlying R zoning district.

3.46.6 Infrastructure Requirements.

A. Water and sewer.

1. Accessory dwelling units (ADUs) may share utility connections with the principal dwelling or establish separate connections if permitted by the utility provider.

2. Where a septic system is used, the Effingham County Health Department must certify that the system is adequate for the combined load of both units.

3. Accessory dwelling units (ADUs) shall maintain a minimum setback of five feet from the drain field and ten feet from the septic tank, unless greater distances are required by the Effingham County Health Department or state regulations.

B. Driveway access. No additional driveway curb cuts are permitted. Access to the accessory dwelling unit (ADU) shall be provided through the existing driveway serving the principal dwelling.

C. Addressing and emergency access. Accessory dwelling units (ADUs) shall comply with county addressing requirements and maintain clear, unobstructed emergency access.

3.46.7 Parking Requirements.

A. No additional off-street parking space shall be provided for the accessory dwelling unit (ADU), in addition to required parking for the principal dwelling. Parking must be on the same lot as the principal dwelling.

B. Stabilized or gravel parking is permitted in AR districts.

3.46.8 Design and Compatibility.

A. Exterior materials, roof pitch, and general architectural character of a detached accessory dwelling unit (ADU) shall be compatible with the principal dwelling or with customary rural building types in the county.

B. An accessory dwelling unit (ADU) shall maintain a residential appearance. Recreational vehicles, campers, trailers, shipping containers, or temporary structures shall not be used as ADUs unless fully converted to meet building code standards for habitable dwellings.

C. Detached accessory dwelling units (ADUs) shall maintain a minimum separation of ten feet from all other structures, or greater where required by the building or fire code.

3.46.9 Environmental and Siting Requirements.

A. Accessory dwelling units (ADUs) shall not be located within required stream buffers, wetlands, flood hazard areas, drainage easements, utility easements, or protected tree zones.

B. All land-disturbing activity associated with accessory dwelling unit (ADU) construction shall comply with county erosion and sedimentation control regulations.

3.46.10 Conversion of Existing Structures.

A. Existing accessory structures may be converted to accessory dwelling units (ADUs) if:

1. The structure is brought into full compliance with current building code requirements for habitable space;
2. The accessory dwelling unit (ADU) meets the size and livable space standards established in this section;
3. The conversion does not increase any nonconformity;
4. Adequate water, sewer, or septic capacity is verified.

3.46.11 Occupancy and Use.

A. Accessory dwelling units (ADUs) may be used for long-term residential occupancy.

B. Short-term rental of an accessory dwelling unit (ADU) shall comply with all applicable county regulations.

C. Accessory dwelling units (ADUs) shall not be used as independent commercial operations unless expressly permitted elsewhere in this ordinance.

3.46.12 Permitting.

A. Establishment of an accessory dwelling unit (ADU) requires issuance of an administrative zoning permit and all applicable building permits.

B. A complete application shall include:

1. A site plan demonstrating compliance with setbacks, access, utilities, and environmental requirements;
2. Floor plans identifying livable areas;
3. Building elevations;
4. Documentation of wastewater or septic capacity;
5. Any additional information required by the zoning administrator.

C. An accessory dwelling unit (ADU) shall be approved upon demonstration that all standards of this section are met.

3.46.13 Enforcement.

A. Violations of this section shall be subject to the enforcement procedures of this ordinance.

B. The county may revoke permits for noncompliance with the standards of this section.

(Ord. No. 2025-291, 6-17-25; Ord. No. 2025-515, 11-18-25; Ord. No. 2026-137, 5-5-26)

3.47 Residential Subdivision Open Space and Green Space Article.

To establish regulations for open space and green space in residential subdivisions within Effingham County to promote public health, safety, and welfare through the conservation of natural resources, the provision of recreational opportunities, and the preservation of community character.

The intent of this ordinance is to:

1. Ensure that all new residential developments preserve land for recreational, ecological, and aesthetic purposes;
2. Promote environmentally responsible development;
3. Provide residents with accessible and well-maintained green and open spaces;
4. Encourage active and passive recreation opportunities within neighborhoods.

i. Applicability.

This ordinance shall apply to:
All new major residential subdivisions containing 10 or more dwelling units

ii. Definitions.

1. *Open Space*: Land within a subdivision set aside for recreation, resource protection, visual enjoyment, or other compatible uses
2. *Green Space*: Vegetated open areas including lawns, tree buffers, landscaping, and natural preserves.
5. *Usable Open Space*: Open space areas accessible to residents, excluding wetlands and required buffers. Refers to outdoor areas within or directly serving a residential development that are intentionally designed and maintained for the use and enjoyment of residents. These spaces provide opportunities for recreation, relaxation, socializing, or passive enjoyment of the outdoors.
6. *Passive Recreation:* Low-impact uses such as walking, birdwatching, or community gardening.
7. *Active Recreation:* Facilities including playgrounds, courts, fields, or fitness areas.
8. *Conservation Area:* Protected land with limited or no development allowed, used to preserve natural habitats or environmentally sensitive areas.
9. *HOA (Homeowners' Association):* A legal entity responsible for the maintenance of common areas and the enforcement of neighborhood standards.
10. *Wetlands:* Land identified and delineated as jurisdictional wetlands, including those classified under federal jurisdiction in accordance with applicable environmental regulations and guidelines.
11. *U8 or U10 Fields:* As in youth sports, the playing field, with no requirement for stripping, goals, and/or equipment.
12. *Maintenance Plan:* For communities without an HOA to maintain Open Space, a maintenance plan would have to be established. The maintenance plan must be recorded in the covenants and restrictions. Defining an Open Space Maintenance Plan for a residential community involves outlining the standards, responsibilities, procedures, and schedules for maintaining the various open space areas to ensure they remain functional, safe, and visually appealing. The plan should also support long-term sustainability and comply with local regulations.

3.47.3 Open Space and Green Space Requirements.

(***Net Area =***Total Acreage ***minus (-)*** Wetlands ***minus (-)*** Inaccessible uplands ***minus (-)***
Required Zoning and Roadway Buffers ***=Net Total Acreage***)

1. At least 10% of the net site area must be designated as usable open space in the R-1 and R-4 zoning districts.

1. At least 25% of the net site area must be designated as usable open space in the R-2, R-3, and R-5 zoning district.
2. At least 10% of the net site area must consist of vegetated green space (may overlap with open space if appropriate).

3.47.4 Usability.

No single open space parcel shall be less than a minimum of 2500 sq ft. in size or 30 feet in width, unless part of a trail.

3.47.5 Types of Open Space Allowed.

The following types of open space and amenities may be included to meet the requirement:
*(*Subject to additional applicable requirements).*

A. Active Recreation Areas

- Community playgrounds
- Multi-use fields (soccer, baseball etc.)
- Sport courts (Basketball, Tennis, Pickleball, Etc.)
- Outdoor fitness stations
- Dog parks
- Nature trails or greenways
- Picnic areas with tables/shelter

- Community gardens
- Fishing ponds or small non-motorized water bodies
- Aquatic Facilities (swimming pools, splashpads, etc.)
- Community Buildings/Structures (clubhouses, community buildings, workout room shade structures, etc.)

B. Passive Recreation Areas

D. Scenic overlooks, nature observation, meditation, and other quiet zones
E. Ponds and lakes without piers and dock access
F. Picnic areas

C. Conservation and Natural Areas

G. Upland forest preservation zones
H. Wetland and Stream buffers and riparian corridors
I. Wildlife habitat conservation easements

D. Community Features and Enhancements

J. Gazebos, pavilions, or shaded seating structures
K. Decorative landscaping islands or common greens (does not include standard parking lot islands or required tree lawns on right of ways)
L. Stormwater features integrated amenities that are available for resident use (e.g., wet ponds, constructed wetlands, bioretention, rain gardens, etc.) *

3.47.6 Design and Access Standards.

A. Recreational Facility Requirements

In major subdivisions, a minimum of one multipurpose field—either a U8 or U10 field—is required for every 200 residential lots. These fields must meet applicable size and design standards to ensure usability and safety

B. Enhanced Amenity Credits

Subdivision developments that include upgraded recreational amenities may receive increased credit toward open space requirements. Specifically:

- Swimming pools and similar facilities may receive 5 times the area credit.
- Clubhouses and comparable structures may receive 5 times the area credit.
- Sports Courts may receive 4 times the area credit.

- Fitness Centers may receive 5 times the area credit.
- Trails may receive 4 times the area credit.
- Playgrounds may receive 4 times the area credit.

All usable open spaces must be accessible via pedestrian connections (sidewalks or trails).

3.47.7 Ownership, Dedication & Maintenance.

Open space shall be owned and maintained by:

1. A legally established Homeowners' Association (HOA), or
2. Dedication to Effingham County (at County's discretion*)—*Land dedicated to the County has potential for doubled Open Space credit at the County's discretion.*
3. An accredited nonprofit land trust for conservation purposes.

3.47.8 Density Bonus.

Projects providing 35% or more open space and integrating community-wide amenities may qualify for a residential density bonus of up to 10%, a 10% maximum lot dimension reduction upon Board of Commissioners approval of the preliminary plat.

3.47.9.1 Trail Standards for Open Space Credit.

1. Trails may count toward required usable open space if they are part of a continuous system and provide recreational or transportation function within the subdivision.
2. Trails must be accessible to all residents and clearly shown on the open space or amenities plan.

3.47.10 Minimum Width Requirements.

To qualify for open space credit, trails shall meet the following minimum improved width standards:

Trail Type	Minimum Width (Improved Surface)	Notes
Multi-use paved trail	8 feet	Suitable for bikes, pedestrians, strollers
Pedestrian-only trail	5 feet	May be asphalt, gravel, or boardwalk
Nature trail (low-impact)	4 feet (cleared) / 3 feet (surface)	Natural surface acceptable if properly marked

*The inclusion of additional 2-foot shoulders on each side of a trail is encouraged and will be considered eligible for credit.

3.47.11 Trail Length and Credit.

- A credit of 2x the width of the trail may be awarded as open space credit, provided the trail:
  - Is connected to a broader open space system,
  - Is constructed of durable material appropriate to the location (e.g., crushed stone, asphalt, wood, or mulch, and boardwalk in wetlands).

3.47.12 Trail Connectivity.

Trails must connect to:

A. Other open space areas within the subdivision,
B. Streets with sidewalks or pathways,
C. Adjacent parks or neighborhoods (when feasible).

3.47.13 Maintenance

Trails must be maintained in a safe and usable condition by the HOA or responsible entity named in the open space maintenance plan.

3.47.14 Ponds and Water Features as Open Space.

Ponds may qualify for open space credit under the following conditions:

Types of Ponds:

Stormwater detention ponds

Decorative ponds/fountains

Constructed wetlands or other low-impact stormwater best management practices

3.47.15 Conditions for Credit.

To receive credit toward open space requirements, ponds must meet the following:

- Accessibility: The area must be accessible to pedestrians and available for use by residents or as shared private open space. Acceptable features may include walking trails, overlooks, boardwalks, or designated seating areas.

- Credit will be given based on the percentage of continuous shoreline accessible to residents, with a minimum of 30 feet.
- Ponds designed as stormwater detention facilities must also be integrated to serve a residential recreational or aesthetic function.
- To qualify for open space credit, stormwater ponds must be designed to retain water at all times (i.e., function as permanent water features).

3.47.16 Exclusions

1. Ponds entirely fenced off and inaccessible to residents do not qualify for open space credit.
2. Underground detention systems or dry detention basins do not qualify unless converted into multi-use amenities (e.g., dual-use fields).

3.47.17 Maximum Allowable Credit.
No more than 25% of the total required open space may be satisfied using ponds or water features.

3.47.18 Open Space Compliance Example.

Site Overview

- Total Site Area: 200 acres
- Environmental Constraints:

○ Wetlands: 40 acres
○ Required Buffers: 25 acres
○ Inaccessible Upland (isolated by wetlands): 4 acres Net Developable Acreage:

- 200 acres – 40 acres (wetlands) – 25 acres (buffers) – 4 acres (inaccessible upland) = 131 acres

Required Open Space (25% of Net Acrea

(Ord.# 2025-367, 9-16-2025)

ARTICLE IV. ESTABLISHMENT OF DISTRICTS

4.1 Zoning of districts.

For the purpose of this ordinance the area of Effingham County, Georgia, is hereby divided into the following zoning districts:

AR-1	Agricultural residential districts (five acres or more)
AR-2	Agricultural residential districts (less than five acres)
R-1	Single-family residential districts
R-2	Two-family residential districts
R-3	Multifamily residential districts
R-4	Planned manufactured home community districts
R-6	Single-family residential districts (six dwellings per acre)
B-1	Neighborhood commercial districts
B-2	General commercial districts
B-3	Highway commercial districts
I-1	Industrial districts
FH	Flood hazard districts
CP	Conservation preservation districts
PUD	Planned unit development districts

(Ord. of 8-16-16, § 1(a))

4.1A Permitted Use Table.

	Residential										Commercial			Planned Development	Industrial		
	AR-1	AR-3	AR-2	R-1	R-1-A	R-2	R-3	R-4	R-5	R-6	B-1	B-2	B-3	PD	I-1	LI	HI
Residence or Accommodation Functions																	
Private Household																	
Single-Family (fee-simple)	P	P	P	P		P			P	P				C			
Single Family Detached	P	P	P	P		P			P	P				C			
Single Family Attached						P	P	P	C	P				C			
One Additional Single-Family Detached Dwelling	P	P	P											C			
Disaster Emergency Housing	P	P	P	C			P	P	P	P				C			
Tiny Home (Subdivision)								C						C			
Tiny Home (Single Family)	C	C	C					C						C			
Multi-Family (in-common)							P	P	C					C			
Apartments							P	P	C					C			
Condominiums							P	P	C					C			
Duplexes						P	P	P	C					C			
Townhomes (Attached)						P	P	P	C					C			
Detached Units							P	P	C					C			
Home Occupation	P	P	P	P	P	P	P	P	P					C			
Residential Businesses	C	C	C	C	C									C			
Rural Businesses	C	C	C											C			
Agritourism	C													C			
Non-Conforming Uses		P	P											C			
Manufactured Housing																	
Mobile Homes	P	P	P					P						C			
Manufactured Homes	P	P	P		P			P						C			
Mobile Home Parks								P						C			
Mobile Home Subdivisions								P						C			
Group Living																	
Domestic Violence Shelter	C	C	C											C			
Fraternity/Sorority	C	C	C											C			
Religious Housing	C	C	C	C			C	C	C					C			
Transitional Housing	C	C	C	C			C	C						C			
Youth Home	C	C	C	C			C	C						C			
Housing Services																	
Retirement Housing Services	C	C									C	P	P	C			
Congregate Living Services	C	C									C	P	P	C			
Assisted-Living Services	C	C									C	P	P	C			
Life Care or Continuing Care Services	C	C	C								C	P	P	C			
Skilled-Nursing Services											C	P	P	C			
Hotels, Motels, or Other Accommodation Services																	
Bed and Breakfast Inn	C	C	C								C	P	P	C			
Rooming and Boarding (more than 4 unrelated people)	C	C	C								P			C			
Hotel, Motel,												P	P	C			

	Residential										Commercial			Planned Development	Industrial			Special	
	AR-1	AR-3	AR-2	R-1	R-1-A	R-2	R-3	R-4	R-5	R-6	B-1	B-2	B-3	PD	I-1	LI	HI	FH	CP
General Sales or Services																			
Retail Sales or Service																			
Automobile Sales and Services																			
Car Dealer												P	P	C	P	P	P		
Car Brokerage											P	P	P	C	P	P	P		
Bus, Truck, RV/Camper, or Large Vehicles												C	P	C	P	P	P		
Motorcycle, ATV, etc.												P	P	C	P	P	P		
Boat or Marine Craft Dealer												P	P	C	P	P	P		
Automobile Paint & Body	C	C										P	P	C	P	P	P		
Parts, Accessories, or Tires												P	P	C					
Fuel Service Station (less than 6 pumps)											P	P	P	C					
Fuel Service Station (Less than 10 Pumps)												P	P	C					
Fuel Service Station (10 or More Pumps)												C	P	C					
Truck Stop												C	P	C					
Overnight Truck Stop													P	C	P	P	P		
Diesel Truck Service Station (Repair Shop, etc.)												P	P	C					
Car Wash												P	P	C	P	P	P		
Wrecked Vehicle Import/Export														C	C		C		
Junkyard														C	C		C		
Heavy Consumer Goods Sales or Service																			
Furniture or Home Furnishings												P	P	C					
Hardware, Home Centers, etc.											C	P	P	C					
Lawn & Garden Supplies											C	P	P	C					
Department Store, Warehouse Club, or Superstore												P	P	C					
Electronics and Appliances												P	P	C					
Mobile Home Supply													P	C	P	P	P		
Mulching														C	P	C	P		
Heavy Lumber Yard													C	C	P	C	P		
Lumber Yard and Building Materials												C	P	C	P	P	P		
Heating and Plumbing Equipment												C	P	C	P	P	P		
Durable Consumer Goods Sales and Services																			
Computer and Software											P	P	P	C					
Camera and Photographic Supplies											P	P	P	C					
Clothing, Jewelry, Luggage, Shoes, etc.	C	C									P	P	P	C					
Sporting Goods, Toy and Hobby, and Musical Instruments	C	C									P	P	P	C					
Books, Magazines, Music, Stationery											P	P	P	C					
Consumer Goods, Other																			
Florist	C	C	C								P	P	P	C					
Art Dealers, Supplies, Sales and Services											C	P	P	C					
Tobacco or Tobacconist Establishment											C	P	P	C					
CBD Stores											P	P	P	C					

	Residential										Commercial			Planned Development	Industrial			Special	
	AR-1	AR-3	AR-2	R-1	R-1-A	R-2	R-3	R-4	R-5	R-6	B-1	B-2	B-3	PD	I-1	LI	HI	FH	CP
Mail Order or Direct Selling Establishment	C	C									C	P	P	C	P	P	P		
Antique Shops, Flea Markets, etc.	C	C	C								P	P	P	C					
Grocery, Food, Beverage, Dairy, etc.																			
Grocery Store, Supermarket, or Bakery	C										P	P	P	C					
Convenience Store											P	P	P	C					
Specialty Food Store											P	P	P	C					
Fruit and Vegetable Store	C	C	C								P	P	P	C					
Beer and Wine													P	C					
Health and Personal Care																			
Pharmacy or Drug Store											P	P	P	C					
Cosmetic and Beauty Supplies	C	C	C								P	P	P	C					
Optical											P	P	P	C					
Finance and Insurance																			
Bank, Credit Union or Savings Institution	C	C									C	P	P	C					
Credit, Finance, and Fund Establishments											C	P	P	C					
Investment Banking, Securities and Brokerages											C	P	P	C					
Insurance-Related Establishment	C	C	C								C	P	P	C					
Real Estate, and Rental and Leasing																			
Real Estate Services																			
Real Estate Office											P	P	P	C					
Property Management Services	C		C											C					
Commercial Property-Related											P	P	P	C					
Rental Housing-Related				P										C					
Rental and Leasing - Non-Residential																			
Cars	C	C									P	P	P	C					
Leasing Trucks, Trailers, RVs, etc.													P	C	P	P	P		
Recreational Goods Rentals												C	P	C					
Leasing Commercial, Industrial Machinery, and Equipment													C	C	P	P	P		
Consumer Goods Rental												P	P	C					
Intellectual Property Rental (Video, Music, Software, etc.)												P	P	C					
Business, Professional, Scientific and Technical Services																			
Professional Services																			
Legal Services	C	C	C								P	P	P	C					
Accounting, Tax, Bookkeeping, Payroll Services	C	C	C								P	P	P	C					
Architectural, Engineering, and Related Services	C	C	C								P	P	P	C					
Graphic, Industrial, Interior Design Services	C	C	C								P	P	P	C					
Consulting Services (Management, Environmental, etc.)	C	C	C								P	P	P	C					
Research and Development Services (Scientific)	C	C	C								P	P	P	C	P	P	P		
Advertising, Media, and Photography Services	C	C	C								P	P	P	C					
Veterinary Services	C	C	C									C	P	C	P	P	P		

Administrative Services	Residential										Commercial			Planned Development	Industrial			Special	
	AR-1	AR-3	AR-2	R-1	R-1-A	R-2	R-3	R-4	R-5	R-6	B-1	B-2	B-3	PD	I-1	LI	HI	FH	CP
Office and Administrative Services	C	C	C								P	P	P	C	P	P	P		
Facilities Support Services												P	P	C					
Employment Agency												P	P	C					
Business Support and Reservation Services												P	P	C					
Collection Agency												P	P	C					
Travel Arrangement and Reservation Services	C	C	C									P	P	C					
Investigation and Security Services	C	C	C									P	P	C					
Services to Buildings and Dwellings																			
Extermination and Pest Control	C	C									P	P	P	C	P	P	P		
Janitorial	C	C	C								P	P	P	C	P	P	P		
Landscaping	C	C									P	P	P	C	P	P	P		
Carpet and Upholstery Cleaning											P	P	P	C	P	P	P		
Packing, Crating, and Convention and Trade Show Services											P	P	P	C	P	P	P		
Food Services																			
Full-Service Restaurant											P	P	P	C					
Cafeteria or Limited Service Restaurant											P	P	P	C					
Snack or Nonalcoholic Bar											P	P	P	C					
Fast Food Facilities												P	P	C					
Bar or Drinking Place											C	P	P	C					
Mobile Food Services	C	C									P	P	P	C	P	P	P		
Caterer	C	C									P	P	P	C					
Food Service Contractor												P	P	C	P	P	P		
Vending Machine Operator													P	C	P	P	P		
Personal Services																			
Nail Salon	C	C	C								P	P	P	C		P			
Hair Salon	C	C	C								P	P	P	C		P			
Spa	C	C	C								P	P	P	C		P			
Dry Cleaning											C	P	P	C		P			
Laundry Mat											C	P	P	C		P			
Pet and Animal Sales or Service (Except Veterinary)																			
Pet or Pet Supply Store											P	P	P	C		P	P		
Animal and Pet Services (Breeding, Groomers, etc.)	C	C									C	P	P	C					
Manufacturing and Wholesale Trade																			
Food, Textiles, and Related Products																			
Food and Beverages														C	P	C	P		
Tobacco Manufacturing Establishment														C	P	C	P		
Textiles														C	P	C	P		
Leather and Allied Products														C	P	C	P		
Wood, Paper, Printing Products																			
Wood Products and Establishment	C													C	P	C	P		
Paper and Printing Materials														C	P	C	P		

	Residential										Commercial			Planned Development	Industrial			Special	
	AR-1	AR-3	AR-2	R-1	R-1-A	R-2	R-3	R-4	R-5	R-6	B-1	B-2	B-3	PD	I-1	LI	HI	FH	CP
Furniture and Related Products	C													C	P	P	P		
Chemicals, and Metals, Machinery, and Electronics Manufacturing																			
Petroleum and Coal Products														C			C		
Chemicals, Plastics, and Rubber Products														C			C		
Nonmetallic Mineral Products														C	P	C	P		
Primary Metal Manufacturing														C			P		
Machinery Manufacturing														C			P		
Electrical Equipment, Appliance, and Components Manufacturing														C			P		
Transportation Equipment, Automobiles, etc.														C			P		
Asphalt Plant														C			P		
Permanent Concrete Plant														C			P		
Temporary Concrete Plant (on-site construction only)														C	P	C	P		
Miscellaneous Manufacturing																			
Jewelry and Silverware											C	C	C	C	P	P	P		
Dolls, Toys, Games, and Musical Instruments											C	C	C	C	P	P	P		
Office Supplies, Inks, etc.											C	C	C	C	P	C	P		
Signs (Sign Shops)											C	C	C	C	P	P	P		
Wholesale Trade Establishment																			
Durable Goods													C	C	P	P	P		
Nondurable Goods													C	C	P	P	P		
Warehouse and Storage Services																			
Warehouse Facilities														C	P	P	P		
Cold Storage Facilities														C	P	C	P		
Flex Space (Total Sqft 25,000)/Retail Front												C	P	C	C	C	C		
Data Center														C	P	C	P		
Enclosed/Mini Storage/ self-storage											C	C	P	C	P	P	P		
Screened/Outdoor Storage											C	C	P	C	P	P	P		
Shipping Container Storage & Stacking														C	C		C		
Transportation, Communication, Information, and Utilities																			
Transportation Services																			
Air Transportation																			
Air Passenger Transportation													C	C	C	C	C		
Air Freight Transportation													C	C	C	C	C		
Airport and Support Establishment	C													C			C		
Other Air Transportation (Including Scenic, Balloon, etc.)	C												C	C	C	C	C		
Rail Transportation																			
Rail Passenger Transportation														C	C	C	C		
Rail Freight Transportation														C	C	C	C		
Local Transit Systems - Commuter Rail												C	C	C	C	C	C		
Rail Transportation Support Establishment														C	C	C	C		
Road, Ground Passenger, and Transit Transportation																			

	Residential										Commercial			Planned Development	Industrial			Special	
	AR-1	AR-3	AR-2	R-1	R-1-A	R-2	R-3	R-4	R-5	R-6	B-1	B-2	B-3	PD	I-1	LI	HI	FH	CP
Local Transit Systems - Mixed Mode											P	P	P	C	P	P	P		
Local Transit Systems - Bus, Special Needs, and Other Motor Vehicles	C											C	P	C	P	P	P		
Interurban, Charter Bus, and Other Similar Establishments												P	P	C	P	P	P		
School and Employee Bus Transportation	C											P	P	C	P	P	P		
Special Purpose Transit Transportation (Including Scenic, Sightseeing, etc.)												P	P	C	P	P	P		
Taxi and Limousine Service	C											P	P	C	P	P	P		
Towing and Other Road and Ground Services												P	P	C	P	P	P		
Truck and Freight Transportation Services																			
General Truck Parking														C	P	P	P		
General Freight Trucking, Local														C	P	P	P		
General Freight Trucking, Long Distance														C	P	P	P		
Freight Trucking, Specialized (Used Household and Office Goods)														C	P	P	P		
Freight Trucking, Specialized (Except Used Goods)														C	P	P	P		
Heavy Equipment Parking/Storage														C	C	C	C		
Marine and Water Transportation																			
Marine Passenger Transportation											C	C	C	C					
Marine Freight Transportation											C	C	C	C					
Marine Port and Harbor Operations											C	C	C	C	P	P	P		
Marine Cargo Handling and Dry Dock Services											C	C	C	C	P	P	P		
Marine Navigational and Other Services											C	C	C	C	P	P	P		
Courier and Messenger Services													C	C	P	P	P		
Pipeline Transmission														C	P	P	P		
Communications and Information																			
Publishing																			
Newspaper, Books, Periodicals, etc.	C											P	P	C	P	P	P		
Software Publisher	C											P	P	C	P	P	P		
Motion Pictures and Sound Recording																			
Motion Picture and Video Production, Publishing and Distribution	C	C												C	P	P	P		
Motion Picture Viewing and Exhibition Services														C	P	P	P		
Sound Recording, Production, Publishing, and Distribution														C	P	P	P		
Telecommunications and Broadcasting																			
Radio and Television Broadcasting												P	P	C	P	P	P		
Cable Networks and Distribution												P	P	C	P	P	P		
Wireless Telecommunications	C	C	C								C	C	C	C	P	P	P		
Telephone and Other Wired Telecommunications											P	P	P	C	P	P	P		
Information Services and Data Processing Industries																			
Online Information Services	C	C										P	P	C					
Libraries and Archives	C	C									P	P	P	C	P	P	P		
News Syndicate												P	P	C	P	P	P		
Utilities and Utility Services																			
Electric Power																			

	Residential										Commercial			Planned Development	Industrial			Special	
	AR-1	AR-3	AR-2	R-1	R-1-A	R-2	R-3	R-4	R-5	R-6	B-1	B-2	B-3	PD	I-1	LI	HI	FH	CP
Hydroelectric	C	C	C											C					
Nuclear														C	C	C	C		
Alternative Energy Sources														C	C		C		
Natural Gas, Petroleum, Fuels, etc.																			
Natural Gas Power Plants														C	P	P	P		
Water, Steam, Air Conditioning Supply																			
Drinking Water	C	C	C	C	C	C	C	C	C		C	C	C	C	C	C	C		
Irrigation and Industrial Water Supply												P	P	C	P	P	P		
Air Conditioning												C	P	C	P	P	P		
Steam Supply												C	P	C	P	P	P		
Sewer, Solid Waste, and Related Services																			
Hazardous Waste Collection														C	C		C		
Hazardous Waste Treatment and Disposal														C	C		C		
Solid Waste Collection														C	C		C		
Solid Waste Combustor or Incinerator														C	C	C	C		
Solid Waste Landfill														C	C	C	C		
Waste Treatment and Disposal														C	C	C	C		
Septic Tank and Related Services	C	C	C								C	C	C	C	P	P	P		
Arts, Entertainment, and Recreation																			
Performing Arts or Supporting Establishment																			
Theater, Dance, or Music Establishment	C	C	C								C	P	P	C	P	P	C		
Sports Team or Club	C	C	C									P	P	C	P	P	C		
Racetrack Establishment	C													C	C	C	C		
Adult Entertainment Club														C	C	C	C		
Museums and Other Special Purpose Recreational Institutions																			
Museums and Other Special Purpose Recreational Institutions	C	C									P	P	P	C					
Historical or Archeological Institution											P	P	P	C					
Zoo	C										C	C	C	C					
Botanical Gardens, Arboreta, etc.	C	C										P	P	C	P	P	P		
Amusement, Sports, or Recreation Establishment																			
Amusement or Theme Park Establishment	C											C	C	C	C	C	C		
Games Arcade Establishment											C	P	P	C					
Casino or Gambling Establishment														C	C	C	C		
Miniature Golf Establishment											P	P	P	C					
Fitness Recreational Sports, Gym, or Athletic Club	C	C	C								C	P	P	C	P	P	P		
Bowling, Billiards, Pool, etc.												P	P	C	P	P	P		
Skating Rinks, Roller Skates, etc.												P	P	C					
Outdoor Firing Range	C										C	C	C	C					
Indoor Firing Range	C										C	C	C	C					
Event Venue	C	C	C								P	P	P	C					
Camps, Camping, and Related Establishment																			

	Residential										Commercial			Planned Development	Industrial			Special	
	AR-1	AR-3	AR-2	R-1	R-1-A	R-2	R-3	R-4	R-5	R-6	B-1	B-2	B-3	PD	I-1	LI	HI	FH	CP
RV Park	C							P						C					
Campground (Tents and Campers less than 18ft)	C	C	C					P						C					
Natural and Other Recreational Parks																			
Parks, Open Space & Trails	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Education, Public Admin., Health Care, and Other Inst.																			
Educational Services																			
Nursery and Preschool	C	C	C	C				C			P	P	P	C	P	P	C		
Grade Schools																			
Elementary	C										C	C	C	C					
Middle	C										C	C	C	C					
Senior/High	C										C	C	C	C		C			
Continuance	C										C	C	C	C		C			
Alternate Education Services	C										C	C	C	C		C			
Adult Education Services	C										C	C	C	C		C			
Education Support Facilities	P	P	P								P	P	P	C					
Colleges and Universities																			
Technical, Trade, and Other Specialty Schools																			
Beauty Schools	C										C	C	C	C					
Business Management	C										C	C	C	C					
Computer Training	C										C	C	C	C					
Driving Education	C										C	C	C	C		C			
Fine and Performing Arts Education	C										C	C	C	C		C			
Flight Training	C										C	C	C	C		C			
Sports and Recreation Education	C										C	C	C	C		C			
Public Administration																			
Legislative and Executive Functions											P	P	P	C					
Judicial Functions																			
Courts											P	P	P	C					
Correctional Institutions											P	P	P	C					
Other Government Functions														C					
Military and National Security	C										P	P	P	C	P	P	P		
Postal Services	C										P	P	P	C	P	P	P		
Space Research and Technology														C	P	P	P		
Public Safety (Govt Owned)																			
Fire and Rescue	P	P	P	P		P	P	P	P	P	P	P	P	P	P	P	P		
Police	P	P	P	P		P	P	P	P	P	P	P	P	P	P	P	P		
Emergency Management Agency	P	P	P	P		P	P	P	P	P	P	P	P	P	P	P	P		
Emergency Medical Services	P	P	P	P		P	P	P	P	P	P	P	P	P	P	P	P		
E-911	P	P	P	P		P	P	P	P	P	P	P	P	P	P	P	P		
Health and Human Services																			
Clinics	C	C									P	P	P	C	P	P	P		

	Residential										Commercial			Planned Development	Industrial			Special	
	AR-1	AR-3	AR-2	R-1	R-1-A	R-2	R-3	R-4	R-5	R-6	B-1	B-2	B-3	PD	I-1	LI	HI	FH	CP
Family Planning and Outpatient Care Centers	C	C									P	P	P	C					
Medical and Diagnostic Laboratories	C	C									P	P	P	C					
Blood and Organ Banks											P	P	P	C	P	P	P		
Nursing Supervision and Other Rehabilitative Services											P	P	P	C	P	P	P		
Hospital	C	C									P	P	P	P	P	P	P		
Social Assistance, Welfare and Charitable Services																			
Child and Youth Services	C	C									P	P	P	C					
Child Day Care	C	C									P	P	P	C	P	P	P		
Community Food Services											P	P	P	C	P	P	P		
Other Family Services	C	C									P	P	P	C					
Services for Elderly and Disabled														C					
Veterans Affairs											P	P	P	C					
Vocational Rehabilitation	C	C									P	P	P	C					
Religious Institutions																			
Places of Worship	P		P	P		P	P	P	P	P	P	P	P	P	P	P	P		
Final Care Services																			
Funeral Homes and Services	C	C									P	P	P	C	P	P	P		
Cremation Services													P	C	P	P	P		
Cemeteries	C	C	C	C	C	C	C	C	C										
Associations, Nonprofit, Organizations, etc.																			
Labor and Political Organizations											P	P	P	C					
Business Associations and Professional Membership Organizations											P	P	P	C					
Civic, Social, and Fraternal Organizations	C	C									P	P	P	C					
Construction-Related Businesses																			
Building, Developing, and General Contracting																			
Residential Construction											P	P	P	C					
Land Development and Subdivision											P	P	P	C					
Machinery Related																			
Building Equipment and Machinery Installation Contractors												P	P	C	P	P	P		
Excavation Contractor	C											P	P	C	P	P	P		
Wrecking and Demolition Establishment														C	P	P	P		
Structural Steel Erection Contractor													P	C	P	P	P		
Special Trade Contractor																			
Carpentry, Floor, and Tile Contractor	C	C	C								C	P	P	C	P	P	P		
Concrete Contractor	C	C	C								C	P	P	C	P	P	P		
Electrical Contractor	C	C	C								C	P	P	C	P	P	P		
Glass and Glazing Contractor	C	C	C								C	P	P	C	P	P	P		
Masonry and Drywall Contractors	C	C	C								C	P	P	C	P	P	P		
Painting and Wall Covering	C	C	C								C	P	P	C	P	P	P		
Plumbing, Heating, and Air-Conditioning	C	C	C								C	P	P	C	P	P	P		
Roofing, Siding, and Sheet Metal Contractors	C	C	C								C	P	P	C	P	P	P		

	Residential										Commercial			Planned Development	Industrial			Special	
	AR-1	AR-3	AR-2	R-1	R-1-A	R-2	R-3	R-4	R-5	R-6	B-1	B-2	B-3	PD	I-1	LI	HI	FH	CP
Heavy Construction Contractor																			
Highway and Street Construction													P	C	P	P	P		
Bridge and Tunnel Construction													P	C	P	P	P		
Water, Sewer, and Pipeline Construction													P	C	P	P	P		
Powerlines, Communications and Transmission Lines														C	P	P	P		
Industrial and Other Nonbuilding Construction														C	P	P	P		
Mining and Extraction Establishments																			
State Approved Mining	C													P	C	C	C		
Agriculture, Forestry, Fishing, and Hunting																			
Crop Production	P	P	P								P	P	P	C					
Vegetable Farming or Growing Services	P	P	P								P	P	P	C					
Fruits and Trees	P	P	P								P	P	P	C					
Greenhouse, Nursery, and Floriculture	P	P	P								P	P	P	C	P	P	P		
Food Crops Grown Under Cover	P	P	P								P	P	P	C	P	P	P		
Nursery and Tree Production	P	P	P								P	P	P	C					
Floriculture Production	P	P	P								P	P	P	C					
Support Functions for Agriculture																			
Farm and Farm Labor Management Services	C										P	P	P	C					
Spraying, Dusting, and Other Related Services	C	C	C											C	P	P	P		
Crop Harvesting and Post Harvest Crop Activities (including Drying, Siloing,	C	C	C									P	P	C	P	P	P		
Animal Production Including Slaughter																			
Cattle Ranch Crops																			
Beef Cattle Ranch Establishments	P	C	C											C					
Cattle Feedlot Establishments	P	C	C											C					
Dairy Cattle and Milk Production	P	C	C											C					
Hog and Pig Farm	C	C												C					
Poultry and Egg Production and Hatcheries	P	P	P											C					
Sheep and Goat Farming Establishments	P	P	C											C					
Fish Hatcheries, Fisheries, and Aquaculture	P	P												C					
All Other Animal Production	C	C												C					
Apiculture (Bees, Wax, and Related Operations)	P	P	P	C										C					
Horse and Equine Production	P	C	C											C					
Fur-Bearing Animal Production	P	C												C					
Support Functions for Animal Production	C	C												C					
Forestry and Logging																			
Logging Contractors & Timber Contractors	C													C					
Forest Nurseries	P	P												C					
Support Functions for Forestry	P	P												C					
Fishing, Hunting, and Trapping, Game Preserves																			
Fishing	P	P									P	P	P	C	P	P	P		
Hunting and Trapping, Game Retreats, Game and Fishing Preserves	P	P												C					

5.1.2.13 Agritourism business

"Agritourism business" is defined as the activities conducted on a working farm and offered to the public or to invited groups for the purpose of recreation, education and/or active involvement in the farm operation. These activities link agricultural production and/or processing with tourism in order to attract visitors onto a farm, ranch, or other agricultural business for the purposes of entertaining and/or educating the visitors and generating supplemental income for the farm or ranch owner. Agritourism activities are linked directly to the primary agricultural use of the property and any recreation, education or active involvement in the farm operation is secondary and shall constitute only a percentage of the total working farm.

An agritourism business is permitted as a conditional use only in conforming agricultural residential - AR-1 districts and not located in a residential subdivision. An agritourism Business may be permitted in said district only if it meets the following criteria:

a) An agritourism business is a business which is secondary or incidental to the primary use of the property for agricultural or residential purposes, and is of a service, educational, or recreational nature. An agritourism business is intended to be of a smaller size, intensity, and scale than commercial uses which would be more commonly found in commercial or business zoning districts, and is primarily designed to towards providing local or neighborhood service to the rural-residential area in which it is located. agritourism business activities may occur in an accessory structure detached from the principal residence or in an area outside of the dwelling.

b) A concept and site plan and narrative for the proposed agritourism business shall be provided to the zoning administrator for review and approval by the technical review committee. All plans are required to be drawn to scale. An aerial photograph with requirements drawn in may be used if that is the best way for applicant to show the requirements of the plan. The following are required to be included on the concept and site plan:

• North Arrow;

• Placement on property for all sign, and structures, including existing structures and residential dwellings;

• Placement on parcel of all parking spaces to adequately serve the agritourism use or facility;

• Placement and type of planting for any and all landscaping planned for the site;

• Distance from property line to all structures and parking areas including handicapped accessible parking space or spaces;

• Show the nearest county or state highway;

• Show setbacks from any proposed structures and the property line of the parcel where the proposed use or facility will be located;

• Access to the property;

• Location of well/septic; and

• Known future development (gift shop, planned exhibits, etc.).

The narrative shall answer the following questions and requested information in detail:

• What is the proposed use for the property?

• How is the property zoned now?

• What is the zoning of adjacent property owners?

• What is the nearest county or state highway?

• Explain in detail why you want to have this agritourism use or facility and how does it promote education of the public on farming or increase economic development in Effingham County?

• How many acres of land do you propose to use in this agritourism use or facility?

• How will this use of facility protect and preserve rural character of Effingham County?

• What steps do you plan to take to ensure that you do not adversely impact neighboring farms or residents?

• Explain the daily operations with hours of operation.

• Explain the goals and projected growth for the business.

• Provide the expected number of daily visitors.

• Provide an emergency evacuation plan.

c) The agritourism business shall be approved by the board of commissioners before any business activities begin. The board of commissioners may place reasonable conditions on the proposed use as deemed necessary to insure the orderly operation of the proposed business and its compatibility with the surrounding properties.

d) Any required state or federal licensing shall be obtained and kept in good standing. An Effingham County occupational tax certificate shall be obtained and renewed annually.

e) Any additions or alterations to the residence which will be used for the agritourism business shall be of an architectural style in keeping with surrounding residential and agricultural development. Any structure built to house the business must be located to the side or rear of the residence unless it is at least 100 feet from the front property line and meets all applicable side and rear setbacks. The structure must be readily and easily usable for customary agricultural and residential uses.

f) Only one nonilluminated sign not to exceed 16 square feet is permitted, location to be approved by the zoning administrator and/or designee. Location of the sign must be at least 15 feet from all property lines.

g) Property on which the agritourism business is proposed shall have frontage on a public road, or be granted exemption from the condition during approval from the board of commissioners. If an exemption is requested, the applicant shall provide a legal opinion letter from an attorney licensed to practice law in the State of Georgia which certifies that there is a recorded access easement granting the owner of the property and its business visitors the right to use said access easement. The legal opinion letter shall be dated within 30 days prior to the date that the agritourism business application is received by the county. The board of commissioners should also consider the type of roadbed, width, and condition of the access road and whether emergency vehicles will have issues traversing said access road.

h) Parking for customers/clients shall be provided on-site, and there shall be no parking along the sides of any public roads.

i) Hours of operation shall be limited to daylight hours, except when exemption is granted by the board of commissioners during the approval process, or as provided for in this ordinance.

j) Operations of an agritourism business shall adhere to Effingham County Code of Ordinances, Part II, [Chapter 30], Article II, noise control.

k) Special or seasonal events. At such time as the agritourism business may wish to rent space for a private party, seasonal event, or any other activity which temporarily occurs outside the implicit scope of operation, the county manager or designee may approve, or defer to a public hearing, so as to obtain approval from the board of commissioners.

(1) *General operating regulations.* The following operating regulations shall be enforced by the owner of the agritourism business:

(a) No musical entertainment, either live or recorded, utilizing sound amplification equipment, shall be in violation of [Chapter 30], Article II, noise control.

(b) No event shall be presented between the hours of 11:00 p.m. and 9:00 a.m. unless otherwise approved by the board of commissioners.

(c) Camping on site by persons attending an event is permitted; provided that no on site camping shall be permitted more than two days prior or two days after an event.

(d) Handicapped access shall be provided to activities that are open to the public.

(e) Events and activities shall be accessible to emergency and service vehicles.

(f) Adequate toilet facilities per the department of environmental health and trash receptacles shall be provided for all events.

(g) The burden of preserving order during the concert or special event is upon the owner of the agritourism business.

(2) *Revocation of use.* The board of commissioners may revoke permission for any proposed event or order that an event be discontinued immediately if, in the sole judgement of the board of commissioners, the event will disrupt traffic within the unincorporated area of Effingham County beyond practical solution; the event will interfere with access to fire stations and fire hydrants; the event will require the diversion of so many public employees that allowing the event would unreasonably deny service to remainder of the county; or the event might otherwise interfere with the welfare, peace, safety, health, good order and convenience of the general public.

(3) *Exemptions*. The following special events are exempt from the provisions of this article:

(a) Special events occurring upon a county-owned sports facility, including without limitation, a ball field, tennis court or pool, provided that the special event constitutes a use for which the sports facility was intended;

(b) Special events hosted by a church on property owned by the church, but only if the property is used on a regular basis, at least bi-monthly, to conduct worship services;

(c) Events hosted by a school on property owned by the school or a governmental entity, provided that the property is used on a regular basis, at least weekly, to conduct classes; and

(d) A governmental agency acting within the scope of its agency.

(l) Examples of uses permitted (as an agritourism business):

(1) On-farm sales.

(2) Pick your own.

(3) Agricultural crafts/ gifts sales.

(4) Fee fishing/hunting.

(5) Wildlife viewing and photography.

(6) Equine related activities.

(7) Wagon rides.

(8) School tours.

(9) Garden/nursery tours.

(10) Farm technical demonstrations and sales (canning, weaving, soap-making, etc.)

(11) Winery tastings or tours.

(12) Corn mazes.

(13) Haunted attractions.

(14) Small, private zoological attraction or sanctuary.

(15) Christmas tree farm.

m) Conservation use. Any property that wishes to start an agritourism business and has property in conservation use should check with the Effingham County property tax assessor's office prior to obtaining a business license. The property tax assessor's office can let a property owner know if the proposed business will cause a violation of the conservation use covenant.

(Ord. of 11-07-2023(2))

4.2 Zoning map.

4.2.01 Official zoning map.

(a) The official zoning map of Effingham County, Georgia is hereby adopted and identified as that map or series of maps, adopted by the board of commissioners, that show the precise location and boundaries of the zoning districts and that is certified by the county clerk of Effingham County, Georgia.

(b) A certified copy of the official zoning map shall be kept in the development services department, where it shall be available for public inspection.

(c) The official zoning map may be amended from time to time pursuant to the provisions of this Code.

4.2.02 Amendments to the official zoning map.

(a) The Official Zoning Map may be amended by the Board of Commissioners in accordance with the applicable procedures of this ordinance and state law. No amendment to the Official Zoning Map shall become effective until approved by the Board of Commissioners.

(b) Changes made in district boundaries or other matters portrayed on the zoning maps shall be entered on said maps promptly after such change has been approved by the governing authority together with an entry on the maps showing the date and ordinance number such action was approved. No amendment to this ordinance which involves matters portrayed on the zoning maps shall become effective until such change and entry has been made on said maps.

4.2.03 Replacement of the official zoning map.

In the event that the official zoning map becomes damaged, destroyed, lost or difficult to interpret because of the nature or number of changes and additions, the board of commissioners may, by resolution, adopt a new official zoning map which shall supersede the prior official zoning map. The new official zoning map may correct drafting or other errors or omissions in the prior official zoning map, but no such correction shall have the effect of amending the original official zoning map.

4.2.04 Interpretation of zoning district boundaries.

Where uncertainty exists with respect to the location and boundaries shown on the official zoning map, the following rules shall apply:

(a) Where a zoning district boundary line is shown as following or approximately following the center line of a street, a county road, a state highway, an alley, or railroad right-of-way or such lines extended, then such lines shall be construed to be the zoning district boundary lines.

(b) Where a zoning district boundary line is shown as approximately following a corporate limits line, a militia district line, a land lot line, a lot line or such lines extended, then such lines shall be construed to be the zoning district boundary lines.

(c) Where a zoning district boundary line is shown as following or approximately following shorelines, then such lines shall be construed to follow such shorelines. In the event of change in the shoreline, the zoning district boundary lines shall be construed as moving with the actual shoreline. Where a zoning district boundary line is shown as following or approximately following the center lines of streams, rivers, canals, lakes or other bodies of water, then such lines shall be construed to be the zoning district boundary lines.

(d) Distances not specifically indicated on the zoning map shall be determined by the scale of the map. Where a zoning district boundary line is shown as being set back from a street, a county road, a state highway, an interstate highway or a railroad right-of-way and approximately parallel thereto, then such zoning district boundary line shall be construed as being at the scaled distance from the center line of the street, county road, state highway, interstate highway or railroad right-of way and as being parallel thereto.

(e) Where a zoning district boundary line divides a lot, the location of the district boundary line shall be the scaled distance from the lot lines. In this situation, the requirements of the zoning district in which the greater portion of the lot lies shall apply to the balance if the lot except that such extension shall not include any part of a lot that lies more than 50 feet beyond the zoning district boundary line.

(f) In the case of a through lot fronting on two approximately parallel streets that is divided by a zoning district boundary line paralleling the streets, the restrictions of the zoning district in which each frontage of the through lot lies shall apply to that portion of the through lot.

(g) When application of the district boundary rules results in uncertainty as to the location of a boundary between two zoning districts, the Zoning Administrator shall determine the applicable district boundary based on the Official Zoning Map and available property records.

4.2.05 Special conditions of previous zoning approvals retained.

All special conditions and special stipulations imposed as conditions of zoning approval of property prior to adoption of the official zoning map are hereby retained and reaffirmed and shall continue in full force and effect until such time as the property is rezoned or the prior zoning action of the board of commissioners is amended through the zoning approval process established by the Zoning Code.

(Amend. of 6-6-00(3); Ord. No. 2024-490, 10-15-24)

4.3 District boundary lines.

The district boundary lines of the zoning maps are intended to follow property lines or the centers of streets, alleys, railroads, or watercourses. In the case of unsubdivided property, the district boundary lines shall be determined using the appropriate scale.

4.4 Reimbursement of professional fees for county subdivision plat review.

When in connection with the review of a proposed subdivision plat the county requires professional services beyond the capabilities of the building and zoning department, the zoning administrator shall notify the applicant

seeking approval for such subdivision, by certified mail, return receipt requested, of the county's need for such professional services. The name(s) of the professional(s) to be retained by the county and the hourly rate charged to the county for said services shall be included in the notice. If the applicant elects to continue to seek approval of the subdivision plat and the county utilizes the services of said professional(s), the applicant shall reimburse the county for the actual cost of said services. The zoning administrator shall require that the professional rendering said services submit to the building and zoning department time a statement reflecting time spent and fees and expenses incurred. Said statement shall be provided to the applicant, who shall reimburse the county within 30 days of receipt. Thereafter, all unpaid charges shall accrue interest at the rate allowed by law for the collection of unpaid property taxes. No final plat shall be recorded unless all charges arising under this section have been paid.

(Amend. of 7-3-01(3))

Editor's note(s)—Amend. of July 3, 2001(3) enacted a new § 4.6, reimbursement of professional fees for county subdivision plat review. Said section has been renumbered as § 4.4 at the discretion of the editor, to better fit the format of the Code.

ARTICLE V. USES PERMITTED IN DISTRICTS

5.1 AR-1 Agricultural residential districts.

5.1.1 Intent. Agricultural Residential 1 (AR-1) is designed to preserve the county's rural character while protecting natural resources and supporting both active and passive recreational uses. This district emphasizes land conservation and resource protection, minimal pedestrian activity, ample open space, and a high degree of separation between structures.

Refer to Article V, Table of Permitted Uses (TPU)

Any use that is not explicitly addressed in the TPU is prohibited; however, the applicant may request a text amendment and follow the process for getting approval of the use.

Two principle dwellings are allowed in AR-1 zoning. Land established and used as a mobile rental home site prior to September 23, 1980, will be allowed to continue this practice.

Minimum lot area A maximum of two residential units are permitted per lot. These may consist of two principal dwellings, or one principal dwelling, and one accessory dwelling unit (ADU)	5 acres 2 units
Minimum lot road frontage	100 feet
Minimum lot width at building line	150 feet
Minimum front yard setback	50 feet
Minimum rear yard setback	50 feet
Minimum side yard (interior) setback	25 feet
Minimum side yard (street/road easement) setback	50 feet
Minimum side yard (secondary street) setback	25 feet
Maximum building height	40 feet
* Accessory structures used for agricultural purposes are exempt from the height restrictions outlined in this ordinance.	

(Ord. of 12-14-99(2), §§ 4, 5; Amend. of 4-4-00(21); Amend. of 10-21-04, §§ 2, 3; Ord. of 5-6-08; Ord. of 4-7-09; Ord. of 6-1-10, § 1; Ord. of 7-17-12, § 1; Ord. of 8-20-13; Ord. of 6-6-17(2); Ord. of 11-3-20; Ord. of 1-3-23(1); Ord. of 11-07-2023(2); Ord. No. 2025-271a, 8-5-25)

5.2 AR-2 Agricultural residential districts.

5.2.1 Intent. Agricultural Residential 2 (AR-2) is established to foster rural residential living while integrating open space and natural resource conservation. This district supports moderately sized lots (minimum 1 acre), encouraging low-density development that blends residential uses with the rural landscape. AR-2 provides a transitional zone between more intense development and larger-lot rural areas, maintaining moderate spacing between homes and limited pedestrian activity to preserve the rural atmosphere. This district is exclusively designated for family or estate subdivisions, ensuring that development remains consistent with the rural character.

Refer to Article V, Table of Permitted Uses (TPU)

Any use that is not explicitly addressed in the TPU is prohibited; however, the applicant may request a text amendment and follow the process for getting approval of the use.

5.2.2 Non-Conforming Uses. The AR-2 district may serve as a zoning designation for legally established nonconforming uses compatible with its character but not permitted in other districts. This provides a pathway to bring such properties into compliance when rezoning is required due to changes in ownership, development activity, or enforcement actions.

Minimum lot area Maximum number of principal residences - one Maximum number of accessory dwelling units - one	1 acre 1 unit 1 unit
Minimum lot road frontage	100 feet
Minimum lot width at building line	100 feet
Minimum front yard setback	50 feet
Minimum rear yard setback	25 feet
Minimum side yard (interior) setback	15 feet
Minimum side yard (street/road easement) setback	50 feet
Minimum side yard (secondary street) setback	25 feet
Maximum principal building height	40 feet
* Accessory structures used for agricultural purposes are exempt from the height restrictions outlined in this ordinance.	

(Ord. of 12-14-99(2), § 6; Amend. of 4-4-00(21); Amend. of 4-4-00(24); Amend. of 4-4-00(25); Amend. of 10-21-04, § 3; Ord. of 7-17-12, § 1; Ord. of 11-3-20; Ord. of 1-3-23(1); Ord. No. 2025-271d, 8-5-25)

5.3 AR-3 Agricultural residential districts.

5.3.1 Intent. Agricultural Residential 3 (AR-3) is designed to preserve the rural fabric of the county by allowing widely spaced residential development on large lots, with a minimum of 2.5 acres. This district prioritizes agricultural viability, low-impact development, and the conservation of open space and natural features. AR-3 discourages intensive land uses and supports a landscape-driven design approach to uphold the county's rural identity.

Refer to Article V, Table of Permitted Uses (TPU)

Any use that is not explicitly addressed in the TPU is prohibited; however, the applicant may request a text amendment and follow the process for getting approval of the use.

5.3.2 Non-Conforming uses. The AR-3 district may serve as a zoning designation for legally established nonconforming uses compatible with its character but not permitted in other districts. This provides a pathway to bring such properties into compliance when rezoning is required due to changes in ownership, development activity, or enforcement actions.

Minimum lot area Maximum number of principal residences - one Maximum number of accessory dwelling units - one	2.5 acres 1 unit 1 unit
Minimum lot road frontage	100 feet
Minimum lot width at building line	150 feet
Minimum front yard setback	50 feet
Minimum rear yard setback	35 feet
Minimum side yard (interior) setback	20 feet
Minimum side yard (street/road easement) setback	50 feet
Minimum side yard (secondary street) setback	25 feet
Maximum principal building height	40 feet
*Accessory structures used for agricultural purposes are exempt from the height restrictions outlined in this ordinance.	

(Ord. of 12-14-99(2), § 7; Amend. of 4-4-00(21); Amend. of 4-4-00(26); Amend. of 10-21-04, § 3; Ord. No. 2025-271b, 8-5-25)

Ord. No. 2025-271b, adopted Aug. 5, 2025, renumbered the former §§ 5.3—5.17 as §§ 5.4—5.18 and enacted a new § 5.3 as set out herein. The historical notation has been retained with the amended provisions for reference purposes.

5.4 R-1 Single-family residential districts.

5.4.1 Intent. The intent of the R-1 Single-Family Residential District is to preserve and protect the character of established low-density residential neighborhoods and to provide opportunities for the development of new single-family housing in a stable and attractive setting. This district is intended to accommodate detached single-family dwellings on individual lots, supporting a traditional neighborhood form. Development within the R-1 district is guided by regulations that promote orderly growth, ensure compatibility with surrounding uses, and maintain the scale and character of single-family communities. The district serves as the foundation for residential areas throughout the county, offering a predictable and consistent development pattern that supports long-term investment and community cohesion.

Refer to article IV, section 4.1A, Table of Permitted Uses (TPU)

Any use that is not explicitly addressed in the TPU is prohibited; however, the applicant may request a text amendment and follow the process for getting approval of the use.

Minimum lot area (public/community water and sewer system	12,000 square feet
Maximum number of principal residences - one Maximum number of accessory dwelling units - one	1 1
Minimum lot area (public/community water and sewer system)	21,780 square feet
Maximum number of principal residences - one Maximum number of accessory dwelling units - one	1 1

Minimum lot area (private water and septic) Maximum number of principal residences - one Maximum number of accessory dwelling units - one	43,560 square feet 1 1
Minimum Road Frontage	100 feet
Minimum lot width at building line	100 feet
Minimum front yard setback	35 feet
Minimum rear yard setback	25 feet
Minimum side yard (interior) setback	15 feet
Minimum side yard (street/road easement) setback	25 feet
Minimum side yard (secondary street) setback	15 feet
Maximum building height	30 feet

5.4.2 Required utilities. The minimum lot area is only permitted for property served by a public or community water system and a public or community sanitary sewer system. If no public or community sanitary sewer service is available, an applicant for a building permit must have a minimum of 21,780 square feet. If neither public or community sanitary sewer nor public or community water service is available at the time of building, the applicant must have a minimum of 43,560 square feet. The building permit will be issued with the condition that, upon the extension of either service to the property, connection to the system will be required within 90 days. Health department approval must be obtained prior to the issuance of a building permit.

5.4.3 Development standards. The following design elements shall be included:

(a) Sidewalk requirement. To support walkability and infrastructure investment, sidewalks are required when a property is served by a public or community water system and a public or community sanitary sewer system.

(b) Entrance features. Designed entrance features shall be permitted where they contribute to the overall aesthetic and identity of the development. Such features must be thoughtfully integrated into the site and complement the surrounding area's character and the proposed development. Minimal clearing within required buffers shall be allowed only to the extent necessary to accommodate the entrance feature, and this disturbance shall be limited to the smallest area practicable. At the discretion of staff, additional landscaping or buffering may be required to ensure visual cohesion and to mitigate potential impacts on adjacent properties or public rights-of-way.

(c) Exterior finished material shall be constructed with a combination of clay masonry brick, natural stone including granite, marble, sandstone, field stone, or other similar natural stone; manufactured stone including imitation field stone, marble terrazzo, and other similar manufactured finish stone; wood, cement plank, fiber plank, traditional three coat stucco, or other materials of like appearance. The use of vinyl is approved if it is a minimum of 0.04 in thickness, incorporates two patterns, and is used in combination with at least one of the natural elements mentioned above.

(d) All garage doors shall include decorative hardware features, such as handles and hinges, to enhance the overall architectural character of the structure.

(e) At least 20 percent of the wall space of the front façade shall be windows and doors. Windows shall be provided with trim.

(f) The minimum roof overhang shall be 12 inches, exclusive of porches and patios.

(g) In the event that a proposed design standard deviates from the provisions of this ordinance, the applicant may petition the Board of Commissioners for consideration and approval of such design.

5.4.4 Open space requirements. Refer to appendix C, article III, section 3.47, residential subdivision open space and greenspace for specific requirements. All developments in the R-1 zoning district that are half acre or more shall provide five percent of the net usable area as common outdoor open space. All developments in the R-1 district that are 12,000 square feet shall provide ten percent of the net usable area as common outdoor open space.

Maintenance plan: For communities without an HOA to maintain open space, a maintenance plan shall be established and recorded in the covenants and restrictions. Defining an open space maintenance plan for a residential community involved outlining standards, responsibilities, procedures, and schedule for maintaining the various open space areas to ensure they remain functional, safe, and visually appealing. The plan should also support long-term sustainability and comply with local regulations.

5.4.5 Accessory dwelling unit. Refer to appendix C, article III, section 3.46, accessory dwelling units for specific requirements.

(Ord. of 12-14-99(2), § 7; Amend. of 4-4-00(21); Amend. of 4-4-00(26); Amend. of 10-21-04, § 3; Ord. No. 2025-363a, 10-21-25; Ord. No. 2025-363(3), 10-21-25)

Editor's note(s)—See editor's note at § 5.3.

5.5 R-1-A Single-family residential district (alternative).

5.5.1 Permitted uses.

5.5.1.1 All permitted uses in R-l single-family residential district.

5.5.1.2 Single-family manufactured homes meeting the following minimum standards:

1. *Foundation:*
   a. The structure shall be attached to a foundation to be installed according to the manufacturer's or architect's specifications and soil conditions. Land shall be crowned beneath the structure.
   b. Poured runners of concrete with fiber mesh or one-half inch reinforcing rods shall be installed perpendicular to the length of the structure spaced no more than six feet apart on center. Each runner shall be a minimum of 20 inches in width and six inches thick.
   c. The area beneath the ground floor of the structure shall be enclosed around the exterior of the structure with a curtain wall constructed of masonry at least three inches thick. The masonry wall shall be constructed on a permanent foundation that is at least six inches deep and 12 inches wide.
2. *Exterior siding.* Exterior siding materials shall consist of any combination of wood, brick, stone, stucco, or similar materials, or lap siding of hardboard, vinyl, and vinyl covered or painted metal, or similar materials.
3. *Roofs.*
   a. All roof surfaces shall have a minimum pitch of 3:12 (three feet of rise for every 12 feet of run);
   b. All roof surfaces exposed to view shall be covered with asphalt or fiberglass shingles, wood shakes or shingles, standing seam (noncorrugated) tin, clay tiles, slate, or similar materials.
4. *Minimum width.* The minimum width of the structure shall be 24 feet.
5. *Minimum dimension for landing.* Each structure must have a landing with a minimum dimension of 48 inches by 48 inches, steps, and handrails.
6. *Driveways.* All homes must have a concrete, pavement, brick, paving stone, or gravel driveway.

5.5.1.3 Customary accessory buildings incidental to the above permitted uses.

5.5.2 Conditional uses.

5.5.2.1 The following uses may be permitted in accordance with the provisions of Article IX in the single-family residential district (alternative) (R-l-A) on a conditional basis upon approval by the Board of Commissioners.

5.5.2.2 All conditional uses of the R-l single-family district.

5.5.2.3 Customary accessory buildings incidental to the above permitted uses.

5.5.3 Lot and building requirements. Principal buildings:

Minimum lot area (public water and sewer)	12,000 square feet
Minimum lot area (public water only)	21,780 square feet
Minimum lot area (private water and septic)	43,560 square feet
Building line	100 feet
Minimum front yard	35 feet
Minimum rear yard	25 feet
Minimum side yard (interior)	15 feet
Minimum side yard (street)	25 feet
Maximum percent of lot coverage	30 percent
Maximum building height	35 feet
Minimum road frontage	100 feet

Required utilities. The minimum lot area is only permitted for property served by a central water system and a central sanitary sewer service system. If no central sanitary sewer service is available, an applicant for a building permit must have a minimum of 21,780 square feet. If neither central sanitary sewer nor central water system is available in the area at the time of building, the applicant must have a minimum of 43,560 square feet; and the permit will be issued with the requirement that, upon such time that either service is extended to the property, hook-up will be required within 90 days. Health department approval must be obtained prior to the issuance of a building permit.

(Amend. of 4-16-02; Ord. of 12-8-09; Ord. of 1-3-11, § 1; Ord. No. 2025-363a, 10-21-25; Ord. No. 2025-363(3), 10-21-25)

Editor's note(s)—See editor's note at § 5.3.

5.6 R-2 Residential multifamily—Low districts.

5.6.1 Intent. The intent of the Two-Family Residential District is to provide for the development and preservation of residential neighborhoods characterized by a mix of two-family (duplex) dwellings, and townhomes (attached and detached). This district supports moderate-density housing options that promote affordability, efficient land use, and diverse household needs, while maintaining the residential character of the area. The R-2 district is intended to serve as a transition between lower-density single-family neighborhoods and higher-intensity residential or mixed-use areas, encouraging a variety of housing choices in walkable, livable communities.

Refer to article IV, section 4.1A, Table of Permitted Uses (TPU)

Any use that is not explicitly addressed in the TPU is prohibited; however, the applicant may request a text amendment and follow the process for getting approval of the use.

Duplexes

Minimum number of principle residences per building	1
Maximum number of accessory dwelling units	1
Minimum Road Frontage	N/A
Minimum lot width at building line	50 feet
Minimum front yard setback	10 feet (building) 25 feet (attached garage)
Minimum rear yard setback	25 feet
Minimum side yard setback	6 feet (or 3 feet, provided minimum building separation of 12 feet is maintained)
Minimum side yard (secondary street) setback	15 feet
Maximum building height	35 feet

Townhomes - Attached

Minimum number of principle residences per building	3
Maximum number of principal residences per building	6
Maximum number of accessory dwelling units (rear loaded garage only)	1
Minimum Road Frontage	N/A
Minimum lot width at building line	18 feet per unit 20 feet average per building
Minimum front yard setback	20 feet for buildings with front load garage 10 feet for buildings with rear load garage
Minimum rear yard setback	20 feet
Minimum separation between buildings	20 feet
Minimum side yard setback	N/A
Minimum side yard (secondary street) setback	15 feet
Maximum building height	35 feet

Narrow-lot Homes

Maximum number of principal residences per building	1
Maximum number of accessory dwelling units (rear loaded garage only)	1
Minimum Road Frontage	N/A
Minimum lot width at building line	35 feet
Minimum front yard setback	20 feet for buildings with front load garage 10 feet for buildings with rear load garage
Minimum rear yard setback	25 feet
Minimum side yard setback	6 feet (or 3 feet provided minimum building separation of 12 feet is maintained)
Minimum side yard (secondary street) setback	15 feet

Maximum building height	35 feet

5.6.2 Concept plan review requirements. At the time of a preliminary plat request to the board of commissioners, a concept plan is recommended to be submitted for review by planning staff. The concept plan should illustrate the proposed layout, land uses, access points, open space, and general site design intent. While not binding, the concept plan can serve as a framework to evaluate the appropriateness of the preliminary plat request in the context of the surrounding area, infrastructure capacity, and consistency with the comprehensive plan.

5.6.3. Required utilities. A central water system and a central sanitary sewer service system shall serve all lots. Connection to both systems shall be required prior to the issuance of a building permit, and all structures must remain connected thereafter. Reuse is required only in common areas; individual lots are excluded from this requirement.

5.6.4 Design standards. The following design standards apply to all new R-2 developments.

(a) A homeowners' association shall be established, or management company identified. Said association or company shall operate pursuant to subdivision covenants, which are submitted to county with the final plat. It is the intent that said association or company will provide oversight of the development standards and maintenance of common areas and amenities.

(b) Entrance features. Designed entrance features shall be permitted where they contribute to the overall aesthetic and identity of the development. Such features must be thoughtfully integrated into the site and complement the surrounding area's character and the proposed development. Minimal clearing within required buffers shall be allowed only to the extent necessary to accommodate the entrance feature, and this disturbance shall be limited to the smallest area practicable. At the discretion of staff, additional landscaping or buffering may be required to ensure visual cohesion and to mitigate potential impacts on adjacent properties or public rights-of-way.

(c) Individual dwelling units shall incorporate a covered front door. This may be accomplished with recessed entry, a portico, a door canopy or a covered porch.

(d) All residential dwellings shall provide a minimum of three and one-half-inch wide trim on all components of any street-facing façade.

(e) All garage doors shall include decorative hardware features, such as handles and hinges, to enhance the overall architectural character of the structure.

(f) The following amenity requirements shall apply:

1. The mail kiosk and/or bus stop shall be covered.
2. All amenities in the current phase must be completed before building permits for subsequent phases will be approved.

(g) R-2 developments shall have rolled curbing and gutter throughout.

(h) In the event that a proposed design standard deviates from the provisions of this ordinance, the applicant may petition the Board of Commissioners for consideration and approval of such design.

5.6.4.1 Design standards. The following design standards are specific to townhomes only.

(a) All standards in section 5.6.4 shall apply.

(b) In order to give the appearance of separate buildings, attached townhomes shall utilize offset such as full height projections or recesses at a minimum of every two units, in addition to variations in finish colors, architectural features, and building materials.

(c) To avoid repetition and to promote aesthetic variation, the same front elevation of townhome building shall not be duplicated on more than one-third of the buildings throughout a townhome development located on more than two acres.

(d) Townhomes shall have rear-loading garages.

(e) Variation in color or texture shall be used to highlight openings such as windows and doors, as well as to add visual interest to the building façade.

5.6.5 Roads and right-of-way. Refer to appendix B, article VII, section 7.1, streets and roads. (link to be added)

5.6.6 Street trees and landscaping requirements.

(a) The minimum landscaping shall be as follows:

1. One small shrub per six linear feet.
2. One large shrub per ten linear feet.

(b) Planting standards: On average, one large canopy street tree shall be planted on both sides of the street for every 50 feet of street frontage, or as otherwise determined by the county's planning department. The intent of this average is not to require strict on-center spacing, but rather to establish the number of trees required. Grouping and natural plantings shall be allowed. For circumstances where a large tree cannot be planted, medium trees may be planted on average every 40 feet and small trees on average every 30 feet. Small trees will only be allowed as street trees in situations where the tree lawn/verge is limited due to adjacent parallel parking.

1. The minimum tree lawn/verge width shall be:
   - Eight feet for large trees
   - Six feet for medium trees
   - Four feet for small trees
2. Width of 24 inches deep root barrier required if tree lawn/verge is less than the minimum:
   - 16 feet for large trees
   - 12 feet for medium trees
   - Eight feet for small trees

(c) Species selection: Trees selected must be either from the county's tree list in section 3.4 of the zoning code or a similar species/variety that is suitable for the local climate and conditions. All trees shall be native or regionally adapted. No trees listed as an invasive species by the University of Georgia Extension Service shall be allowed.

(d) Maintenance: Adjacent property owners or a property owners association will be responsible for the ongoing maintenance and care of the street trees, including watering, feeding, and pruning (limb and root) as needed to ensure tree health and prevent root damage to adjacent paving and utilities.

5.6.6.1 Enforcement and penalties. Non-compliance with this ordinance may result in a notice of violation and a requirement to plant or replace trees as needed. Repeated violations may result in fines as established by the county code.

(Ord. of 12-14-99(2), § 8; Amend. of 4-4-00(21); Amend. of 4-4-00(27); Amend. of 7-3-01; Amend. of 4-16-02; Ord. No. 2025-363b, 10-21-25; Ord. No. 2025-363(5), 10-21-25)

Editor's note(s)—See editor's note at § 5.3.

5.7 R-3 Multifamily residential districts.

5.7.1 Intent. The intent of the R-3 multifamily residential - high district is to provide for a variety of higher-density residential housing types, including townhomes and apartments in a manner that supports both fee simple and in-common ownership development formats. This district is designed to accommodate compact and efficient land use patterns that contribute to housing diversity, affordability, and accessibility. R-3 developments may include stacked or attached housing configurations and shall be in areas with access to infrastructure. The district promotes high-quality, livable communities that offer a range of housing choices while integrating harmoniously with surrounding uses.

Refer to article IV, section 4.1A, Table of Permitted Uses (TPU)

Any use that is not explicitly addressed in the TPU is prohibited; however, the applicant may request a text amendment and follow the process for getting approval of the use.

5.7.2 Concept plan review requirements. At the time of a rezoning request to this district, a concept plan shall be submitted for review by planning staff. The concept plan must illustrate the proposed layout, land uses, access points, open space, and general site design intent. While not binding, the concept plan will serve as a framework to evaluate the appropriateness of the rezoning request in the context of the surrounding area, infrastructure capacity, and consistency with the comprehensive plan.

5.7.3 Design standards.

a) All duplexes, townhomes, and narrow-lot home developments in the R-3 district shall adhere to the R-2 design standards.

b) All apartment design standards shall be subject to review and approval by the board of commissioners prior to the issuance of any development approvals or building permits.

c) All apartment developments shall require approval by the board of commissioners of a preliminary plat, a development plan, and a final plat prior to the issuance of any building permits.

5.7.4 Required utilities. A central water system and a central sanitary sewer service system shall serve all lots. Connection to both systems shall be required prior to the issuance of a building permit, and all structures must remain connected thereafter. Reuse is required only in common areas; individual lots are excluded from this requirement.

5.7.5 Open Space requirements. Refer to appendix C, article III, section 3.47, residential subdivision open space and greenspace for specific requirements. All developments in the R-3 zoning district shall provide 25 percent of the net usable area as common outdoor open space.

5.7.6 A maintenance association, homeowners association, condominium association or some other entity acceptable to the county administration must be created to maintain all amenities and common areas in good condition.

(Amend. of 4-4-00(21); Amend. of 4-16-02; Amend. of 10-21-04, § 4; Ord. of 03-01-22(1); Ord. of 11-15-22(1); Ord. No. 2025-363c, 10-21-25; Ord. No. 2025-363(4), 10-21-25)

Editor's note(s)—See editor's note at § 5.3.

5.8 R-4 Planned manufactured home community districts.

5.8.1 Intent. The intent of the R-4 zoning district is to establish designated areas specifically for mobile home development. These areas are separated from other residential districts due to the distinct construction standards of mobile homes compared to conventional dwelling units. Designating separate districts for mobile homes also allows for residential development at a higher density than typically permitted in other residential zones, thereby

supporting a wider range of housing needs. Recreational vehicle (RV) parks are permitted as conditional uses but are not intended to be mixed with mobile home parks or mobile home subdivisions.

The development regulations established for the mobile home district are designed to promote a safe, attractive, and well-organized residential environment, offering a reasonable level of amenity and livability for residents.

Refer to article IV, section 4.1A, Table of Permitted Uses (TPU)

Any use that is not explicitly addressed in the TPU is prohibited; however, the applicant may request a text amendment and follow the process for getting approval of the use.

5.8.2 Development regulations applicable to mobile home parks, mobile home subdivisions and recreational vehicle parks.

5.8.2.1 Perimeter setback requirements. Mobile home sites, mobile home lots and recreational vehicle sites shall be set back from the perimeter of mobile home parks, mobile home subdivisions and recreational vehicle parks as follows:

Minimum perimeter setback: 20 feet

5.8.2.2 Perimeter landscaped buffer. A natural or landscaped buffer not less than 15 feet in depth shall be provided around the entire perimeter of each mobile home park, mobile home subdivision and recreational vehicle park. The landscaped buffer shall be interrupted only where necessary to provide for vehicular and pedestrian access. It shall contain a visual screen consisting vegetation which have a minimum opacity of 75 percent to a height of not less than six feet. It shall be landscaped as set forth. Masonry or wooden fences meeting the requirements may be substituted along common property lines other than street right-of-way lines.

5.8.3 Recreation space requirements.

1. Minimum percent of total mobile home park, mobile home subdivision or recreational vehicle park devoted to recreation space = seven percent.
2. Maximum percent of total recreation space devoted to recreationally used water bodies = 30 percent.
3. Minimum size of any single recreation area = 5,000 square feet.
4. Minimum dimension of any single recreation area on one side = 60 feet.
5. Minimum separation of active recreation area from any mobile home site = 30 feet.
6. Developers of new mobile home parks, mobile home subdivisions or recreational vehicle parks shall provide an onsite structure(s) to shelter the development's projected hurricane season population. Such shelters may include, but not be limited to, clubhouses and recreation centers.

5.8.4 Underground placement of utilities required. All utilities distribution and collection systems, including water supply, sewage disposal, electricity, gas, telephone and television cable, shall be placed underground.

5.8.5 Water and sewer facilities. Community wells or public water required. No individual wells allowed. Mobile homes may not share a septic system. If public sewer is not available then lots must meet health department size regulations to accommodate individual septic systems.

5.8.6 Development regulations specific to mobile home parks and mobile home subdivisions.

1. Minimum development area = 15 acres
2. Minimum number of access points = two

5.8.7 Internal street construction requirements. Internal streets which are dedicated to public use shall be constructed according to Effingham County Regulations.

5.8.8 Internal street width requirements. Right-of-way and pavement widths for internal streets which are dedicated to public use shall be determined according to the standards contained in the county's subdivision regulations. Right-of-way and pavement widths for internal streets which are reserved for private use shall be determined according to function, anticipated traffic volume and subject to site plan approval, provided that no right-of-way or pavement shall be less than as follows:

1. Minimum right-of-way width for private interior streets = 30 feet.
2. Minimum pavement width of private access drives, excluding curbs = 20 feet.
3. Minimum pavement width of private collector streets, excluding curbs = 24 feet.
4. Minimum pavement width of one-way lanes divided by landscaped median, excluding curbs = 12 feet.

5.8.9 Common area maintenance provisions for mobile home subdivisions. The zoning administrator shall approve a final plat for a mobile home subdivision only after making a determination that there is a feasible program for the full maintenance and operation of common areas, common improvements and common facilities included in the plat consistent with the common area maintenance provisions.

Mobile home requirements:

Total acreage required	15 acres
Minimum lot area (individual site)	4,000 sq. ft.
Minimum Road Frontage	N/A
Minimum lot width at building line	40 feet
Minimum front yard setback from pavement	15 feet
Minimum rear yard setback	10 feet
Minimum side yard (interior) setback	5 feet
Minimum side yard setback from pavement	15 feet

5.8.12 Mobile home unit parking requirements. Minimum number of hard surface on-site parking spaces per mobile home site = two spaces.

5.8.13 Site plan review. Applications for a permit to construct a mobile home park shall be processed in a manner similar to the procedures of the Effingham County Subdivision Ordinance. A site plan and construction plans shall be submitted. A final plat of record is required. Applications for a permit to construct a mobile home subdivision shall be processed in accordance with the platting procedures of the Effingham County Subdivision Ordinance.

5.8.14 Development regulations specific to legal nonconforming mobile home parks and mobile home subdivisions.

1. *Placement and replacement of units permitted.* Units may be placed or replaced within legally non-conforming mobile home park developments which were previously approved, provided the resulting density does not exceed that originally approved.
2. *Alterations to meet site improvement requirements permitted.* Alterations or development site area expansions which increase conformance with site improvement requirements are permitted. All regulations pertaining to use non-conformities as set forth shall apply to non-conformities within MH districts.
3. *Separation and setback requirements for new or replaced units.*
   (a) Minimum separation between side of one mobile home and side or end of another mobile home measured perpendicular to each side or side and end = ten feet.
   (b) Minimum end-to-end and corner-to-corner separation between mobile homes = ten feet.

(c) Minimum separation between noncombustible appurtenances (such as screen rooms, awnings, carports and accessory storage buildings) measured perpendicularly to sides and ends = six feet.

(d) Minimum setback of permanent buildings and mobile home units from perimeter boundaries = five feet.*

* An existing mobile home located closer than five feet to a perimeter boundary may be replaced with another unit at the same location.

5.8.15 Mobile home district development regulations specific to recreational vehicle parks.

Recreational vehicle park requirements:

Total acreage required	10 acres
Minimum lot area (individual vehicle site)	2,500 sq. ft.
Minimum Road Frontage	N/A
Minimum width of vehicle site	35 feet
Minimum easement of internal street	25 feet
Minimum pavement width	18 feet

5.8.15.1 Central refuse collection requirements. All refuse shall be stored in water- and pest-proof containers located within a convenient distance from all vehicle sites and shall be collected and placed in one or central containers daily. Collection from central containers shall be in accordance with the collection schedule [of] Effingham County.

5.8.15.2 Individual or central sewage disposal system requirements. Facilities for disposal of liquid wastes vehicle holding tanks may be provided at each vehicle site or at central sanitary stations. Central sanitary stations, if used, shall be provided at a ratio of at least one for every 75 vehicle sites or fractional part thereof. Such sanitary stations shall be separated from any vehicle site by a minimum distance of 50 feet and shall be suitably screened from other activities by visual barriers such fences, walls or natural barriers.

5.8.15.3 Site plan review. A site plan shall be submitted with applications for a permit to construct a recreational vehicle park. The site plan shall include complete engineering plans and specifications in sufficient detail to demonstrate full compliance with all applicable provisions of this land development code and other applicable municipal ordinances.

5.8.16 Mobile home district development regulations specific to tiny home subdivisions. Tiny homes shall be placed on permanent foundations and comply with all residential building codes.

Tiny home requirements:

Total acreage required	10 acres
Minimum lot area (individual site)	4,000 sq. ft.
Minimum Road Frontage	N/A
Minimum lot width at building line	35 feet
Minimum front yard setback from pavement	15 feet
Minimum rear yard setback	10 feet
Minimum side yard (interior) setback	5 feet
Minimum side yard setback from pavement	15 feet

(Amend. of 4-4-00(21); Amend. of 4-16-02; Amend. of 10-21-04, § 5; Ord. of 9-7-10, § 1; Ord. No. 2025-363d, 10-21-25; Ord. No. 2025-363(2), 10-21-25)

Editor's note(s)—See editor's note at § 5.3.

5.9 R-5 Single-family traditional neighborhood design residential district.

5.9.1 Intent. The R-5 district represents a balanced trade-off—allowing for increased residential density in exchange for thoughtfully designed and accessible open space, ensuring that growth is compact yet livable, and community-oriented.

The intent of the R-5 single-family traditional neighborhood design residential district is to promote compact, higher-density residential development that reflects the principles of traditional neighborhood design. This district encourages walkable, interconnected communities, smaller lot sizes, and pedestrian-oriented streetscapes. The R-5 district is designed to accommodate single-family detached dwellings in a pattern that fosters a strong sense of community and efficient land use. Key features may include reduced setbacks, alley access, front porches, and integrated open spaces contributing to neighborhood character and livability. This district supports long-term planning goals related to housing diversity, affordability, and sustainable growth by offering an alternative to conventional suburban development patterns, while still preserving the identity of single-family neighborhoods in a higher-density format.

Refer to article IV, section 4.1A, Table of Permitted Uses (TPU)

Any use that is not explicitly addressed in the TPU is prohibited; however, the applicant may request a text amendment and follow the process for getting approval of the use.

Minimum lot area	6,000 sq. feet (0.14 acres)
Maximum number of principal residences	1
Maximum number of accessory dwelling units	1
Minimum Road Frontage	N/A
Minimum lot width at building line	50 feet
Minimum front yard setback	10 feet (building) 25 feet (attached garage)
Minimum rear yard setback	25 feet
Minimum side yard (interior) setback	6 feet (or 3 feet, provided minimum building separation of 12 feet is maintained)
Minimum side yard (street/road easement) setback	15 feet
Minimum side yard (secondary street) setback	15 feet
Maximum building height	35 feet

All building setbacks shall be shown on final subdivision plat

5.9.2 Concept Plan Review Requirements. At the time of a preliminary plat request to the board of commissioners, a concept plan is recommended to be submitted for review by planning staff. The concept plan should illustrate the proposed layout, land uses, access points, open space, and general site design intent. While not binding, the concept plan can serve as a framework to evaluate the appropriateness of the preliminary plat request in the context of the surrounding area, infrastructure capacity, and consistency with the comprehensive plan.

5.9.3 Required Utilities. This zoning district will only be allowed if municipal or county water and sewer service is adjacent to the parcel and capacity is available or a state permitted, privately owned community water and sewer system is constructed or available and can provide assurance of capacity.

5.9.4 Planned single-family home communities with the following requirements:

(a) A homeowners' association shall be established, or management company identified. Said association or company shall operate pursuant to subdivision covenants, which are submitted to county with the final plat. It is the intent that said association or company will provide oversight of the development standards and maintenance of common areas and amenities.

1. Covenants shall include a provision that no more than 20 percent of homes in the community may be rented until at least 12 months has elapsed since issuance of the certificate of occupancy.

(b) Walls in excess of 20 feet in length facing a street shall be broken up with entry elements, windows or wall offsets at least two feet deep.

(c) A minimum of two decorative elements shall be added to the front façade including but not limited to decorative shutters, decorative lighting, trellises, cornices, or similar architectural elements.

(d) Up to 25 percent of the total number of dwelling units within a development in the R-5 zoning district may be constructed as duplexes, townhomes, or narrow-lot homes, following the R-2 design standards. The percentage of duplexes, townhomes, or narrow-lot homes shall be calculated based on the total number of residential units proposed within the development and must be clearly identified on the preliminary plat and all subsequent development plans.

5.9.5 Open space requirements. Refer to Appendix C, article III, section 3.47, residential subdivision open space and greenspace for specific requirements. All developments in the R-5 zoning district shall provide 25 percent net usable area as common outdoor open space. (link to be added)

5.9.6 Roads and Rights-of-way. Refer to appendix B, article VII, section 7.1, streets and roads. (link to be added)

5.9.7 Development standards. The following design elements shall be included:

(a) Exterior finished material shall be constructed with a combination of clay masonry brick, natural stone including granite, marble, sandstone, field stone or other similar natural stone; manufactured stone including imitation field stone, marble terrazzo, and other similar manufactured finish stone; and wood, cement plank, fiber plank, traditional three coat stucco, or other materials of like appearance.

(b) The use of vinyl is approved if it is a minimum of .04 in thickness, incorporates two patterns, and is used in combination with at least one of the natural elements mentioned above.

(c) Buildings shall utilize design features from the following list, totaling at least four points, to provide visual relief along the front of the dwelling unit. Unless otherwise specified, features are worth one point:

1. Dormers (functional or false);
2. Gables;
3. Recessed entries;
4. Covered front porches, at least six feet in depth (two points);
5. Pillars or posts;
6. Two or more brick masonry pattern bond treatments;
7. Bay windows (minimum 24-inch projection);

(d) Individual dwelling units shall incorporate a covered front door. This may be accomplished with a recessed entry, a portico, a door canopy, or a covered front porch.

(e) Variation in color or texture shall be used to highlight openings such as windows and doors, as well as to add visual interest to the building's facade.

(f) All residential dwellings shall provide a minimum of three and one-half inch wide trim on all components of any street-facing façade.

(g) Trim shall be constructed of durable, weather-resistant materials and shall be consistent in style, dimension, and finish with the architectural design of the dwelling.

(h) If a garage occupies more than 40 percent of the total front façade of the principal building, an architectural garage door and an eyebrow roof or architectural overhang shall be required to enhance visual interest and reduce the prominence of the garage on the streetscape.

(i) All garage doors shall include decorative hardware features, such as handles and hinges, to enhance the overall architectural character of the structure.

(j) R-5 developments must have rolled curbing and gutter throughout.

(k) At least 20 percent of the wall space of the front façade shall be windows and doors. Windows shall be provided with trim.

(l) The minimum roof overhang shall be 12 inches, exclusive of porches and patios.

(m) The following amenity requirements shall apply:

1. The mail kiosk and/or bus stop shall be covered.

2. All amenities in the current phase must be completed before building permits for subsequent phases will be approved.

(n) Entrance features. Designed entrance features shall be permitted where they contribute to the overall aesthetic and identity of the development. Such features must be thoughtfully integrated into the site and complement the surrounding area's character and the proposed development. Minimal clearing within required buffers shall be allowed only to the extent necessary to accommodate the entrance feature, and this disturbance shall be limited to the smallest area practicable. At the discretion of staff, additional landscaping or buffering may be required to ensure visual cohesion and to mitigate potential impacts on adjacent properties or public rights-of-way.

(o) In the event that a proposed design standard deviates from the provisions of this ordinance, the applicant may petition the board of commissioners for consideration and approval of such design.

5.9.8 Street Trees and Landscaping requirements.

(a) The minimum landscaping for street facing facade shall be as follows:

1. One small shrub per six linear feet.

2. One large shrub per ten linear feet.

(b) Planting standards: On average, one large canopy street tree shall be planted on both sides of the street for every 50 feet of street frontage, or as otherwise determined by the county's planning department. The intent of this average is not to require strict on-center spacing, but rather to establish the number of trees required. Grouping and natural plantings shall be allowed. For circumstances where a large tree cannot be planted, medium trees may be planted on average every 40 feet and small trees on average every 30 feet. Small trees will only be allowed as street trees in situations where the tree lawn/verge is limited due to adjacent parallel parking.

1. The minimum tree lawn/verge width shall be:

- Eight feet for large trees
- Six feet for medium trees
- Four feet for small trees

2. Width of 24 inches deep root barrier required if tree lawn/verge is less than the minimum:
   - 16 feet for large trees
   - 12 feet for medium trees
   - Eight feet for small trees

(c) Species selection: Trees selected must be either from the county's tree list in section 3.4 of the zoning code or a similar species/variety that is suitable for the local climate and conditions. All trees shall be native or regionally adapted. No trees listed as an invasive species by the University of Georgia Extension Service shall be allowed.

(d) Maintenance: Adjacent property owners or a property owners association will be responsible for the ongoing maintenance and care of the street trees, including watering, feeding, and pruning (limb and root) as needed to ensure tree health and prevent root damage to adjacent paving and utilities.

5.9.8.1 Enforcement and Penalties. Non-compliance with this ordinance may result in a notice of violation and a requirement to plant or replace trees as needed. Repeated violations may result in fines as established by the county code.

(Ord. No. 2025-363(6), 10-21-25)

Ord. No. 2025-363(6), adopted Oct. 21, 2025, renumbered the former § 5.9 as § 5.9A and enacted a new § 5.9 as set out herein. The historical notation has been retained with the amended provisions for reference purposes.

5.9A R-6 Single-family residential district (four and one-half dwellings per acre).

5.9A.1 Where applicable. This zoning district will only be allowed if municipal or county water and sewer service is adjacent to the parcel and capacity is available or a state permitted, privately owned community water and sewer system is constructed or available.

5.9A.2 Required utilities. All properties in the R-6 zoning district shall be connected to water and sewer systems. No individual septic systems shall be permitted.

5.9A.3 Maximum density. Four and one-half dwelling units per acre.

5.9A.4 Permitted uses. Site-built and class A single-family detached dwellings.

Unlighted regulation size, or par three golf courses, consisting of nine holes or more, including normal clubhouses and pro shop activities, and other business activity associated with country clubs.

Home occupations and residential business, as provided in article III, sections 3.15 and 3.15A.

Government owned utilities, except publicly owned treatment plants permitted by the state and water storage facilities in excess of 1,000,000 gallon capacity, provided that wells, pump stations, meter stations, and water storage facilities must be enclosed by a painted or chain link fence or wall at least six feet in height above the finished grade and provided there is neither office nor commercial operation nor storage of vehicles or equipment on the premises.

Parks, recreational areas, playgrounds, public or private swimming pools.

Libraries or museums.

5.9A.5 Conditional uses. The following uses may be permitted in accordance with the provisions of article IX in the single-family residential (R-6) district on a conditional basis upon approval by the county commission.

Churches, synagogues, mosques, temples, or other places of worship provided that:

Such use is housed in a permanent structure;

No structure on the lot is closer than 25 feet to any abutting residential property line.

Public and private school engaged in teaching general curriculum for educational advancement, provided the structure are placed not less than 50 feet from any residential property line. Such schools shall be day schools only and have no rooms regularly used for housing or sleeping purposes.

Public utilities substation or subinstallation including water towers provided that:

1. Such use is enclosed by a painted or chain link fence or wall at least six feet in height above finished grade;
2. There is neither office nor commercial operation nor storage of vehicles or equipment on the premises;
3. A landscaped strip not less than five feet in width is planted and suitably maintained around the facility.

Day care facilities.

Nursing homes.

5.9.6 Lot and building requirements.

Lot size:	
Area	8,500 sq. ft. (0.19 acres)
Width	Minimum 60 feet apart from a cul-da-sac lots and lots fronting a curve of more than 10 degrees in which the minimum lot size can be 50 feet

5.9A.7 Open space requirements. All developments in the R-6 zoning district must provide 15 percent of net usable area as common outdoor open space. Open space calculations must be on the subdivision plat. Common outdoor open space shall mean areas accessible to all residents of the development. Common outdoor open space can include passive or active recreation areas, pathways, swimming pools, and open areas for congregating, per article II definition. Ten percent of common open space shall be greenspace. The implementation of a conservation easement is strongly encouraged.

A homeowners association or some other entity acceptable to the administrator must be created to maintain the amenities and open space in good condition.

5.9A.8 Sidewalk requirement. Streets in the R-6 zoning district shall have sidewalks on any side of any street that contains houses. A tree no less than two inches DBH must be planted at a rate of one for every two houses between the sidewalk and the street.

5.9A.9 Parking requirements. Two off street parking spaces shall be provided for each single-family dwelling. These spaces can be in a garage, carport, or driveway accessed from the front or rear of the parcel.

(Ord. of 8-16-16, § 1(b); Ord. of 3-1-22(1); Ord. of 11-15-22(1); Ord. No. 2024-494, 10-15-24; Ord. No. 2025-363(1), 10-21-25)

Editor's note(s)—See editor's note at § 5.9.

5.10 B-1 Neighborhood commercial districts.

5.10.1 Intent. The Neighborhood-Business District (B-1) is intended to accommodate small-scale commercial uses that primarily serve the daily needs of nearby residential areas. These businesses provide convenient shopping, dining, and personal services that enhance the livability of surrounding neighborhoods without generating

excessive traffic, noise, or other disruptions. Due to their close proximity to residences, businesses within this district are expected to operate at a low-intensity level, maintaining a scale and character that harmonizes with adjacent residential development. Design and site standards emphasize compatibility with the neighborhood, encouraging pedestrian-friendly environments, attractive landscaping, and architectural styles that blend with residential surroundings. Public service demands, including infrastructure, utilities, and transportation impacts, remain minimal, ensuring that the district supports economic activity without overburdening community resources.

Refer to Article V, Table of Permitted Uses (TPU)

Any use that is not explicitly addressed in the TPU is prohibited; however, the applicant may request a text amendment and follow the process for getting approval of the use.

Refer to Article III, 3.4 for the required buffers for the B-1 zoning district.

Minimum lot area (public water and sewer) Minimum lot area (public water only) Minimum lot area (private water and sewer)	N/A; must meet the required design standards.
Minimum lot width at building line	N/A; must meet the required standards
Minimum front setback	N/A; must meet the required standards
Minimum rear setback	N/A; must meet the required standards
Minimum side setback (interior)	N/A; must meet the required standards
Minimum side setback (street)	N/A; must meet the required standards
Maximum building height	30 feet
Total maximum sq. footage for building footprint	8,000 sq. ft.

5.10.2 Greenspace requirement. At least 20% of the total lot area must be designed as greenspace. This includes landscaped areas, required buffers, tree plantings, bioswales, and pedestrian-friendly areas. At least 50% of the street frontage shall be landscaped to enhance highway aesthetics and contribute to the overall visual quality of the corridor.

5.10.3 Sidewalk requirement. Sidewalks shall be required along all public street frontages within commercial districts. If no existing sidewalk or pedestrian network is located within 500 feet of the subject property, the developer may provide a payment in lieu of construction. The payment shall be equal to the estimated cost of sidewalk installation and shall be used by the County for future pedestrian infrastructure improvements in the area.

(Amend. of 4-4-00(21); Amend. of 4-4-00(28); Amend. of 4-16-02; Amend. of 10-21-04, § 6; Ord. of 12-8-09, § 1; Ord. of 7-17-12, § 1; Ord. of 8-16-16, § 1(b); Ord. of 12-15-20; Ord. of 3-1-22(1); Ord. No. 2025-271e, 8-5-25)

Editor's note(s)—See editor's note at § 5.3.

5.11 B-2 General commercial districts.

5.11.1 Intent. The General Business District (B-2) is intended to accommodate a broad range of commercial activities that provide both durable and convenience goods to the community. This district serves as a commercial hub, offering essential goods, professional services, and shopping opportunities that support residents, businesses, and visitors alike. Strategically located along major and minor thoroughfares, ensuring high visibility and accessibility for consumers across the entire community. Their placement along well-traveled corridors allows for efficient traffic flow and convenient access while minimizing unnecessary congestion within residential neighborhoods. Due to the larger scale and increased activity levels associated with general business uses, site design standards emphasize buffering, landscaping, and architectural compatibility to mitigate potential impacts on adjacent businesses and residential areas. Properly designed setbacks, screening, and traffic management

measures help reduce noise, light intrusion, and operational disruptions, ensuring a harmonious relationship between commercial and non-commercial land uses. Fostering economic growth while maintaining a well-planned, community-oriented commercial environment.

Refer to Article V, Table of Permitted Uses (TPU)

Any use that is not explicitly addressed in the TPU is prohibited; however, the applicant may request a text amendment and follow the process for getting approval of the use.

Refer to Article III, 3.4 for the required buffers for the B-2 zoning district.

Minimum lot area (public water and sewer) Minimum lot area (public water only) Minimum lot area (private water and sewer)	N/A; must meet the required design standards
Minimum lot width at building line	N/A; must meet the required standards
Minimum front setback	N/A; must meet the required standards
Minimum rear setback	N/A; must meet the required standards
Minimum side setback (interior)	N/A; must meet the required standards
Minimum side setback (street)	N/A; must meet the required standards
Maximum building height	N/A
Total maximum sq. footage for building footprint	50,000 sq. ft.

5.11.2 Greenspace requirement. At least 15% of the total lot area must be designed as greenspace. This includes landscaped areas, required buffers, tree plantings, bioswales, and pedestrian-friendly areas. At least 50% of the street frontage shall be landscaped to enhance highway aesthetics and contribute to the overall visual quality of the corridor.

5.11.3 Sidewalk requirement. Sidewalks shall be required along all public street frontages within commercial districts. If no existing sidewalk or pedestrian network is located within 500 feet of the subject property, the developer may provide a payment in lieu of construction. The payment shall be equal to the estimated cost of sidewalk installation and shall be used by the County for future pedestrian infrastructure improvements in the area.

(Amend. of 4-4-00(21); Amend. of 10-3-00; Amend. of 7-3-01(2); Amend. of 4-16-02; Ord. of 12-8-09, § 1; Ord. of 7-17-12, § 1; Ord. of 8-16-16, § 1(b); Ord. of 6-6-17(1); Ord. of 12-15-20; Ord. of 3-1-22(1); Ord. No. 2025-271f, 8-5-25)

Editor's note(s)—See editor's note at § 5.3.

5.12 B-3 Highway commercial districts.

5.12.1 Intent. The Major Commercial District (B-3) is intended to accommodate a diverse mix of commercial activities that provide both durable and convenience goods to the broader community. This district supports businesses that benefit from high visibility, easy access, and steady vehicular traffic, making it ideal for commercial uses that cater to both local residents and travelers. Strategically located along major and minor thoroughfares, ensuring direct access to well-traveled roadways and key transportation corridors. Their placement allows for the efficient movement of goods and services while minimizing disruptions to local streets and residential areas. Given the potential for increased traffic volumes and commercial activity, site design standards prioritize buffering, landscaping, and access management to mitigate impacts on adjacent properties. Proper setbacks, screening, and traffic control measures help reduce noise, glare, and congestion, ensuring a smooth transition between commercial corridors and nearby residential or lower intensity uses. Playing a vital role in supporting regional

commerce, economic growth, and job creation while maintaining a balance between accessibility, functionality, and community character.

Refer to Article V, Table of Permitted Uses (TPU)

Any use that is not explicitly addressed in the TPU is prohibited; however, the applicant may request a text amendment and follow the process for getting approval of the use.

Refer to Article III, 3.4 for the required buffers for the B-3 zoning district.

Minimum lot area (public water and sewer) Minimum lot area (public water only) Minimum lot area (private water and sewer)	N/A; must meet all site design standards and requirements.
Minimum lot width at building line	N/A; must meet the required standards
Minimum front setback	N/A; must meet the required standards
Minimum rear setback	N/A; must meet the required standards
Minimum side setback (interior)	N/A; must meet the required standards
Minimum side setback (street)	N/A; must meet the required standards
Maximum building height	N/A
Total maximum sq. footage for building footprint	N/A

5.12.2 Greenspace requirement. At least 15% of the total lot area must be designed as greenspace. This includes landscaped areas, required buffers, tree plantings, bioswales, and pedestrian-friendly areas. At least 50% of the street frontage shall be landscaped to enhance highway aesthetics and contribute to the overall visual quality of the corridor.

5.12.3 Sidewalk requirement. Sidewalks shall be required along all public street frontages within commercial districts. If no existing sidewalk or pedestrian network is located within 500 feet of the subject property, the developer may provide a payment in lieu of construction. The payment shall be equal to the estimated cost of sidewalk installation and shall be used by the County for future pedestrian infrastructure improvements in the area.

(Amend. of 4-4-00(21); Amend. of 4-16-02; Ord. of 12-8-09, § 1; Ord. of 7-17-12, § 1; Ord. of 8-16-16, § 1(b); Ord. of 6-6-17(3); Ord. of 11-5-19; Ord. of 3-1-22(1); Ord. No. 2024-359, 8-20-24; Ord. No. 2025-271c, 8-5-25; Ord. No. 2025-271g, 8-5-25)

Editor's note(s)—See editor's note at § 5.3.

5.13 I-1 Industrial districts.

All properties currently zoned I-1 shall adhere to the buffer requirements designated for I-1 uses as shown on the buffer chart in article III, section 3.4. However, applicants may request to apply the Light Industrial (L-I) buffer standards in lieu of the I-1 buffer standards, subject to approval by the board of commissioners.

5.13.1 I-1 permitted uses. Refer to Article IV, Section 4.1A Table of Permitted Uses (TPU). Any use that is not explicitly addressed in the TPU is prohibited; however, the applicant may request a text amendment and follow the process for getting approval of the use.

Minimum lot area (public water and sewer)	N/A
Minimum lot area (public water only)	must meet the required design standards
Minimum lot area (private water and sewer)	
Minimum lot width at building line	N/A; must meet the required standards
Minimum front setback	N/A; must meet the required standards

Minimum rear setback	N/A; must meet the required standards
Minimum side setback (interior)	N/A; must meet the required standards
Minimum side setback (street)	N/A; must meet the required standards
Maximum building height	N/A; must meet the required standards

For projects that meet two out of the three non-metropolitan thresholds for DRI review the required buffer screening may be lessened to allow for architectural views upon approval of the zoning official.

Please see buffer ordinance for required plantings.

5.13.1A I-1 conditional uses. The following uses may be permitted on a conditional basis upon approval of the board of commissioners following public hearings before the planning board and the Board of Commissioners.

1. Junk yards, as provided in article III, section 3.16.
2. Shipping container facility, as provided in article III, section 3.16A.

The board of commissioners in reviewing the conditional use application, may consider the following factors:

a. The effect the proposed activity will have on traffic flow along adjoining streets;

b. Ingress and egress to the property;

c. The number, size and types of signs proposed for the site;

d. The amount and location of open space;

e. Protective screening, either natural vegetation and/or berms, and fencing, to screen the use from public view;

f. Hours and manner of operation;

g. Outdoor lighting;

h. Compatibility with surrounding land use; and,

i. The effect of noise, dust, debris or other external impacts of the use on the surrounding uses.

5.13.2 All proposed uses not listed within article IV, section 4.1A Table of Permitted Uses (TPU) are subject to review by the board of commissioners in accordance with the following procedures:

5.13.2.1 Submission of plans. The owner of a tract of land zoned or permitted by conditional use for I-1 industrial use shall submit to the board of commissioners for its review a site plan for the use and development of such tract of land. It shall then be the duty of the board of commissioners to investigate and ascertain whether the proposed activity complies with all the provisions of this chapter which pertain to article III, section 3.16, article III, section 3.16A, or I-1 (industrial) districts. The board of commissioners may determine that a proposed activity is similar to those uses listed within article IV, section 4.1A Table of Permitted Uses (TPU) or that the use is not similar. If the proposed activity is considered to be a similar use, said activity may be permitted by right. If the proposed activity is not similar to those uses listed within article IV, section 4.1A Table of Permitted Uses (TPU), the use shall be subject to the approval of the board of commissioners,, subject to such conditions deemed necessary and appropriate by the board of commissioners to protect the public health, safety, and welfare of the citizens of the county and to promote the purposes of this chapter. The board of commissioners may employ experts in specific fields as needed, and as funds are available, to determine whether a proposed use meets the required performance standards.

5.13.2.2 Submission requirements. Design and operation site plans shall be submitted to the zoning official and consist of at least the following:

1. Name, address, and telephone number of petitioner, architect, surveyor, engineer of designer.
2. Names and addresses of all property owners of the site.
3. Zoning district classification of adjoining land.
4. Site plan to include the following:
    a. Location and dimensions of existing and/or proposed structures with the type of usage designated.
    b. Proposed and existing access and egress.
    c. Proposed and existing rights-of-way.
    d. Proposed and existing easements.
    e. Proposed and existing water, sewer, and storm-water facilities.
    f. Proposed and existing buffers.
    g. Setbacks.
    h. Streams, lakes, and jurisdictional wetland areas.
    i. Proposed waste treatment/handling facilities.
    j. Proposed parking.
    k. Proposed outdoor lighting and signage.
    l. Proposed hours of operation.
    m. Traffic study.
    n. Where the noise generated by the proposed development is expected to exceed 55 dB(A) at any point along the property line, the developer shall provide a detailed proposal for noise-reduction measures and shall depict said improvements on all site plans.
    o. A dust and debris mitigation plan to keep the roads clean.
5. Written report outlining the industrial operation, schedule of development, and listing the toxic and/or hazardous materials regulated by local, state, or federal regulations, including disposal/handling plans of said materials.

5.13.3 Authorization. If the board of commissioners find that the proposed use is consistent with the purpose of the zoning ordinance to promote the public health, safety, and general welfare, it may approve the rezoning.

5.13.4 Performance standards. All permitted and conditional uses must conform to the following performance standards:

5.2.4.1 Smoke. The emission from any air contaminant source the opacity of which is equal to or greater than 40 percent shall not be permitted. Furthermore, from fuel-burning equipment, visible emissions the opacity of which is equal to or greater than 20 percent, except for one six-minute period per hour of not more than 27 percent opacity, shall not be permitted. Any operation, process, handling, transportation, or storage facility which may result in fugitive dust shall take all reasonable precautions to prevent such dust from becoming airborne. The percent opacity from any fugitive dust source shall not equal or exceed 20 percent. "Opacity" means the degree to which emissions reduce the transmission of light and obscure the view of an object in the background, and is expressed in terms of percent opacity. The measurement of percent opacity does not include the measurement of

the obscuration of view due to uncombined water droplets. Any determination of the percent opacity shall be made by the arithmetic average of six minutes of data.

Any visual observation or determination of opacity taken for the purpose of determining compliance with any requirement of this standard shall be made by personnel certified according to procedures established for such certification by the Georgia EPD or by US EPA to make such observation or determination.

5.13.4.2 Odor. Any process which may involve the creation or emission of any odors shall be provided with a secondary safeguard system, so that control will be maintained if the primary safeguard system should fail. There is hereby established as a guide in determining such quantities of offensive odors table 3 (Odor Thresholds) in chapter 5, Air Pollution Abatement Manual, copyright 1951, by Manufacturing Chemists Association, Inc., Washington, D.C. Where said publication gives range of figures a simple average of these shall be used.

5.13.4.3 Toxic gases. The emission of gases or fumes injurious to persons or property beyond the lot lines occupied by the use is prohibited.

5.14.4.4 Glare and heat. Glare and heat from arc welding, acetylene torch cutting, or similar processes shall be performed so as not to produce glare which is visible, or objectionable heat beyond the property line of the lot on which the operation is located. Direct glare from incandescent exposed lights shall not be visible from adjoining streets or properties. All lighting shall be downward facing and shielded.

5.13.4.5 Wastewater. No discharge is permitted at any point in any private sewage disposal system or stream or into the ground of any materials in such a way or of such nature or temperature as could contaminate any water supply, or otherwise cause the emission of dangerous objectionable elements, except in accordance with the standards as approved by water pollution control boards of appropriate agencies of the state department of natural resources.

Furthermore, no accumulation of solid wastes conducive to the breeding of rodents or insects shall be permitted.

5.13.4.6 Storage of toxic or hazardous wastes, chemicals, and materials. Any applicant who intends to store, handle, or transport toxic or hazardous waste, chemicals, or materials shall submit to the county fire chief a listing of all compounds and contents to be contained on the proposed site. Disposal of toxic or hazardous wastes, chemicals, and materials is prohibited.

5.13.4.7 Vibration. Any use creating intense earthshaking vibration shall be set back as far as possible from the lot lines on all sides, and in no case shall any such vibration be perceptible along any lot line.

5.13.4.8 Buffer/screening. Please refer to article III, section 3.4, buffers.

5.13.5 Uses prohibited.

1. Residential subdivisions.
2. Single-family residences.
3. Churches.
4. Single-family dwellings.
5. Multifamily dwellings.
6. Childcare centers (a childcare center may be allowed as a conditional use to make childcare available to the employees of an industrial site).

5.13.6 Reserved.

(Amend. of 4-4-00(21); Amend. of 4-16-02; Amend. of 1-4-05, §§ 1—5; Ord. of 11-4-08; Ord. of 8-16-16, § 1(b); Ord. of 11-5-19; Ord. of 1-3-23(2); Ord. No. 2025-271h, 8-5-25; Ord. No. 2026-082, 3-17-26)

Editor's note(s)—See editor's note at § 5.3.

5.14 Light industrial districts.

5.14.1 Intent. The Light Industrial district (L-I) is established to promote and sustain economic growth and employment opportunities by providing dedicated areas for a broad range of industrial, manufacturing, processing, and distribution activities. This district is designed to accommodate industries that operate in a clean, efficient, and non-intrusive manner, ensuring compatibility with adjacent commercial and residential areas while supporting the needs of industrial businesses. Serving as a hub for businesses that require flexible operational space but do not generate excessive noise, pollution, vibration, or other nuisances that could negatively impact surrounding properties.

Refer to article IV, section 4.1A, Table of Permitted Uses (TPU)

Any use that is not explicitly addressed in the TPU is prohibited; however, the applicant may request a text amendment and follow the process for getting approval of the use.

Refer to article III, section 3.4, buffers for the required buffers for the L-I zoning district.

5.14.2 Storage of toxic or hazardous waste, chemicals, and materials. Any applicant who intends to store, handle, or transport toxic or hazardous waste, chemicals, or materials shall submit to the county fire chief or designee a listing of all compounds and contents to be contained on the proposed site. Disposal of toxic or hazardous wastes, chemicals, and materials is prohibited. No accumulation of solid waste conducive to the breeding of rodents or insects shall be permitted.

5.14.3 Vibration. Any use creating intense earthshaking vibration shall be set back as far as possible from the lot lines on all sides, and in no case shall any such vibration be perceptible along any lot line.

Minimum lot area (public water and sewer)	21,780 sq. feet
Minimum lot area (public water only)	21,780 sq. feet
Minimum lot area (private water and sewer)	43,560 sq. feet
Minimum lot width at building line	100 feet
Minimum front setback	N/A; must meet the required standards
Minimum rear setback	N/A; must meet the required standards
Minimum side setback (interior)	N/A; must meet the required standards
Minimum side setback (street)	N/A; must meet the required standards
Maximum building height	N/A

5.14.4 Greenspace requirement. At least 15 percent of the total lot area shall be designated as greenspace. Greenspace may include landscaped areas, required buffers, tree plantings, bioswales, and pedestrian-friendly spaces such as plazas or seating areas.

(Amend. of 4-16-02; Amend. of 10-21-04, § 7; Ord. of 8-16-16, § 1(b); Ord. No. 2025-271h, 8-5-25; Ord. No. 2026-082, 3-17-26)

Editor's note(s)—See editor's note at § 5.3.

Ord. No. 2025-271h, adopted Aug. 5, 2025, amended the title of § 5.13 to read as herein set out. The former § 5.13 title pertained to FH Flood hazard districts.

5.15 Heavy Industrial districts.

5.15.1 Intent. The Heavy Industrial designation is intended to support and enhance employment opportunities by establishing areas specifically designated for a diverse range of industrial activities. These areas accommodate businesses that require extensive infrastructure, large-scale facilities, and access to key transportation networks, ensuring efficient operations and logistical support. The designation encourages the retention and expansion of existing industries while also attracting new businesses that contribute to economic growth. Additionally, it allows for complementary uses—such as logistics hubs, research and development facilities, and limited commercial services—that support industrial functions and workforce needs, fostering a dynamic and sustainable industrial environment.

Refer to article IV, section 4.1A, Table of Permitted Uses (TPU)

Any use that is not explicitly addressed in the TPU is prohibited; however, the applicant may request a text amendment and follow the process for getting approval of the use.

Refer to article III, section 3.4, buffers for the required buffers for the H-I zoning district.

Minimum lot area (public water and sewer)	21,780 sq. feet
Minimum lot area (public water only)	21,780 sq. feet
Minimum lot area (private water and sewer)	43,560 sq. feet
Minimum lot width at building line	100 feet
Minimum front setback	N/A; must meet the required standards
Minimum rear setback	N/A; must meet the required standards
Minimum side setback (interior)	N/A; must meet the required standards
Minimum side setback (street)	N/A; must meet the required standards
Maximum building height	N/A

5.15.2 Greenspace requirement. At least 15 percent of the total lot area shall be designated as greenspace. Greenspace may include landscaped areas, required buffers, tree plantings, bioswales, and pedestrian-friendly spaces such as plazas or seating areas.

(Amend. of 4-4-00(21); Amend. of 4-16-02; Amend. of 10-21-04, § 7; Ord. of 8-16-16, § 1(b); Ord. No. 2025-271h, 8-5-25; Ord. No. 2026-082, 3-17-26)

Editor's note(s)—See editor's note at § 5.3.

Ord. No. 2025-271h, adopted Aug. 5, 2025, amended the title of § 5.14 to read as herein set out. The former § 5.14 title pertained to CP conservation preservation districts.

5.16 PD Planned development district.

It is the intent of this section that the PD zoning district be reserved for the establishment and continuance of shopping centers, residential developments, recreational developments, industrial parks, medical centers and similar types of large-scale, compatible use developments. The regulations which apply within this district are designed to encourage the formation of such planned developments when appropriate and to permit the greatest latitude possible with respect to:

(1) Internal site planning considerations; and

(2) The location of these developments within the unincorporated portions of the county in the best interest of comprehensive development plans of the county.

5.16.1.1 The site utilized for planned development must contain an area of not less than the following:

Cultural or civic center (PD-C):	25 acres
General (PD-MU):	No minimum acreage
Industrial (PD-I):	50 acres
Medical center (PD-M):	10 acres
Residential (PD-R):	20 acres
Shopping center (PD-S):	15 acres
Recreation (PD-MH):	No minimum acreage
Commercial (PD-CM)	No minimum acreage

Any proposed planned development with a combination of any of the above will be subject to the most restrictive land area requirement of the above listed single uses.

5.16.1.2 The site must have a minimum width, between any two opposite boundary lines of 300 linear feet and must adjoin or have direct, adequate access (as defined by the Highway Capacity Manual, most current edition), to at least one improved public road as shown on the county road classification map.

5.16.1.3 There is hereby established the requirement that development projects as determined by the planning board staff, will submit a developments of regional impact report for review by staff. All projects that are subject to the regional impact review, will follow the procedures outlined by the Georgia Department of Community Affairs, Chapter 110-12-3, developments of regional impact (DRI), which must be completed and submitted to the zoning office for review, before local government action related to the project occurs. This will include but not be limited to the completion of Form 1: Initial DRI information, and if required Form 2: DRI review initiation request for those projects meeting the minimum threshold requirements. Based upon review of the information provided and comments received from state and/or local agencies, planning board staff may request that the applicant provide additional information to complete their review before the eligibility requirements are met and the rezoning request is brought before the planning board.

5.16.1.4 The area proposed shall be in one ownership, or if in several ownerships, the application for amendment to the zoning ordinance shall be filed jointly by all of the owners of the properties included in the plan.

5.16.1.5 The requirements of the PD zoning district will hereafter apply to planned unit development rezoning request currently under the review of the county.

5.16.2 Procedure for creating and maintaining a PD district.

5.16.2.1 Any request pertaining to the establishment of a PD district shall be considered a proposal for amendment to the zoning ordinance and shall be processed in accordance with the regulations set forth in article IX of appendix C of the county code (hereafter appendix C), with regards to application requirements, county planning board review (hereafter planning board), and public hearings. All data set forth in appendix C, shall be submitted to the planning board, and subsequently forwarded to county board of commissioners (hereafter board of commissioners) with the recommendations of the planning board. If approved by the board of commissioners, the master plan shall be officially delineated on the zoning districts map and such plan and all information submitted in conjunction with the proposal, as amended, shall be adopted as planned development district. All further development shall conform to the standards adopted for the district, regardless of any changes in ownership. The violation of any provision of the master plan, as submitted and approved, shall constitute a violation of this ordinance. In any event, where it is determined by the board of commissioners that development of the PD district is not in accordance with the standards adopted for that district, the board of

commissioners shall be empowered to amend the ordinance to place parts or all of the property in its prior zoning classification.

5.16.2.2 Any substantial changes in the development of the district shall be treated as proposed amendments to the zoning ordinance and must be considered in accordance with the procedures set forth in article IX. For purposes of this subsection, substantial change shall be defined as an overall change in land use, change in acreage, a change in project intent, or a change in buffers along the project's external boundary. Minor changes will not be treated as a proposed amendment to the zoning ordinance and may be approved with authorization of the county manager and/or development services official. Minor changes for the purpose of this subsection shall be defined as changes in street access or alignment, changes in public or common areas, changes in building setbacks, or changes to buffers between internal components of the project. The development services official shall be responsible for determining whether a proposed change is substantial or minor. Substantial changes must be approved by planning board and county commission. Appeals based on hardship or an alleged misinterpretation of the ordinance by the development services official shall be processed in accordance with the procedures set forth in article IX of this ordinance.

5.16.2.3 Only after the PD zoning has been approved by the board of commissioners, may the applicant submit a site plan for development, however, no building permit shall be issued for a PD district until a site plan conforming to the requirements set forth in appendix B, entitled subdivision regulations, found within the Effingham County Code, has been submitted to and approved by the board of commissioners.

5.16.2.4 No site plan approved by the board of commissioners shall be valid for a period longer than 12 months, unless within such period a preliminary plat is submitted pursuant to Appendix B of the Effingham County Code. The planning board may recommend to the board of commissioners to grant extensions not exceeding 12 months each upon written request of the original applicant if the application submitted is substantially the same as the initial application. However, the planning board, with approval of the board of commissioners, has the power in such cases to attach new conditions to its reapproval or disapproval of the reapplication. Where the application for reapproval contains changes which the zoning administrator concludes materially alter the initial application, he shall initiate a new site plan review procedure as stated herein.

5.16.3 Formal application for a PD district. A planned development district may be created only by the application procedures set forth herein. Said application shall be submitted by the owners of the property for review by the planning board and approval by the board of commissioners.

5.16.3.1 Prior to filing for a planned development, a draft planned development text and a conceptual plan shall be submitted to the development services official for review and comment. The development services official may include input from the county engineer, building official, fire chief, and other county departments, as appropriate. The application shall contain the following elements, where applicable:

A digital conceptual plan drawn at an accurate legible scale by a registered surveyor, architect, landscape architect, or engineer, showing the following information:

(a) Name of the development and the owner, north arrow, and a dated field survey depicting boundaries of the property with dimensions and bearings referenced to a permanent monument;

(b) Reserved.

(c) Proposed parking for amenities;

(d) Proposed land uses for each site;

(e) Proposed water supply and means of sewage disposal;

(f) Proposed major internal collector streets and points of access to public rights-of-way;

(g) Proposed areas which are to be dedicated or reserved for public or common use;

(h) Major waterbodies, wetlands and drainage ways;

(i) Proposed perimeter building setbacks and buffers;

(j) The location, name and right-of-way width of any existing streets within or adjacent to the proposed development, and;

(k) Proposed impact to the county school system by estimating the number of children living in said development.

5.16.3.2 The application for master plan approval shall be filed with the development services official, and shall contain the following elements, where applicable:

A digital master plan drawn at an accurate legible scale, and one copy on 11- by 17-inch sheet, by a registered surveyor, architect, landscape architect, or engineer, showing the all items required within section 5.16.3.1 above as well as the following information:

(a) Existing contours at two-foot intervals;

(b) Location of proposed development areas and their size;

(c) Tract boundary lines, dimensions, bearings and angles;

(d) Reference points to at least two permanent monuments;

(e) The type and net density of dwelling units proposed for each residential site;

(f) Internal collector streets and points of access to public rights-of-way;

(g) Areas which are to be dedicated or reserved for public or common use;

(h) Major waterbodies, wetlands and drainage ways;

(i) Proposed perimeter building setbacks and buffers;

(j) Means of ingress and egress;

(k) Access and circulation arrangements;

(l) Types and use of proposed for buildings and structures;

(m) Means of protecting or screening abutting properties, including proposed landscaping; and

(n) Location of proposed reservations, easements, or dedications.

5.16.3.3 A final version of the written planned development text shall also be submitted for review and approval with the master plan submittal and shall include:

(a) A general description of the proposal;

(b) A statement of the present ownership and a legal description of the property;

(c) Proposed land uses and development standards, density and height limitations, yard requirements, setback requirements, lot size requirements, and restrictive covenants;

(d) Exceptions or variations from the requirements of the zoning ordinance, if any are being requested;

(e) Tables showing the total number of acres in the proposed development and the percentage designated for each proposed type of land use, including public facilities;

(f) Tabulations showing the maximum number, type and net density of dwelling units proposed for each building site;

(g) Proposed dedication or reservation of land for public use, including streets, easements, parks and school sites;

(h) Plans for open space, courts, walks and common areas;

(i) Plans for the provision of utilities, including water, sewer and drainage facilities;

(j) Plans for parking, loading, access ways, signs, buffers and means of protecting adjacent areas from lighting and other potential adverse effects;

(k) A development schedule indicating the approximate date when construction of each site or phase of development can be expected to begin and be completed; and

(l) A statement defining the manner in which the county commission is to be assured that all improvements are to be installed and maintained.

5.16.4 Permitted uses. Any use proposed by the developer in the formal application for PD zoning that is considered by the planning board and the board of commissioners as being compatible with other nearby uses within and without the district and in keeping with the intent of the county comprehensive plan may be permitted in such district upon approval by the planning board and the board of county commissioners. A listing of permitted uses for each separate tract within a particular PD district shall be adopted as part of the regulations applying to that district. Thereafter, the uses permitted in the district shall be restricted to those listed, approved and adopted according to procedures set forth herein.

5.16.5 Preliminary plan approval.

5.16.5.1 In all PD zoned districts, a building permit shall not be issued by the building official until the preliminary plan (as defined within appendix B of the Effingham County Code) has been approved by the development services department in accordance with chapter 30, article III (soil erosion and sedimentation control), chapter 34 (flood damage prevention), chapter 58, article I (roads), and appendix B (subdivision regulations) of the Effingham County Code. The preliminary plan approval procedure is intended to ensure substantial conformity to the approved master plan.

5.16.5.2 No application for preliminary plan approval shall be required for a change in a permitted use not involving a new building, an external expansion of an existing building, or an accessory use not associated with a retail, office or commercial recreation facility.

5.16.5.3 An application for preliminary plan approval may be filed by any person having a financial, contractual or proprietary interest in the property. Said application shall be filed with the development services official, and shall include a digital version of the site plan prepared by a registered surveyor, architect, landscape architect, or engineer at a scale of not less than one inch = 400 feet, as well as one copy on 11- by 17-inch sheet. The sketch plan shall conform to the requirements set forth in Appendix B.

5.16.5.4 Once planned development rezoning is approved, an application for sketch plan approval may be submitted according to the application deadline and meeting schedule. The planning board, after giving public notice, shall hold a hearing to act on the application. The planning board, at said hearing, shall pass their order of approval or approval with conditions.

The planning board, before acting upon the sketch plan, shall ensure that it complies with the provisions of this ordinance, the design criteria and development standards set forth in appendix B, and any applicable special requirements set forth within the Effingham County Code.

5.16.5.5 Conditions and restrictions.

(a) In approving a sketch plan application, the planning board may recommend and the board of commissioners may impose conditions and restrictions and may vary the standards set forth in this ordinance so long as the general intent of this ordinance is carried out and the zoning district regulations established herein are not varied as to make them less restrictive. If the planning board and board of commissioners so acts, it shall specifically state those requirements which must be met before an applicant may be granted sketch plan approval, preliminary plan approval and a building permit. Subsequent to approval or conditional approval by the board of commissioners, the development services official shall issue a notice to proceed to the applicant. The notice to proceed shall include, as appropriate, recommended changes in the sketch plan to be incorporated into the preliminary plan to assist the applicant in obtaining preliminary plan approval, in accordance with appendix B (subdivision regulations) of the Effingham County Code.

(b) In the event that the development services department requires any correction or revision of the preliminary plan, the applicant shall submit a preliminary plan corrected or revised in accordance with the recommendation of the development services official before preliminary plan approval and a building permit may be granted.

(c) The planning board may recommend and the board of commissioners may delegate to the development services official the power to grant the final approval of the preliminary plan application upon the official's determination that the specifically prescribed conditions and/or corrections have been met by the applicant.

5.16.5.6 Following preliminary plan approval, the use of land and the construction or alteration of any buildings and structure shall be governed by the approved master plan and approved preliminary plan, except that, minor changes in the location or character of buildings and structures may be authorized by the development services official. No change so authorized may increase the size of any building or structure by more than ten percent, nor change the location of any building or structure by more than ten feet in any direction; provided however, the development services official may not permit changes beyond conditions of approval or requirements set forth in this ordinance.

5.16.5.7 If the proposed master plan includes the subdivision of land for any purpose or the installation of new streets, the information required above any additional information required for the submittal of preliminary plan and subdivision plats under appendix B of the county shall be processed in accordance with appendix B.

5.16.6 Design criteria and development standards.

5.16.6.1 In all PD districts, the general provisions set forth in appendix B shall govern unless relief is granted by the planning board and the board of commissioners.

5.16.6.2 The planning board and the board of commissioners, before approving a PD district master plan, and preliminary plan, shall ensure that the respective plans comply with the following applicable design criteria and development standards:

(a) Overall site design should be harmonious in terms of landscaping, enclosure of principal and accessory uses, parcel sizes, street patterns, and land use relationships. Variety in building types, heights, facades, setbacks, and size of open spaces shall be encouraged. Common open space shall be at least 20 percent of the overall site. In a PD-R, or residential portion of a PD-MU, no more than 50 percent of required common open space shall be unbuildable land.

(b) Unless otherwise specified in the approved development text, densities per acre for residential dwelling units shall not exceed those set forth for residential districts.

(c) Yard and other dimensional requirements for each PD district may be set by the board of commissioners, upon recommendation of the planning board. Residential district standards shall serve as minimum requirements for residential units proposed for location in a PD district. The

most restrictive standards specified elsewhere in this ordinance as they apply to commercial, industrial, and institutional uses shall serve as minimum requirements for such uses located in PD districts.

(d) Parking, loading and other requirements for each PD district may be set by the board of commissioners, upon recommendation of the planning board. The standards of appendix B shall serve as a general guide to such requirements, except that, the number of off-street parking spaces may be modified in consideration of the following factors: Probable number of cars owned by dwelling unit occupants; and varying time periods of use, when use of common parking areas is proposed.

(e) Where development abuts a separate single-family residential district, buildings, parking lots and other structures other than single-family dwellings and two-family dwellings, must be set back from the separating property line or district boundary line, not less than 30 feet for multi-family residential, public or institutional uses or 50 feet for commercial or industrial uses, to ensure the absence of any objectionable effects on or from abutting districts.

Property lines abutting single-family residential districts must be screened by a permanent, attractive planted buffer, wall or fence not less than six feet in height and sufficient to screen out excessive sound and view from the residential areas, except in the following instances:

Where one and two-family dwellings within the PD district are on property immediately adjoining a residential district, then the planning board may recommend and the board of commissioners may waive the buffer requirement.

Where multi-family dwellings and townhouses within the PD district are on property immediately adjoining multi-family dwellings or townhouses in a residential district, then the planning board may recommend and the board of commissioners may waive the buffer requirement.

However, all parking lots, storage yards, and outdoor recreation areas must be enclosed with a planting screen, wall or fence to a height of at least six feet excluding gates or exit points.

(f) Within a PD district, the design should include buffers suitable for screening residential areas from institutional, commercial and industrial uses when a danger of incompatibility appears to exist.

(g) Lighting facilities shall be arranged in a manner which will protect the highway and neighboring properties from direct glare or hazardous interference of any kind.

(h) Sign requirements may be set by the board of commissioners, following recommendation by the planning board.

(i) In PD districts, areas used for parking and loading or for traffic ways shall be physically separated from public streets by suitable barriers against unchanneled motor vehicles ingress or egress. Access ways shall generally conform to standards set forth in appendix B, with the following conditions:

Shopping centers, other individual commercial, industrial, institutional and multi-family uses shall have not more than two access points to any one public street, unless unusual circumstances demonstrate the need for additional access points.

Where possible, all access points to a public street from shopping centers or other individual commercial, industrial, institutional and multi-family uses shall be located at least 100 feet from the intersection of any street right-of-way and shall be designed in a manner conducive to safe ingress and egress.

5.16.7 Permitted PD districts. The following uses shall be classified as planned developments subject to the provisions of this section governing such projects, and to the special provisions as indicated:

5.16.7.1 Cultural or civic center (PD-C).

Characteristics and intent: It is the intent of the PD-C district to permit in the form of a large scale development the location and proper arrangement of major public and/or private cultural and civic facilities as well as any necessary supporting activities.

5.16.7.2 Mixed use (PD-MU).

Characteristics and intent: It is the intent of the PD-MU district to encourage the large scale planned development of mixed uses or groups of uses not otherwise provided for in this section but considered by the planning board and the board of commissioners to be compatible and worthy for inclusion in a PD district, and further, to encourage the development of such uses or groups of uses according to the requirements and standards of this section.

5.16.7.3 Industrial (PD-I).

Characteristics and intent: It is the intent of the PD-I to be developed and reserved primarily for industrial purposes in a planned, organized and controlled development. The regulations which apply within this district are designed to encourage the formation and continuance of compatible industrial uses which involve manufacturing, assembling and processing operations or the sale and distribution of goods or products at wholesale and to discourage any encroachment by residential, commercial or other uses, except those which augment the principal purpose of the district.

Special requirements: In addition to the information required in appendix B, site plans for PD-I districts shall show the following items, if applicable:

(a) Loading zones.

(b) Rail facilities.

(c) Fire-fighting facilities.

(d) Electric, oil, gas or any other power systems.

(e) Plans for control of air and water pollution.

(f) Plans for control of mining nuisances.

5.16.7.4 Medical center (PD-M).

Characteristics and intent: In view of the unique methods of hospitals, their land needs, and their effect on surrounding properties, it is intended that this planned development be set aside as a specialized area for hospitals and allied services; that this area be protected against encroachment from non-related and incompatible uses, that provisions be made for the expansion of hospitals and allied services, and that, to the greatest possible extent, surrounding land uses and properties be stabilized against any possible detrimental effects that might be created by the proximity of the hospital and allied services.

5.16.7.5 Residential (PD-R).

Characteristics and intent: It is the intent of this ordinance that the PD-R district may be applied to any residential area where the developer wishes to apply use regulations or controls more restrictive than those required by other residential districts in this ordinance.

Special requirements: In addition to other information required elsewhere in this section for submission of a PD district, applications for PD-R districts shall be accompanied by any additional restrictions, limitations, conditions, plans, easements, rights, or privileges beyond those normally

required in a residential district in this ordinance, which the developer proposes for application to this proposed PD district.

Such information shall be submitted in written form or, where applicable, on maps. The information shall be reviewed in the normal course of processing the PD proposal. If the over-all PD district proposal is adopted as a part of the ordinance, those restrictions or other conditions approved by the planning board and the board of commissioners shall also be adopted as part of the requirements applying to that particular PD district and shall also become part of the ordinance.

5.16.7.6 Shopping center (PD-S).

Characteristics and intent: The purpose of the PD-S district shall be to encourage the logical and timely development of land for commercial purposes and the expansion of shopping and/or commercial centers, in accordance with the objectives, policies and standards of the comprehensive plan; and to discourage any use which would interfere with the use of the district as a shopping, commercial and service center for surrounding residential neighborhoods.

In addition to information required elsewhere in this section, applicants for PD-S districts may be required to submit a market analysis showing the economic need for a shopping center of the size being proposed, and the inadequacy of existing commercial districts and vacant, commercially zoned land to meet this need. For these purposes, the market analysis shall contain the following:

(a) Determination of the population of the trade area of the proposed shopping center;

(b) Determination of average family incomes by logical sub-areas, and the effective buying power, both at present and ten years in the future;

(c) Estimates of the square footage and gross sales of competitive retail stores; and

(d) Determination of net potential customer buying power for stores in the proposed shopping center.

5.16.7.7 Recreation (PD-REC).

Characteristics and intent: It is the intent of the PD-REC district to provide a sound and healthy recreational environment unique to this development style. Minimum lot and site requirements shall meet or exceed those detailed in appendix C. Design criteria and development standards in the PD district regulations shall also apply. Section 5.16, rules and regulations for development of mobile home parks, shall be presented to applicants as a reference for developing their planned development zoning text.

5.16.7.8 Commercial (PD-CM).

Characteristics and intent: It is the intent of the PD-CM district to encourage development of commercial developments for uses or groups of uses not otherwise provided for in this section but considered by the planning board and the board of commissioners to be compatible and worthy for inclusion in a PD district and, further, to encourage the development of such uses or groups of uses according to the requirements and standards of this section.

5.16.7.9 Mining and reclamation (PD-MR).

Characteristics and intent: It is the intent of the PD-MR district to accommodate development of commercial surface mining operations that meet the requirements of GA Rule 391-3-3, surface mining. The surface mine operations shall not adversely affect the ecology of the area; the use and enjoyment of surrounding properties; or the condition or safety of county roads used in connection with surface mine operations. Upon a timely conclusion of surface mine operations, the site shall be permanently reclaimed pursuant to the approved mining land use plan (MLUP), and established as a lake.

Surface mining operations shall comply with all relevant guidance from the department of natural resources (DNR), including submission of the surety bond, annual status reports, and amendments, as necessary, to the approved permit or MLUP. Maintenance of both active and inactive surface mining sites is required. Copies of all submittals shall be submitted to development services at the same they are submitted to DNR.

In advance of an application for a permit from DNR, the applicant shall meet with development services and develop a PD-MR document. The completed PD-MR document shall be submitted to development services, along with an application for rezoning. The application must also include a draft mining permit application and MLUP; a site plan detailing proposed buffers and berms, as needed; hours of operation; a statement granting an authorized representative of the county the right of entry and travel upon affected lands; and such other information as is requested by development services. Following rezoning approval, the approved mining permit shall be submitted to development services before mining operations commence. The annual status report shall be submitted each year to development services at the same time that it is submitted to DNR. Any approvals for permit or MLUP amendments, or changes in active status, shall be submitted to development services before amended mining operations proceed.

Requirements: Commercial surface mine operations are subject to section 5.12.4, performance standards; section 3.17.5, surface mine operations—road maintenance requirements; and section 74-8, designated truck routes. A traffic impact assessment may be required by the county engineer. Business operator shall maintain an annual occupation tax certificate, pursuant to article II, business and occupation tax, for a license to operate a surface mine. The property on which the surface mine is proposed shall have frontage on a paved road built to county or GDOT standards/designated truck route. No surface mine operators, transportation partners, customers, etc., shall damage any portion of a county road or right-of-way or cause a road to become impassable or unsafe to normal passenger traffic.

5.16.8 Maintaining common facilities/areas. If other satisfactory arrangements have not been met prior to approval, i.e., public dedication or private owner management, a homeowners or property owners' association shall be created for operating, maintaining, and improving common facilities such as streets, driveways, parking areas, drainage ways, landscaping and recreation areas.

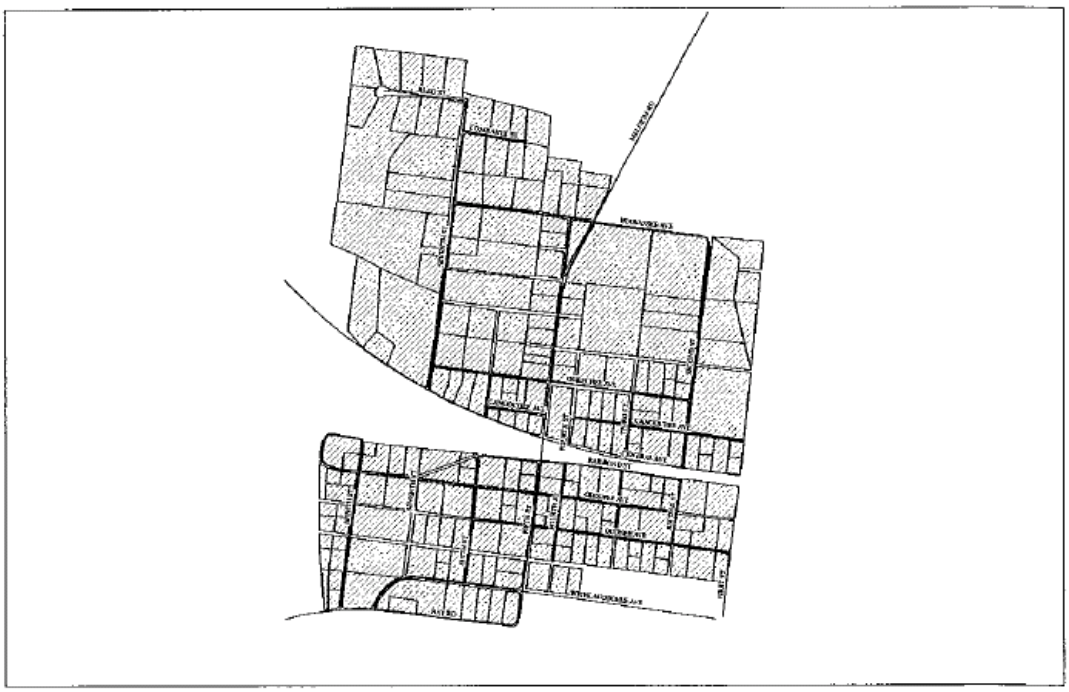
(Amend. of 4-4-00(21); Amend. of 3-5-02; Amend. of 4-16-02; Ord. of 4-1-03; Ord. of 10-21-03; Ord. of 2-5-04; Ord. of 8-5-08; Ord. of 8-16-16, § 1(b); Ord. of 1-4-22; Ord. of 1-4-22(1); Ord. of 1-3-23(1))

Editor's note(s)—See editor's note at § 5.3.

5.17 Historic village overlay district.

5.17.1 Applicability and purpose. The purpose of the historic village overlay district is to protect the residential character of the historic community while offering relief from the burden of nonconforming lot sizes. All new development and changes to existing development would be subject to the overlay district regulations. Existing nonconforming structures may be expanded as long as the expansion does not create further nonconformity.

5.17.2 Delineation of the district. The historic village overlay district includes all parcels designated in the shaded area as indicated in the illustration below.



5.17.3 District regulations.

A. Setbacks from property line for principle building.

a. Front yard setbacks shall be a minimum of 20 feet.

b. Rear yard setbacks shall be a minimum of 15 feet.

c. Interior side yard setbacks shall be a minimum of ten feet or at least 20 feet from the nearest principle building whichever is greater.

d. Street side yard setbacks shall be a minimum of 15 feet.

B. All other district regulations shall be the same as section 5.1, AR-1 Agricultural residential district.

(Ord. of 2-3-11; Ord. of 8-16-16, § 1(b))

Editor's note(s)—See editor's note at § 5.3.

5.18 R-5 Single-family traditional neighborhood design residential district.

5.18.1 Intent. The R-5 District represents a balanced trade-off—allowing for increased residential density in exchange for thoughtfully designed and accessible open space, ensuring that growth is compact yet livable, and community-oriented.

The intent of the R-5 Single-Family Traditional Neighborhood Design Residential District is to promote compact, higher-density residential development that reflects the principles of traditional neighborhood design. This district encourages walkable, interconnected communities, smaller lot sizes, and pedestrian-oriented streetscapes. The R-5 District is designed to accommodate single-family detached dwellings in a pattern that fosters a strong sense of community and efficient land use. Key features may include reduced setbacks, alley access, front porches, and integrated open spaces contributing to neighborhood character and livability. This district supports long-term planning goals related to housing diversity, affordability, and

sustainable growth by offering an alternative to conventional suburban development patterns, while still preserving the identity of single-family neighborhoods in a higher-density format.

Refer to article V, Table of Permitted Uses (TPU)

Any use that is not explicitly addressed in the TPU is prohibited; however, the applicant may request a text amendment and follow the process for getting approval of the use.

Minimum lot area	6,000 sq. feet (0.14 acres)
Maximum number of principal residences	1
Maximum number of accessory dwelling units	1
Minimum Road Frontage	N/A
Minimum lot width at building line	50 feet
Minimum front yard setback	10 feet (building) 25 feet (attached garage)
Minimum rear yard setback	25 feet
Minimum side yard (interior) setback	6 feet (or 3 feet, provided minimum building separation of 12 feet is maintained)
Minimum side yard (street/road easement) setback	15 feet
Minimum side yard (secondary street) setback	15 feet
Maximum building height	35 feet

All building setbacks shall be shown on final subdivision plat

5.18.2 Concept plan review requirements. At the time of a preliminary plat request to the board of commissioners, a concept plan is recommended to be submitted for review by planning staff. The concept plan should illustrate the proposed layout, land uses, access points, open space, and general site design intent. While not binding, the concept plan can serve as a framework to evaluate the appropriateness of the preliminary plat request in the context of the surrounding area, infrastructure capacity, and consistency with the comprehensive plan.

5.18.3 Required utilities. This zoning district will only be allowed if municipal or county water and sewer service is adjacent to the parcel and capacity is available or a state permitted, privately owned community water and sewer system is constructed or available and can provide assurance of capacity.

5.18.4 Planned single-family home communities with the following requirements:

(a) A homeowners' association shall be established, or management company identified. Said association or company shall operate pursuant to subdivision covenants, which are submitted to county with the final plat. It is the intent that said association or company will provide oversight of the development standards and maintenance of common areas and amenities.

1. Covenants shall include a provision that no more than 20 percent of homes in the community may be rented until at least 12 months has elapsed since issuance of the certificate of occupancy.

(b) Walls in excess of 20 feet in length facing a street shall be broken up with entry elements, windows or wall offsets at least two feet deep.

(c) A minimum of two decorative elements shall be added to the front façade including but not limited to decorative shutters, decorative lighting, trellises, cornices, or similar architectural elements.

(d) Up to 25 percent of the total number of dwelling units within a development in the R-5 zoning district may be constructed as duplexes or townhomes. The percentage of duplexes or townhomes shall be calculated based on the total number of residential units proposed within the development and must be clearly identified on the preliminary plat and all subsequent development plans.

5.18.5 Open space requirements. Refer to Appendix C - Zoning Ordinance, article III - General Provisions for Open Space requirements. All developments in the R-5 zoning district shall provide 25 percent net usable area as common outdoor open space. (link to be added)

5.18.6 Roads and Rights-of-way. Refer to Appendix B - Subdivision Regulations, article VII - Design Standards, section 7.1 - Streets and roads. (link to be added)

5.18.7 Development standards. The following design elements shall be included:

(a) Exterior finished material shall be constructed with a combination of clay masonry brick, natural stone including granite, marble, sandstone, field stone or other similar natural stone; manufactured stone including imitation field stone, marble terrazzo, and other similar manufactured finish stone; and wood, cement plank, fiber plank, traditional three coat stucco, or other materials of like appearance.

(b) The use of vinyl is approved if it is a minimum of .04 in thickness, incorporates two patterns, and is used in combination with at least one of the natural elements mentioned above.

(c) Buildings shall utilize design features from the following list, totaling at least four points, to provide visual relief along the front of the dwelling unit. Unless otherwise specified, features are worth one point:

1. Dormers (functional or false);
2. Gables;
3. Recessed entries;
4. Covered front porches, at least six feet in depth (two points);
5. Pillars or posts;
6. Two or more brick masonry pattern bond treatments;
7. Bay windows (minimum 24-inch projection);

(d) Individual dwelling units shall incorporate a covered front door. This may be accomplished with a recessed entry, a portico, a door canopy, or a covered front porch.

(e) Variation in color or texture shall be used to highlight openings such as windows and doors, as well as to add visual interest to the building's facade.

(f) All residential dwellings shall provide a minimum of three and one-half inch wide trim on all components of any street-facing façade.

(g) Trim shall be constructed of durable, weather-resistant materials and shall be consistent in style, dimension, and finish with the architectural design of the dwelling.

(h) If a garage occupies more than 40 percent of the total front façade of the principal building, an architectural garage door and an eyebrow roof or architectural overhang shall be required to enhance visual interest and reduce the prominence of the garage on the streetscape.

(i) All garage doors shall include decorative hardware features, such as handles and hinges, to enhance the overall architectural character of the structure.

(j) R-5 developments must have rolled curbing and gutter throughout.

(k) At least 20 percent of the wall space of the front façade shall be windows and doors. Windows shall be provided with trim.

(l) The minimum roof overhang shall be 12 inches, exclusive of porches and patios.

(m) The following amenity requirements shall apply:

1. The mail kiosk and/or bus stop shall be covered.

2. All amenities in the current phase must be completed before building permits for subsequent phases will be approved.

(n) Entrance features. Designed entrance features shall be permitted where they contribute to the overall aesthetic and identity of the development. Such features must be thoughtfully integrated into the site and complement the surrounding area's character and the proposed development. Minimal clearing within required buffers shall be allowed only to the extent necessary to accommodate the entrance feature, and this disturbance shall be limited to the smallest area practicable. At the discretion of staff, additional landscaping or buffering may be required to ensure visual cohesion and to mitigate potential impacts on adjacent properties or public rights-of-way.

(o) In the event that a proposed design standard deviates from the provisions of this ordinance, the applicant may petition the board of commissioners for consideration and approval of such design.

5.18.8 Street trees and landscaping requirements.

(a) The minimum landscaping for street facing facade shall be as follows:

1. One small shrub per six linear feet.

2. One large shrub per ten linear feet.

(b) Planting standards: On average, one large canopy street tree shall be planted on both sides of the street for every 50 feet of street frontage, or as otherwise determined by the county's planning department. The intent of this average is not to require strict on-center spacing, but rather to establish the number of trees required. Grouping and natural plantings shall be allowed. For circumstances where a large tree cannot be planted, medium trees may be planted on average every 40 feet and small trees on average every 30 feet. Small trees will only be allowed as street trees in situations where the tree lawn/verge is limited due to adjacent parallel parking.

1. The minimum tree lawn/verge width shall be:

- 8 feet for large trees
- 6 feet for medium trees
- 4 feet for small trees

2. Width of 24 inches deep root barrier required if tree lawn/verge is less than the minimum:

- 16 feet for large trees
- 12 feet for medium trees
- 8 feet for small trees

(c) Species selection: Trees selected must be either from the county's tree list in section 3.4 of the zoning code or a similar species/variety that is suitable for the local climate and conditions. All trees shall be native or regionally adapted. No trees listed as an invasive species by the University of Georgia Extension Service shall be allowed.

(d) Maintenance: Adjacent property owners or a property owners association will be responsible for the ongoing maintenance and care of the street trees, including watering, feeding, and pruning (limb and root) as needed to ensure tree health and prevent root damage to adjacent paving and utilities.

5.18.8.1 Enforcement and penalties. Non-compliance with this ordinance may result in a notice of violation and a requirement to plant or replace trees as needed. Repeated violations may result in fines as established by the county code.

(Ord. of 11-15-22(1); Ord. No. 2025-363e, 10-21-25)

Editor's note(s)—See editor's note at § 5.3.

ARTICLE VI. EXCEPTIONS AND MODIFICATIONS

6.1 Existing lots of record.

Any lot of record existing at the effective date of this ordinance in any AR-1, AR-2, or R district may be used for the erection of a single-family dwelling, even though its area and width is less than the minimum requirements set forth herein, except as set forth hereafter.

6.1.1 Conformity. Front, side, and rear yards shall conform with the requirements of this ordinance as closely as possible.

6.1.2 Recombination. Where two adjacent lots of record with less than the required area and width are held by one owner, the request for a permit shall be referred to the zoning administrator which may require that the two lots be combined and used for one main building.

6.2 Yards.

6.2.1 Front yards of through lots. In any R district where a lot runs through a block from street to street, a front yard setback, as required by this ordinance, shall be provided along each street lot line.

6.2.2 Definitions.

Solid Fence is a type of fence constructed without gaps or openings between its components (such as boards, panels, or materials). It forms a continuous barrier and provides complete visual blockage.

Opaque Fence: is a fence that does not allow light or vision to pass through it. Like a solid fence, it blocks visibility, but the term "opaque" focuses more on the visual and light-blocking aspect than the physical structure.

6.2.3. Projections into yards and courts.

Fences may be constructed directly on the property line. Property owners are strongly encouraged to notify and coordinate with adjacent property owners prior to installation of a fence along a shared boundary.

Residential Zones:

- *Front Yard: Fences shall not exceed 4 feet in height.*
- *Solid or opaque fences are not permitted in the front yard.*

- *Side and Rear Yards: Fences may be up to seven feet in height and may be solid or opaque.*
- *All front yard fences must be located a minimum of 10 feet from the edge of the road (measured from the edge of pavement or improved surface).*

Agricultural-Residential (AR) Districts:

- *Front Yard Fences: Fences may be constructed up to a maximum height of 60 inches.*
- *Solid or opaque fences are not permitted in the front yard.*
  - *Side and Rear Yards: Fences may be up to seven feet in height and may be solid or opaque.*
  - *All front yard fences must be located a minimum of 10 feet from the edge of the road (measured from the edge of pavement or improved surface).*

Patios must meet all setback requirements except for rear yards where the patio must be a minimum of five feet from a property line.

Architectural projects. Chimneys, leaders, cornices, eaves, shutters, and bay windows, and the like may extend not more than 24 inches into any required yard.

6.2.4 Accessory structures. An accessory structure less than ten feet from a principal structure must be connected thereto by a breezeway or similar structure and will be considered as a component of the principal structure and comply with all yard setbacks for a principal structure.

No more than two accessory structures are allowed on one lot in any R or PD-R district, with a detached garage counting as one structure.

(Ord. of 8-6-13; Ord. of 9-15-20; Ord. No. 2024-178, 5-21-24; Ord. No. 2025-366, 08-19/25)

ARTICLE VII. PLANNING BOARD

7.1 Organization.

The planning board shall consist of five members, one member each from the respective commissioner election districts of the county.

At their first regular meeting in January the board of commissioners shall appoint one member from each of the five respective election districts of the county board of commissioners to serve commencing with the January regular meeting of the planning board. The members representing the second, third, and fifth districts shall serve through the January 2025 regular meeting of the planning board. The members representing the first and fourth

election districts shall serve through the January 2026 regular meeting of the planning board. Thereafter, successors shall be appointed every four years at the first regular meeting of the board of commissioners in January immediately following the general election of the commissioner representing said district. The term of each respective planning board member representing a commissioner election district shall commence upon appointment and extend through the January regular meeting of the planning board immediately following the next general election of the commissioner representing said district.

Any vacancy in the membership shall be filled for the unexpired term in the same manner as the initial appointment. Members shall be removable for cause by the board of commissioners upon written charges and after a public hearing. The board of commissioners shall determine the amount of compensation, if any, to be paid to members of the planning board.

7.1.1 Procedure. At the first meeting of the year, the planning board shall elect one of its members as chairman, who shall serve for one year or until he is reelected or his successor is elected. The planning board will also elect a vice chairman who will conduct meetings in the absence of the chairman. The zoning administrator shall appoint a clerk to the planning board. The planning board shall adopt rules in accordance with the provisions of any ordinance or resolution adopted pursuant to this ordinance.

7.1.2 Meetings. Meetings of the planning board shall be held on the second Tuesday of each month. The clerk to the planning board shall keep minutes of its proceedings, keep a record of the motions that passed or the motions that failed, indicate the vote pertaining to such fact, and shall keep records of its examinations and other official actions, all of which shall be written and reviewed before becoming a public record.

7.1.4 Review authority. The planning board shall review all applications for rezoning and conditional uses proposed only within commercial or industrial zoning districts and make a recommendation to the board of commissioners. The planning board may recommend approval, approval with conditions, or denial, or may forward the application to the board of commissioners without a recommendation.

7.1.5 Planning board member qualifications.

1. All planning board members shall attend and obtain a certificate for both Planning 101 and Planning 102 from the Carl Vinson Institute of Government and within 12 months of their appointment.
2. Within 90 (ninety) days of appointment, the board member shall complete an online ethics class.
3. Planning board members are required to attend 90 percent of the monthly board meetings scheduled.
4. Planning board members are required to attend a three-hour development services orientation within 30 days after their appointment.
5. Planning board members shall be familiar with the following Effingham County documents:
    a. Comprehensive land use plan;
    b. Existing zoning map;
    c. Future land use map;
    d. Zoning ordinance;
    e. Subdivision ordinance;
    f. Wetlands ordinance;
    g. Stormwater ordinance;
    h. Rezoning checklist referencing the GA State statute for rezoning property.

(Amend. of 4-4-00(21); Amend. of 1-3-02; Amend. of 3-3-15; Ord. of 9-7-21; Ord. of 1-17-23(1); Ord. No. 2024-493, 10-15-24; Ord. No. 2024-676, 1-7-25)

7.2 Administration.

The county commission may uphold, reverse, add, delete, or modify with conditions any recommendation made by the planning board.

ARTICLE VIII. ADMINISTRATION AND ENFORCEMENT

8.1 Administration.

8.1.1 Zoning administrator. The provisions of this ordinance shall be administered by a zoning administrator, the office of which is hereby established.

8.1.1.1 Duties. The duties of the zoning administrator shall be:

8.1.1.1.1 To receive and check all applications for building permits and certificates of occupancy.

8.1.1.1.2 To issue building permits and certificates of occupancy only for construction and uses which are in accordance with the regulations of this ordinance and subsequent amendments, or through county commissioners or court approval.

8.1.1.1.3 To record and file all applications for zoning permits and certificates of occupancy together with accompanying plans and documents and keep them for public record.

8.1.1.1.4 To immediately prepare and publish a complete list of all nonconforming uses and occupations existing at the time of adoption of this ordinance or any amendment thereto. Such list shall contain the names and addresses of owner or owners of such nonconforming uses and of any occupant other than the owner, the legal description or descriptions of the land, to the degree reasonably attainable, and the nature and extent of land use. Notification of this list shall be given by at least one publication in a newspaper of general circulation within the jurisdiction of this ordinance indicating where and when such list may be examined. Property owners and occupants shall be given one month to inspect the list and suggest necessary changes. They shall be given opportunity to appeal to the county commissioners for such changes in the list, as they request, but which are not made by the zoning administrator. After any necessary changes have been made by the zoning administrator, copies of the list shall be delivered to the county commissioners for approval and recording.

The zoning administrator shall issue certificates of occupancy for legal nonconforming uses. He shall examine them periodically to determine that they do not expand beyond the limitation prescribed in the ordinance.

8.1.1.1.5 Upon specific request of the planning board or county commissioners, to furnish such facts, records, and similar information which will assist such body in reaching its decision.

8.1.1.1.6 To be responsible for keeping this ordinance, including the zoning map, up-to-date and to include any amendments thereto.

8.1.1.1.7 If the zoning administrator shall find that any provisions of this ordinance are being violated, he shall notify in writing the person responsible for such violation, indicating the nature of the violation and ordering the action necessary to correct it. He shall order discontinuance of illegal uses of land, building, or structures; removal of illegal buildings or structures or of additions, alterations, or structural changes thereto; order discontinuance of illegal work being done; or shall otherwise enforce this ordinance to prevent violation of its provisions.

8.2 Permits and certificates of occupancy.

8.2.1 Building permits. A building permit shall be required prior to the erection, construction, moving, or alteration of any building, structure, or portion thereof where the fair market value of the erection, construction, moving, or alteration exceeds $1,000.00. If the fair market value of the erection, construction, moving, or alteration is $1,000.00 or less, then no building permit shall be necessary. Applications for building permit shall be made in writing to the zoning administrator and shall contain all information required by them to ascertain whether the proposed erection, construction, moving, alteration, or use complies with the provisions of this ordinance, and with the submitted plans.

8.2.1.1 Plan in duplicate drawn to scale indicating:

8.2.1.1.1 Actual dimensions and shape of the lot to be built upon.

8.2.1.1.2 Exact size and location on the lot of all buildings and other structures, if any, and the location and dimensions of proposed buildings and other structures or alterations.

8.2.1.1.3 Existing and proposed uses; show the number of families the building is designed to accommodate.

Applications for building permits shall be granted or refused within 15 days from the date of application. One copy of the plans shall be returned to the applicant marked either approved or disapproved and attested to same by the signature of the building and zoning inspector. The second copy of the plans, similarly marked, shall be filed in the office of the zoning administrator.

8.2.1.1.4 Driveways and access roads. Where any driveway or access road is to cross any drainage ditch or adjoin any public street, the party proposing to construct such driveway or access road shall submit a plan to the public works director, accompanied by a fee in the amount established by the board of commissioners. Said plan shall show the grade, location, and design of all improvements, including the concrete culvert at the site of each such crossing. Upon receipt of a plan and the accompanying fee, the public works director shall inspect the proposed location of said driveway or access road and shall review the proposed plan. The public works director shall make such modifications to the proposed plan as deemed appropriate; however, in no event shall the diameter of any required culvert be less than 15 inches. The public works director shall inspect the installation of such driveway or access road upon completion to ensure compliance with the proposed plan. No driveway or access road that is to cross any drainage ditch or adjoin any public street shall be constructed except in accordance with plans approved by the public works director.

8.2.2 Certificate of occupancy. A certificate of occupancy shall be required prior to the occupation for use or change of use of land, building, or structure.

Application for certificate of occupancy shall be made in writing to the zoning administrator.

When use of premises involves a new building or structure, or alterations to an existing building or structure, such application shall be made at the same time application for a building permit is made.

When no construction or alteration is involved, application to occupy and use land may be made at any time. Such application shall contain all information necessary for the zoning administrator to determine whether the proposed occupation and use of land conforms to the provisions of this ordinance.

A certificate of occupancy shall not be issued by the zoning administrator unless the building inspector determines that the construction is in accordance with the plans submitted for the building permit.

An application for a certificate of occupancy shall be granted or refused within 15 days after the zoning administrator has been officially notified of (a) completion of construction, or (b) application to occupy and use land where no construction is involved.

8.3 Enforcement.

This ordinance shall be enforced by the zoning administrator. No permit or certificate of occupancy provided for in this ordinance shall be granted by him for any purpose except in compliance with the provisions of the ordinance, or with a decision of the county commissioners or the courts.

8.4 Complaints regarding violations.

Whenever a violation of this ordinance occurs, or is alleged to have occurred, any person may file a written complaint stating fully the causes and basis thereof, which shall be filed with the zoning administrator. He shall acknowledge such complaint, immediately investigate, and take action thereon as provided in this ordinance.

8.5 Schedule of fees.

Application and review fees and other charges shall be as provided in the schedule of fees and charges on file in the office of the county clerk.

(Ord. of 12-14-04(2))

8.6 Special inspections.

In addition to the payment of fees required herein, if the building inspector determines that, in connection with an application or proposed project, inspections will be required which are beyond the capabilities of his department, he shall so advise the board of commissioners who may in its discretion require that the applicant provide appropriate inspections and certifications to ensure compliance with applicable laws, ordinances, and regulations.

8.7 Remedies.

In case any building or structure is erected, constructed, altered, repaired, converted, or maintained, or any building or structure or land is used in violation of this ordinance or of any ordinance regulation made under authority conferred hereby, the county commissioners or, with the approval of the county commissioners, the building inspector or other proper official, in addition to other remedies, may institute any appropriate action or proceedings to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance, or use, or restrain, correct, or abate such violation; to prevent the occupancy of said building, structure of land; or to prevent any illegal act, business, or use in or about such premises.

ARTICLE IX. AMENDMENTS TO MAP OR TEXT

9.1 General.

Whenever, in the opinion of the Effingham County Commission, the public necessity, convenience, general welfare, or good zoning practice require, the county commission may amend, supplement, or change the ordinance, regulations, text, district boundaries, or classifications of property now or hereafter established by this ordinance or amendments thereof.

(Ord. of 11-19-19)

9.2 Applications, review bodies, and required public hearings.

9.2.1 Applications. Applications for any change in the text or classifications or property shown on the zoning map shall be submitted to the zoning administrator upon such forms and accompanied by such data and information as may be prescribed for that purpose by the zoning administrator, so as to assure the fullest practicable presentation of facts for the record. Each site-specific application shall be signed and verified by the owner of the subject property or by an agent holding the owner's written, notarized authorization, attesting to the truth and correctness of all facts and information presented with the application. Each rezoning application shall contain a map of the area proposed to be rezoned, and the area within 200 feet, giving the names and addresses of property owners, and all district boundary lines, and streets and alleys located therein. The zoning administrator shall check the application to determine whether it conforms with the requirements listed above and, if complete, shall schedule it for the public hearing or hearings. Text amendments and county-initiated rezonings may be initiated by the board of commissioners, or by the zoning administrator at the direction of the board of commissioners without need for a formal application.

9.2.2 Required public hearings. The planning board shall hold a public hearing only on applications for rezoning and applications for conditional uses proposed within commercial or industrial zoning districts. The Board of Commissioners shall hold a public hearing on zoning matters heard by the planning board. All other zoning matters including but not limited to rezonings, text amendments, zoning ordinance or map revisions and amendments, variances and conditional uses shall require one (1) public hearing to be held by the Board of Commissioners.

9.3 Procedure for calling a public hearing.

Prior to scheduling the required public hearings, applicants shall first complete all submission requirements provided by the zoning administrator (e.g. forms, fees, deeds, maps, etc.)

The zoning administrator shall then notify the applicant of the date, time, and place of the required public hearing.

At least 15 but not more than 45 days prior to a public hearing required by section 9.2.2, the zoning administrator shall publish in the official legal organ of the county, being a newspaper of general circulation within the county, notice of the date, time, place, and purpose of the public hearing. A single published notice may advertise both the planning board and the board of commissioners public hearings on an application if each hearing date falls within said publication time frame.

If an application is for the rezoning of property or another site-specific approval, then the public notice shall also include: (1) the location of the property; (2) the present zoning classification of the property; and (3) the proposed zoning classification of the property or the conditional use, variance, or other approval requested.

Not less than 15 days prior to the date of a public hearing on a rezoning or other site-specific application, the zoning administrator shall post in a conspicuous location on the property in question a sign which shall contain information; regarding the application; specifically the date, time, place, and purpose of the public hearing, and the same information shall be published in a notice in the official legal organ of the County.

No official action shall be taken on an application until after the required public hearings have been conducted.

The primary goal of conducting public hearings on proposed zoning amendments shall be to solicit pertinent factual information which will be beneficial in helping the planning board and the Board of Commissioners judge the merits of each specific proposed amendment.

9.3.1 Notice to property owners. The zoning administrator shall give notice of the date, time, place, and purpose of each public hearing on a rezoning or other site-specific application by first-class mail, sent not less than 15 days before the hearing, to the owner of the subject property if the owner is not the applicant, and to the owners of all properties lying within 200 feet of any part of the subject property as shown on the current county tax records. The failure to notify as provided in this section shall not invalidate any recommendation or decision adopted hereunder, provided the published and posted notice required by state law was given.

9.3.2 Action of planning board. For applications requiring a planning board hearing under section 9.2.2, the planning board may recommend that the application be granted as requested, or it may recommend a modification of the zoning amendment requested in the application, or it may recommend that the application not be granted. These recommendations shall then be presented to the Board of Commissioners. If the planning board does not adopt a recommendation by a majority vote of the members present at the meeting at which its public hearing is closed, the application shall be presented to the Board of Commissioners as forwarded without recommendation for action by the Board of Commissioners.

9.3.3 Public hearing by Board of Commissioners. For applications requiring a planning board hearing, after receiving the planning board's presentment under section 9.3.2, and for all other applications requiring a public hearing, after the application is accepted as complete, the Board of Commissioners shall hold a public hearing thereon before taking action following the procedures set forth herein for calling and conducting public hearings.

9.3.4 Action of the Board of Commissioners. The Board of Commissioners may consider the recommendation of the planning board, where one is required, and vote on the application after the public hearing. The applicant and others so requesting shall receive notice of the decision of the Board of Commissioners through the zoning administrator.

9.3.5 Denial. If the Board of Commissioners does not approve the application, then the same property may not again be accepted or considered for rezoning until the expiration of at least six months immediately following the defeat of the rezoning by the Board of Commissioners.

(Ord. No. 2024-448, 9-3-24)

9.4 Procedure for conducting a public hearing.

All public hearings on zoning requests that require a public hearing included but not limited to rezonings, text amendments, conditional uses, and variances shall be chaired by either the chairman of the planning board or the county commission chairman or their designees (hereinafter referred to as the "presiding officer").

The public hearing shall be called to order by the presiding officer.

The zoning administrator or designee shall be recognized by the presiding officer first and shall be permitted to give a summary of the zoning request.

The zoning applicant or the applicant's agent, shall be recognized by the presiding officer second and shall be permitted to present and explain the zoning request. Thereafter, all individuals who so desire and if time allows, shall be permitted to speak in favor of the zoning request. After the individuals have had an opportunity to speak, those individuals present at the public hearing who wish to speak in opposition to the zoning request shall have an opportunity to speak. Those speaking for or against the zoning request shall be subject to the time constraints stated below.

When any person wishes to speak at a public hearing, that person shall raise his or her hand and after being recognized by the presiding officer, shall stand, and state his or her name, and make any comment appropriate to the proposed zoning request.

The zoning applicant shall have an opportunity, after all comments in opposition have been made, to make summary remarks concerning the proposed zoning request.

Proponents and opponents shall be allotted equal time to speak. Each side shall have a minimum of 15 minutes, which exceeds the ten-minute minimum per side required by O.C.G.A. § 36-66-5(a). The proponents' time includes the initial presentation of the zoning applicant, and the applicant may reserve up to five minutes of that time for summary remarks. The presiding officer may extend the time upon a showing of good cause, and any extension granted to one side shall be granted equally to the other side.

Each speaker shall speak only to the merits of the proposed zoning request under consideration and shall address his or her remarks only to the board conducting the hearing. Each speaker shall refrain from personal attacks on other speakers, board members, or county staff and from discussing facts or opinions irrelevant to the proposed zoning request under consideration. The presiding officer may limit or refuse a speaker the right to continue if the speaker, after being first cautioned, continues to violate this paragraph. The presiding officer shall have the right to ask an attendee or speaker to leave the building for unruly behavior.

Thereafter, the presiding officer shall announce that no further comments from the public or zoning applicant concerning the requested zoning request shall be received and the presiding officer shall close that particular public hearing. Next, the board shall deliberate on the proposed zoning request and then take any action that the board is authorized to take.

Each public hearing may be recorded by audio or video recording, and the clerk shall prepare written minutes. Transcripts of the public hearing can be provided if requested and paid for in advance by the requesting party.

The record of the public hearing and all evidence submitted at the public hearing shall be recorded as such and become a permanent part of the application file.

(Ord. of 07-18-2023(3))

9.5 Effingham County rezoning checklist.

Applicant Submittal Requirements. An applicant requesting a rezoning shall submit sufficient information and supporting documentation describing the proposed rezoning and demonstrating its consistency with the applicable review criteria of this ordinance. The application shall address each of the review criteria established below.

Planning Board Review. When applicable, following the public hearing and prior to making its recommendation, the planning board shall evaluate the rezoning application based upon each of the eight review criteria set forth below. The planning board's findings and recommendation shall be documented in writing and forwarded to the board of commissioners as part of the application record.

CHECKLIST:

The Effingham County Planning Board recommends:

APPROVAL _____ DISAPPROVAL _____

Of the rezoning request by applicant _____ from _____ zoning to _____ zoning.

Yes No ?	1. Is this proposal inconsistent with the county's comprehensive plan?
Yes No ?	2. Could the proposed zoning allow uses that overload either existing or proposed public facilities such as streets, utilities, or schools?
Yes No ?	3. Could traffic created by the proposed use, or other uses permissible under the zoning sought, traverse established single-family neighborhoods on minor streets, leading to congestion, noise, and traffic hazards?
Yes No ?	4. Does the property which is proposed to be rezoned have a reasonable economic use under existing zoning?
Yes No ?	5. Does the proposed change constitute "spot zoning" which would permit a use which would be unsuitable, considering the existing use and development of adjacent and nearby property?
Yes No ?	6. Would the proposed change in zoning adversely affect existing use or usability of adjacent or nearby property?
Yes No ?	7. Are nearby residents opposed to the proposed zoning change?
Yes No ?	8. Do other conditions affect the property so as to support a decision against the proposal?

(Amend. of 4-4-00(21))

9.6 Standards and criteria for zoning decisions.

As appropriate, the following factors may be considered for rezoning, text amendments, and conditional use applications and to balance the County's interests in promoting the public health, safety, morality, and general welfare with property owner's right to the reasonable use of their property:

(a) The County's comprehensive plan and land development plans, including projected densities;

(b) Existing uses and zoning of nearby property:

(1) Use and classifications of other property;

(2) Effect upon residents of adjoining property.

(c) Land values:

(1) Impact of change on values of adjacent and nearby properties;

(2) Opinions as to most advantageous use.

(d) Roads and traffic:

(1) Character of adjacent and boundary roads;

(2) Intersections;

(3) Planned development by public agencies;

(4) Planned private developments;

(5) Effect of increased traffic on safety.

(e) Rivers, streams, and drainage:

(1) Flood plains;

(2) Soil erosion and sedimentation;

(3) Protected areas;

(4) Pollution of surface and sub-surface water.

(f) Utilities:

(1) Sewage disposal;

(2) Water supply;

(3) Whether the proposed method of sewage treatment is consistent with the county sewer master plan;

(4) Whether the proposed rezoning and proposed water usage is consistent with the county water master plan;

(5) Whether the proposed rezoning is consistent with any and all regional agreements, e.g., regional water agreements and regional sewer agreements.

(g) Other special considerations:

(1) Buffer zones;

(2) Noise;

(3) Odor;

(4) Fire protection;

(5) Terrain or topography;

(6) Schools;

(7) Animals;

(8) Visual intrusions on neighbors;

(9) Aesthetics;

(10) Site plans and plats;

(11) Lighting;

(12) Hours of operation.

(Ord. of 07-18-2023(3))

9.7 Standards and criteria for variances.

(a) Unless granted as a condition of a rezoning, a variance may be granted only in an individual case where the applicant shows that it would experience an extreme hardship if a particular requirement of this ordinance were applied stringently to a particular use or piece of property. The hardship cannot be self-created, such as:

(1) A lot purchased with actual or constructive knowledge of an existing restriction;

(2) A claim of hardship in terms of prospective sales; or

(3) An expressed economic need requiring a variance, when such a need can be met in other ways which would not require a variance.

(b) Relief from the hardship (i.e., granting the variance) must not cause substantial detriment to the public good or impair the purposes of this ordinance. Any relief granted must not be general, but rather, the relief granted must be narrowly tailored to address only the proven hardship and nothing more.

(c) When a variance is issued, the spirit of this ordinance must be observed and the public safety and welfare secured. A variance may not be granted to alter the use of the property contrary to the zoning assigned to the property. (For example, a variance may not granted to allow a two-family dwelling on an industrial zoned property.)

(d) The developer or owner wishing to request a variance must have at least 51 percent ownership of the subject property or be the duly authorized agent of such a person, possessing notarized authorization in writing, under the owner's signature.

ARTICLE X. INTERPRETATION AND VALIDITY

10.1 Interpretation.

In interpreting and applying the provisions of this ordinance, they shall be held to be minimum requirements for the promotion of the public safety, health, convenience, comfort, morals, prosperity, and general welfare. It is not intended by this ordinance to interfere with or abrogate or annul any ordinance, rules, regulations, or permits previously adopted or issued, and not in conflict with any of the provisions of this ordinance, or which shall be adopted or issued, pursuant to law relating to the use of buildings or premises and likewise not in conflict with this ordinance; nor is it intended by this ordinance to interfere with or abrogate or annul any easements, covenants, or other agreements between parties not in conflict with this ordinance.

10.2 Validity.

If any article, section, subsection, paragraph, sentence, or phrase of this ordinance is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

10.3 Repeal.

The Zoning Ordinance of Effingham County, Georgia, enacted and ordained on August 5, 1975, October 6, 1981 and April 6, 1999 and all amendments since said enactments are specifically repealed and all other ordinances or parts thereof which are in conflict with the provisions of this ordinance are hereby repealed.

Revisions.

Enacted and ordained by the Board of Commissioners of Effingham County on November 3, 2026.

DAMON M. RAHN
Chairman

ATTEST:

STEPHANIE D, JOHNSON
County Clerk

ARTICLE XI. ZONING APPEALS

11.1 Appeal of zoning decisions.

Any person, persons, or entities jointly or severally aggrieved by a final zoning decision, other than a decision described in section 11.2, may appeal in accord with O.C.G.A. Section 36-66-5.1(a)(1) and within the time frame established by O.C.G.A. Section 36-66-5.1(b).

(Ord. of 07-18-2023(4))

11.2 Appeal of quasi-judicial decisions.

Any person, persons, or entities jointly or severally aggrieved by a final quasi-judicial decision of the board of commissioners, including but not limited to, a decision on a variance, special exception or exemption, determination of vested rights or nonconformance, appeal of an administrative decision, or conditional use (special use) permit, may appeal in accord with O.C.G.A. Section 36-66-5.1(a)(2) and within the time frame established by O.C.G.A. Section 36-66-5.1(b). The County Clerk is authorized to accept service of process on behalf of the Board of Commissioners of Effingham County.

(Ord. of 07-18-2023(4))

11.3 Quasi-judicial hearing procedures.

(a) "Quasi-judicial decision" means a final quasi-judicial action that is the exercise of quasi-judicial land use powers, including hearing appeals of administrative decisions and hearing and rendering decisions on applications for variances, conditional uses, administrative permits, or other similar permits not a zoning decision, pursuant to standards for the exercise of such quasi-judicial authority as set forth in this ordinance. (Such term does not include permits issued or decisions made by administrative staff pursuant to the authority designated by ordinance which contains an express right to appeal to a local government board or authority which is subject to these provisions applicable to quasi-judicial decisions.)

(b) In accordance with O.C.G.A. 36-66-5(b.1), a quasi-judicial board's or agency's grant, denial, or review of a quasi-judicial matter shall adopt specific standards and criteria governing the exercise of such quasi-judicial decision-making authority, and such standards shall include the factors by which the local government directs the evaluation of a quasi-judicial matter. Such standards are incorporated in this Section 11.3 and shall be printed and copies thereof made available for distribution to the general public.

(c) To the extent the Board of Commissioners is specifically authorized to render any quasi-judicial decision as defined below, the board of commissioners shall hold a public hearing before making any such quasi-judicial decisions. Such hearing shall be preceded by the County providing publication of a public hearing notice within a newspaper of general circulation in the County no less than fifteen (15) days and no more than forty-five (45) days prior to the hearing, and a notice of the hearing shall be mailed at least fifteen (15) days and no more than forty-five (45) days prior to the public hearing to the owner of the property that is the

subject of the proposed action. Such notices shall include the application number (if any number is assigned), date, time, location, and purpose of the public hearing.

(d) In making a quasi-judicial decision, the Board of Commissioners shall apply the applicable criteria found in Article IX, Article X, and pertinent zoning standards or requirements under this ordinance to specific issue presented for quasi-judicial review.

11.4 Formal Proceedings for Quasi-Judicial Hearings. The proceedings for quasi-judicial hearings shall be conducted as follows:

(a) The Board of Commissioners shall serve as the quasi-judicial hearing body. The Chairman of the Board of Commissioners shall be the Presiding Officer of the hearing unless the Chairman delegates such position to another member of the Board of Commissioners. At the outset of a quasi-judicial hearing, the Presiding Officer will explain the procedures set forth herein and such procedures will be available in writing prior to at the hearing upon request. The Presiding Officer shall, at all times, maintain order and decorum in the proceedings and may enlist the help of the representative from the Effingham County Sheriff's Department to assist in this endeavor.

(b) The hearing and deliberations of the Board of Commissioners shall be conducted in open session. Any decision of the Board of Commissioners shall be rendered by a majority vote of a quorum of the board following a duly seconded motion and in open session. Unless otherwise stated herein, all questions or comments shall be directed to the Presiding Officer. In the discretion of the Presiding Officer, at any time during the proceedings, the Presiding Officer may consult with the County Attorney or specially appointed counsel, as needed. Any objections or other procedural issues raised shall be ruled upon by the Presiding Officer; and such ruling is final, unless the Board of Commissioners, by a majority of a quorum following a duly-seconded motion, votes to override the Presiding Officer's ruling.

(c) The appealing party requesting the Board of Commissioners to make a quasi-judicial ruling or determination is referred to in this Section 11.4 as the appellant. The burden of proof is on the appealing party subject to rebuttal by the non-appealing party. The issues considered at any hearing held hereunder shall be confined to the written appeal and written response. No other issues shall be allowed or entertained. The appellant is not required to be represented by an attorney; however, the appellant may retain an attorney for representation.

(d) The Board of Commissioners is not required to apply formal rules of evidence pursuant to Georgia Code but may use such rules of evidence as a guide. For example, the Board of Commissioners is authorized to not accept written letters, affidavits, statements, or other documentary evidence that would otherwise be considered generally as "hearsay." This means that if the person who wrote the letter, affidavit, or statement, or prepared the document generally, is not at the hearing to testify, the Board may elect not to consider or give very little weight to such document. The party introducing such evidence generally must have the maker of the written statements and/or documents present or have in some other way authenticated the accuracy of the document.

(e) The Presiding Officer may request the identification of witnesses, if any, including the one presenting evidence. For persons providing testimonial evidence for consideration by the Board of Commissioner and before providing such testimony the Presiding Officer or his or her designee shall administer the following oath to each witness: "Do you solemnly swear (or affirm) that the testimony you are about to give on the issue pending before this Board of Commissioners shall be the whole truth and nothing but the truth?" The Presiding Officer has the discretion to call any person present to testify regarding the appeal, unless

objected to by a member of the Board of Commissioners and affirmed by a majority vote of a quorum after a duly-seconded motion to bar the calling of the witness. The Presiding Officer has the discretion to accept or reject any presented evidence (including but not limited to, video, audio, document, or testimony) or portion thereof, subject to an immediate duly seconded motion to override by a majority vote of a quorum of the Board of Commissioners. If no objection is made by a party or no ruling precluding the evidence is made by the Presiding Officer, then the presented evidence is deemed admitted.

(f) The appellant is allowed an opening statement not to exceed 10 minutes, unless, by consent of a majority of a quorum of the Board of Commissioners, additional time is granted. Following any opening statement, the appellant may present his or her evidence in support of the appeal. If witnesses are called, the appellant may ask direct questions of the witness, and the non-appealing party (the appellee) may cross examine the witness. The Presiding Officer may or may not permit additional questioning by either party. Documentary or other non-testimonial evidence shall be presented to the Presiding Officer for dissemination to the Board of Commissioners. The Board of Commissioners may ask questions of witnesses and may ask questions pertaining to documents or other non-testimony evidence.

(g) After the conclusion of the appellant's presentation of evidence, the appellee is allowed an opening statement not to exceed 10 minutes, unless, by consent of a majority of a quorum of the Board of Commissioners, additional time is granted. Following any opening statement, the appellee may present his or her evidence in support of the appeal. If witnesses are called, the appellee may ask direct questions of the witness, and the appellant may cross examine the witness. The Presiding Officer may or may not permit additional questioning by either party. Documentary or other non-testimonial evidence shall be presented to the Presiding Officer for dissemination to the Board of Commissioners. The Board of Commissioners may ask questions of witnesses and may ask questions pertaining to documents or other non-testimony evidence.

(h) The procedures contained herein shall be cumulative and may be used in tandem, such as a document may be presented during a witness' testimony and questions may be related to the document, witness' testimony, or both, as may be appropriate under the circumstances. When documents are presented during a witness' testimony, questions regarding the document may be asked at the time such document is presented if necessary for purposes of understanding the nature of the document. Otherwise, questions regarding the substance of the document or of the witness' testimony regarding the document shall, insofar as practicable, be held until the witness finishes his or her testimony.

(i) With the appellant going first, each party is allowed a closing statement not to exceed 10 minutes, unless, by consent of a majority of a quorum the Board of Commissioners, additional time is granted. After closing statements, if any, the Presiding Officer shall allow for members of the public to speak for a maximum time of ten (10) minutes for each side. Thereafter the Presiding Officer shall announce the hearing closed.

(j) After the close of the hearing, the Board of Commissioners may then in open session deliberate and render a decision after a duly seconded motion and vote of the majority of a quorum of the Board of Commissioners, or postpone any open deliberations or vote on any decision to a date certain (not to exceed 30 days from the date of the hearing) by a duly-seconded motion and vote of the majority of a quorum of the Board of Commissioners. The decision of the Board of Commissioners shall be reduced to writing and mailed to the parties within ten (10) days of the vote on the final decision of the body. Such written decision is the final decision from which an appeal to Superior Court may be had.

ARTICLE XIII. SIGNS, BILLBOARDS, AND INTERSTATE SIGNS

13.1 Purpose and intent.

It is the purpose of this article to promote public health, safety, and general welfare through a comprehensive system of reasonable, consistent, and nondiscriminatory signs, billboards, and interstate sign standards and requirements. This includes the following:

A. Promote the safety of people and property by providing signs that do not create traffic hazards or hazards due to collapse, fire, collision, decay or abandonment.

B. To protect the public welfare and county property values by preserving the aesthetic quality of the natural environment.

C. Promote efficient commercial and non-commercial identification or information by improving the legibility and effectiveness of signs through the control of their number, location, size, appearance, illumination, and animation.

D. Preserve the right of free speech and expression.

(Ord. No. 2024-673, 1-7-25)

13.2 Permits, administration, and enforcement.

A. Building and Electrical Code Standards. All permanent signs must meet the structural and installation standards of the International Building Code and electrical standards of the National Electrical Code as enforced by Effingham County.

B. Businesses that apply for permits must have an active business license in the County.

C. Sign permit. All signs on commercial or industrial properties must have a sign permit issued by the Effingham County Zoning Department. Multiple similar signs such as real estate or political signs shall only be required to have a single sign permit. All signs are required to obtain a building permit and meet all required wind load and building regulations.

D. Temporary business signs are not allowed in the County. A temporary business sign is not permanently attached to the ground or an object, and typically advertises a business or service, promotes a business, service, or seasonal sale, and can be used to announce a new business or service. Typically, these signs can be installed or removed quickly.

E. Community event temporary signs require a permit. Community event temporary signs are not permanent and used only temporarily (typically 30 days or fewer).

F. No sign shall be erected unless a sign permit has been issued by development services in accordance with the procedures of this ordinance.

G. No sign permits shall be valid for more than six months unless work at the site commences within such a period.

H. No signs are allowed in GDOT right-of-way or County right-of-way except government signs.

(Ord. No. 2024-673, 1-7-25)

13.3 Sign definitions.

The following definitions refer to the County's sign standards.

- *Abandoned sign:* A sign structure that has ceased to be used, and the owner intends no longer to have used, for the display of sign copy, or as otherwise defined by state law.
- *Animated sign:* A sign employing actual motion or the illusion of motion. Animated signs, which are differentiated from changeable signs as defined and regulated by this ordinance.
- *Architectural projection:* Any projection that is not intended for occupancy and that extends beyond the face of an exterior wall of a building, but that does not include signs as defined herein. See also "awning;" "backlit awning", and "canopy, attached and free-standing."
- *Awning:* A cloth, plastic, or other nonstructural covering that either is permanently attached to a building or can be raised or retracted to a position against the building when not in use. A sign on an awning is considered a projecting sign.
- *Backlit awning:* An awning with a translucent covering material and a source of illumination contained within its framework.
- *Back-to-back or formation sign:* A sign constructed on a single set of supports with messages visible on any side, provided that double message boards are physically contiguous.
- *Banners, pennants, and balloons:* A lightweight material that is secured or mounted to a building and/or any animated rotating, fluttering or non-stationary device made of flexible materials designed to attract attention.
- *Billboards:* Billboards are large signs erected along a state or interstate highway and intended to be viewed from travelers on said highway. They are outdoor signs which advertise firms, organizations, goods, products, or services which are not located on the same premises as the sign and which are sold, rented, owned, or leased for the display of advertising messages.
- *Canopy (attached):* A multisided overhead structure or architectural projection supported by attachments to a building on one or more sides and either cantilevered from such building or supported by columns at additional points. The surface(s) and/or soffit of an attached canopy may be luminated by means of internal or external sources of light. See also "marquee".
- *Canopy (free-standing):* A multisided overhead structure supported by columns, but not enclosed by walls. The surface(s) and or soffit of a free-standing canopy may be illuminated by means of internal or external sources of light.
- *Development complex sign:* A free-standing sign identifying am multiple-occupancy development, such as a shopping center or planned industrial park, that is controlled by a single owner or landlord, approved in accordance with Section 1009.2 of this chapter.
- *Directional sign:* Any sign that is designed and erected for the purpose of providing direction and/or orientation for pedestrian or vehicular traffic.
- *Electrical sign:* A self-illuminated sign or sign structure in which electric wiring, connections and/or fixtures are used as part of the sign property.
- *Existing sign:* Any sign that was erected, mounted or displayed prior to the adoption of this ordinance.
- *Flat wall sign:* A sign that is parallel to the wall of a building to which it is attached but does not extend more than 12 inches from the building face.

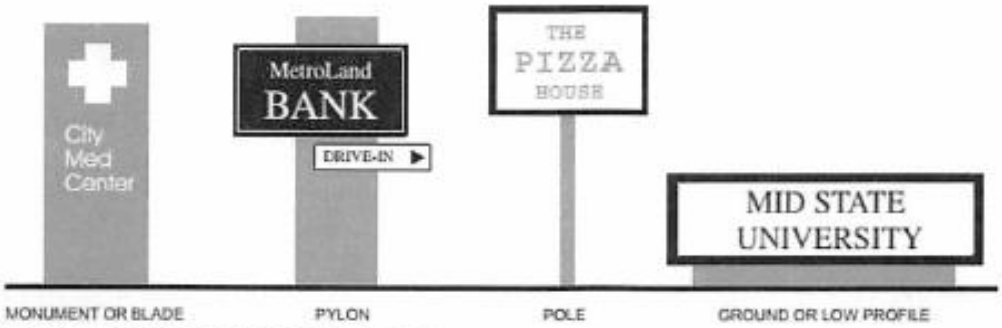
- *Freestanding sign:* A sign principally supported by a structure affixed to the ground, and not supported by a building, including signs supported by one or more columns, poles, or braces placed in or on the ground.
- *Frontage (building):* The length of an exterior building wall or structure of a single premise orientated to the public way or other properties that it faces.
- *Frontage (property):* The length of the property line(s) of any single premise along either a public way or other properties on which it borders.
- *Frontage wall face:* The building facade, excluding parapet, fascia, soffit, mansard and roof, which faces a frontage of the premises.
- *Height of sign:* The vertical distance measured from the average elevation of the nearest road centerline to the top of the sign face or sign structure, whichever is greater.
- *Illuminated sign:* A sign characterized by the use of artificial light, either projecting through its surface(s) (internally illuminated); or reflecting off its surface(s) (externally illuminated).
- *Interior sign:* Any sign placed within a building, but not including "window signs" as defined by this ordinance.
- *Historic or scenic area:* An area that contains unique historic or scenic characteristics that require special regulations to ensure that street graphics displayed within the area are compatible with its visual character.
- *Marquee:* See "canopy (attached)."
- *Marquee sign:* See "canopy sign."
- *Monument sign:* A sign that is permanently affixed to the ground at its base, supported entirely by the base structure, and not mounted on a pole.
- *Neon sign:* A sign that is created by bending a neon filled glass tube to form text or graphics.
- *Nonconforming sign:* A sign that was lawfully constructed or installed prior to the adoption or amendment of this ordinance and followed all ordinances at the time of installation, but which does not presently comply with these regulations. Any sign which has a valid permit, was erected or displayed prior to the effective date of this ordinance or any subsequent amendment hereto and does not conform with any provision of this ordinance.
- *Non-permanent sign:* See "temporary sign"
- *Off-premises sign:* See "outdoor advertising sign."
- *On-premise sign:* A sign erected, maintained or used in the outdoor environment for the purpose of the display of messages appurtenant to the use of, products sold, on or the ale or lease of, the property on which it is displayed.
- *Outdoor advertising sign:* a permanent sign erected, maintained or used in the outdoor environment for the purpose of the display of commercial or non-commercial messages not appurtenant to the use of products sold on, or the sale or lease of, the property on which it is displayed.
- *Parapet:* The extension of a building facade above the line of the structural roof.
- *Permanent sign:* A sign that is constructed in a manner and of materials that will withstand long-term display and is intended to be displayed for an indefinite period of time. A permit must be obtained prior to installation.
- *Pole sign:* See "free-standing sign."

- *Political sign:* A temporary sign intended to advance a political statement, cause or candidate for office. A legally permitted outdoor advertising sign shall not be considered to be a political sign.
- *Portable sign:* A sign not permanently attached to the ground or a building or designed to be permanently attached to the ground.
- *Projecting sign:* Any sign other than a wall sign attached to and projecting from a wall more than 18 inches from a building face or a wall and is not in the same plane as the wall.
- *Roof line:* The top edge of a peaked roof or, in the case of an extended façade or parapet, the uppermost point of said façade or parapet.
- *Roof sign:* A sign mounted on and supported by the main roof portion of a building, or above the uppermost edge of a parapet wall of a building and that is wholly or partially supported by such a building. Signs mounted on mansard facades, pent eaves and architectural projections such as canopies or marquees shall not be considered to be roof signs.
- *Sign:* Any device visible from a public place that displays either commercial or non-commercial messages by means of graphic presentation of alphabetic or pictorial symbols or presentations. Non-commercial flags or any flags displayed from flagpoles or staffs will not be considered to be signs.
- *Sign, area of:* The square foot area enclosed by the perimeter of the sign face. With respect to signs which are composed of individual symbols, letters, figures, illustrations, messages, forms or panels, sign area shall be considered to include all lettering, wording, and accompanying designs and symbols together with the background on which they are displayed, any frame around the sign and any "cutouts" or extensions; but shall not include any supporting structure or bracing.
- *Sign, wall:* Any sign that is attached to the wall of a building. There are two types of wall signs:
- *Sign projecting wall:* A sign that is attached to a wall of a building and extends more than 12 inches from the building face.
- *Sign structure:* Any structure supporting a sign.
- *Temporary sign:* A sign that is not permanently installed in the ground or affixed to any structure or building, and which is erected for a limited period of time. A temporary sign is intended to be displayed for 30 days or fewer.
- *Temporary business sign:* Temporary business signs are not allowed in the County. A temporary business sign is not permanently attached to the ground or an object, and typically advertises a business or service, promotes a business, service, or seasonal sale, and can be used to announce a new business or service. Typically, these signs can be installed or removed quickly.
- *Under canopy sign or under marquee sign:* A sign attached to the underside of a canopy or marquee.
- *Variance.* A modification of the terms of this ordinance granted by the board of commissioners, where such modification will not be contrary to the public interest, and where, owing to conditions peculiar to the property and not as the result of any action on the part of the property owner, a literal enforcement of the ordinance would result in unnecessary and undue hardship, and where such modification will not authorize a principal or accessory use of the property which is not permitted within the zoning district in which the property is located. Hardships shall not be construed so as to include financial burdens or hardships that are created by the landowner or developer of the particular property.
- *Window sign:* A sign affixed to the surface of a window with its message intended to be visible to and readable from the public way or from adjacent property.

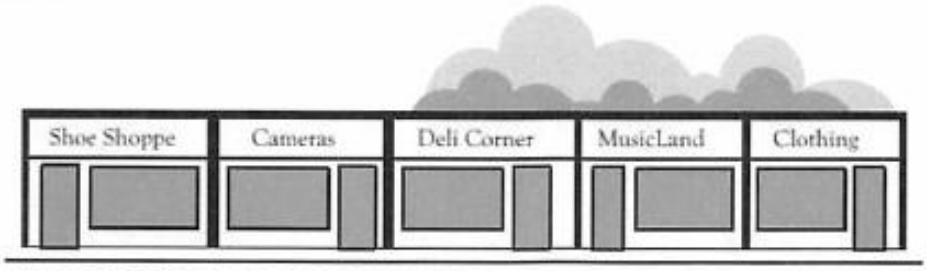
- *Yard, front:* A yard situated between the front building line and the front lot line extending the full width of the lot.

(Ord. No. 2024-673, 1-7-25)

13.4 General sign types.

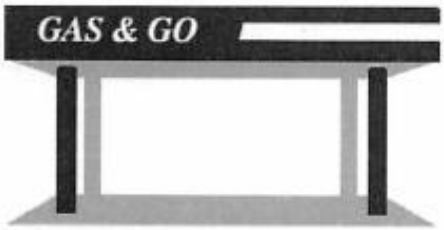


COMMON FREE-STANDING SIGN TYPES



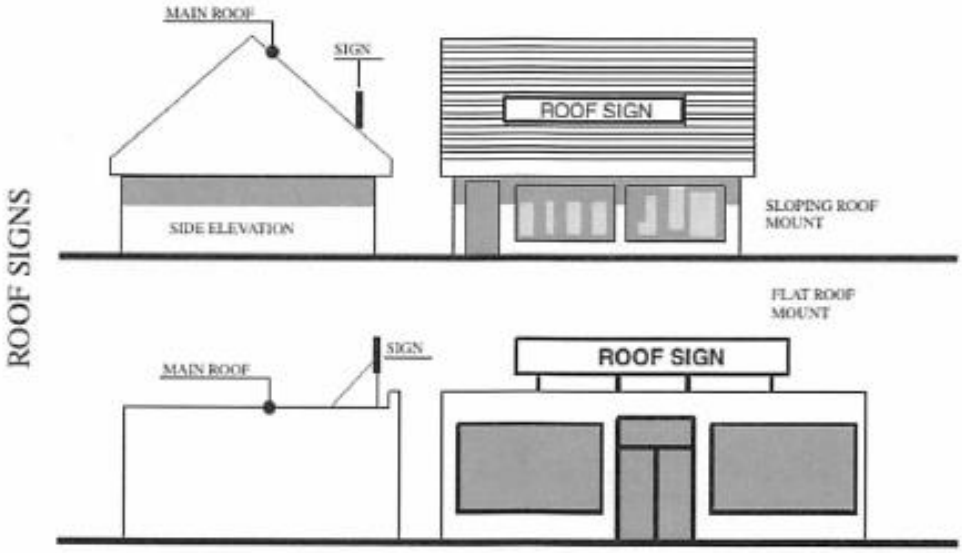
WALL OR FASCIA SIGNS ON STOREFRONTS

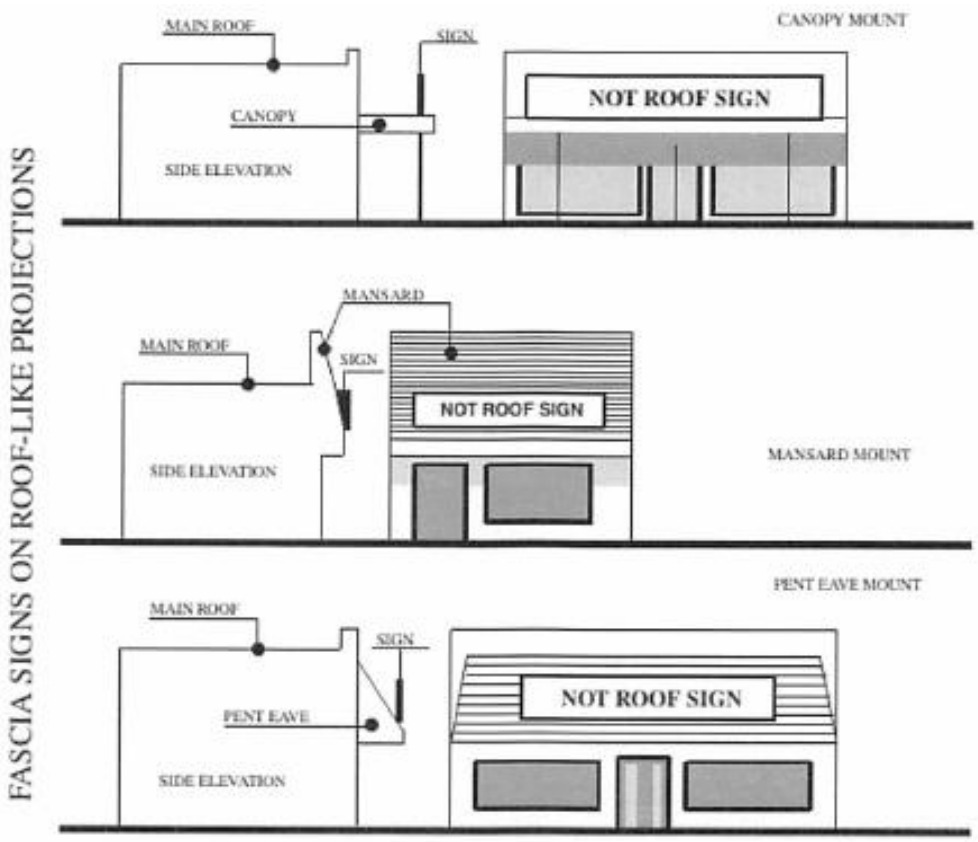
ROOF SIGN

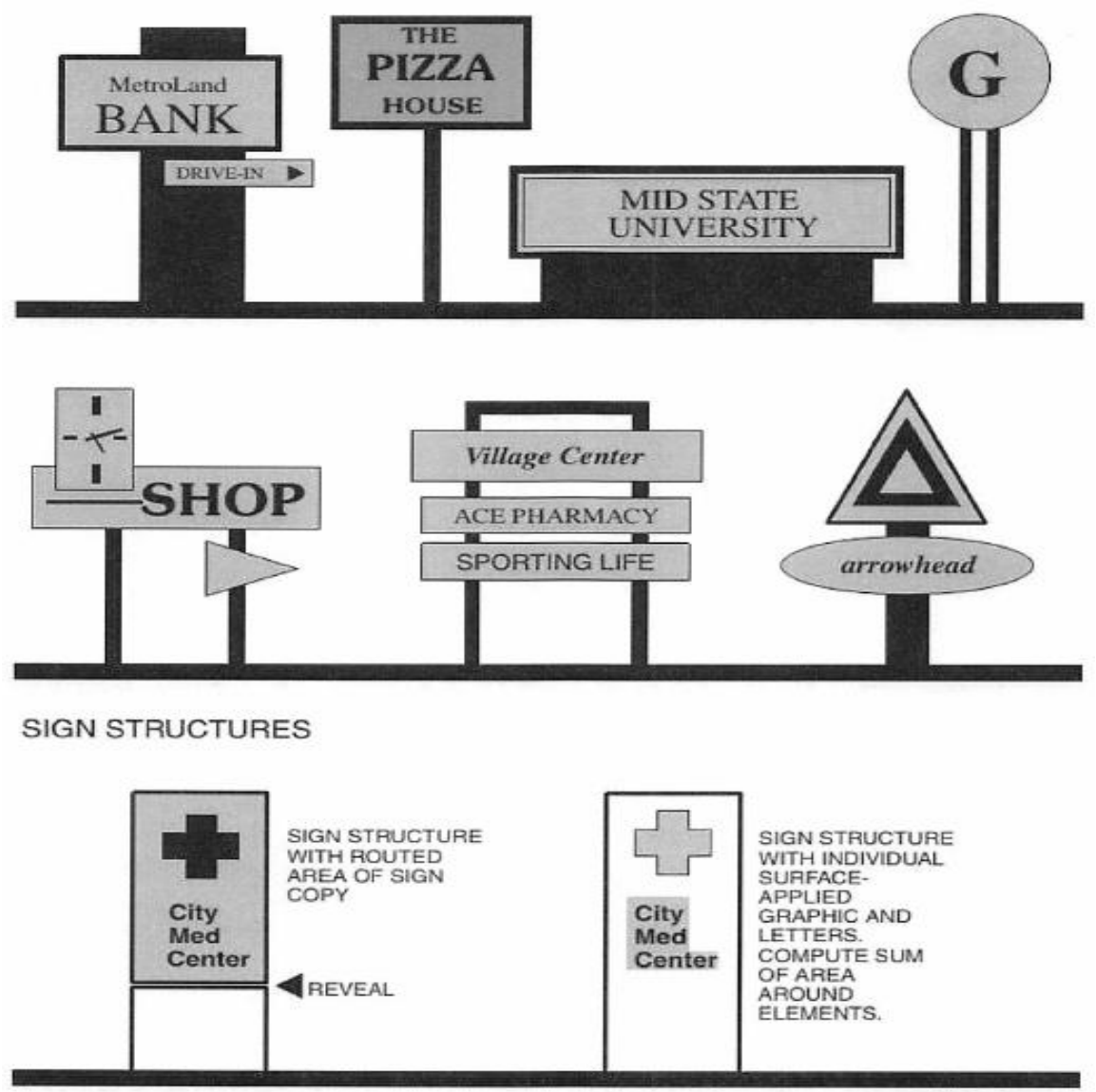


CANOPY SIGN
ON FREE-STANDING CANOPY

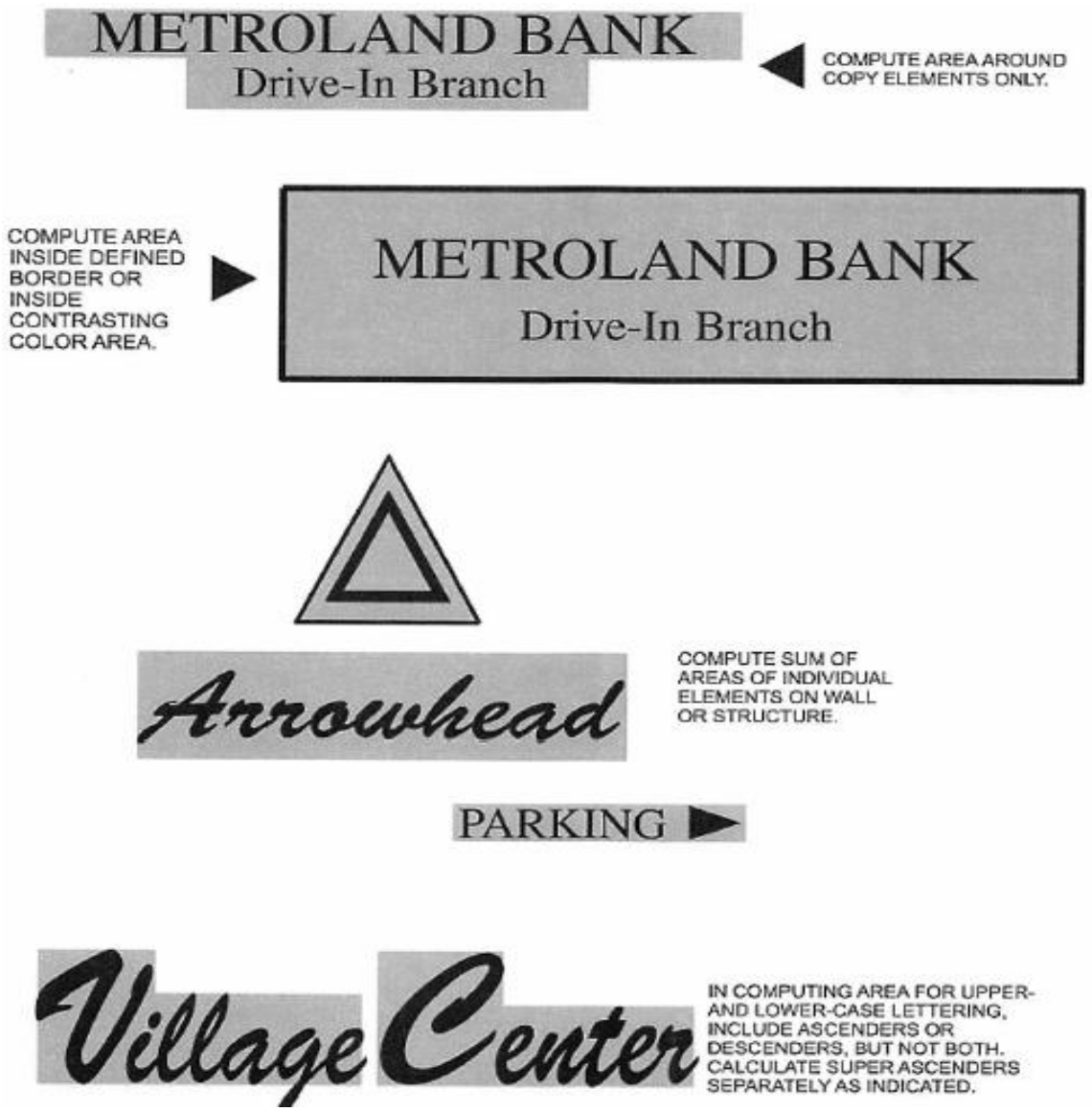
CASINO
PROJECTING SIGN


ROOF SIGNS
MAIN ROOF
SIGN
SIDE ELEVATION
ROOF SIGN
SLOPING ROOF MOUNT
FLAT ROOF MOUNT
MAIN ROOF
SIGN
ROOF SIGN

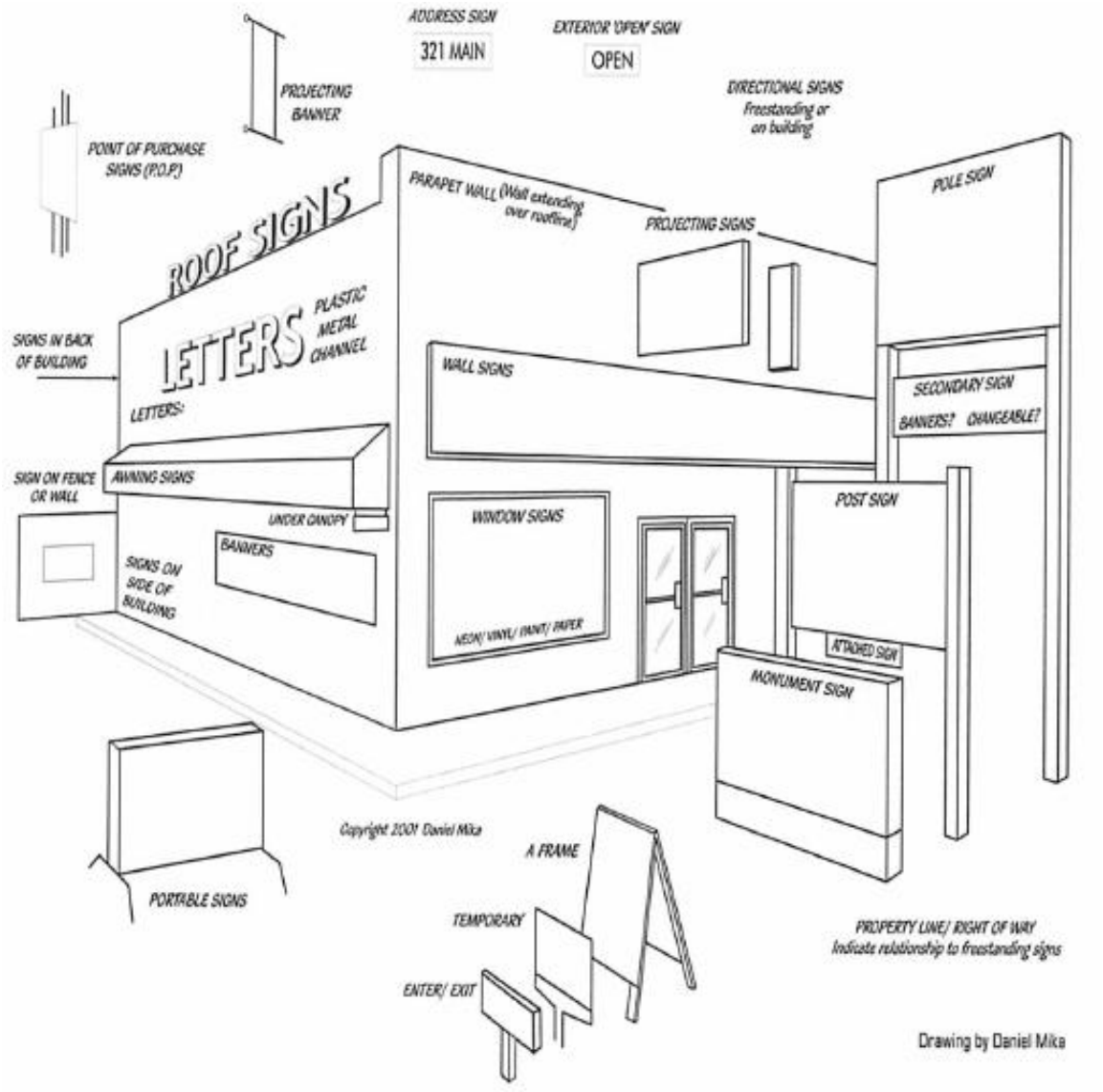

FASCIA SIGNS ON ROOF-LIKE PROJECTIONS
MAIN ROOF
SIGN
CANOPY MOUNT
CANOPY
NOT ROOF SIGN
SIDE ELEVATION
MANSARD
MAIN ROOF
SIGN
NOT ROOF SIGN
SIDE ELEVATION
MANSARD MOUNT
PENT EAVE MOUNT
MAIN ROOF
SIGN
NOT ROOF SIGN
PENT EAVE
SIDE ELEVATION


MetroLand
BANK
DRIVE-IN
THE
PIZZA
HOUSE
MID STATE
UNIVERSITY
G
SHOP
Village Center
ACE PHARMACY
SPORTING LIFE
arrowhead
SIGN STRUCTURES
City
Med
Center
SIGN STRUCTURE WITH ROUTED AREA OF SIGN COPY
REVEAL
City
Med
Center
SIGN STRUCTURE WITH INDIVIDUAL SURFACE-APPLIED GRAPHIC AND LETTERS. COMPUTE SUM OF AREA AROUND ELEMENTS.

SIGN AREA—COMPUTATION METHODOLOGY



Note(s)—Sum of shaded areas only represents sign area for code compliance purposes. Examples of signs consisting of individual letters, elements or logos placed on building walls or structures.



(Ord. No. 2024-673, 1-7-25)

13.5 Legal signs.

A. Any permitted sign which complies with the provisions of this article, and any subsequent amendments hereto, is hereby deemed to be a legal sign. Any proposed alteration to or relocation of such sign shall require a new permit pursuant to this section.

B. Any legal sign which does not comply with the provisions of this article solely due to the enactment of an amendment shall, upon the effective date of such amendment, become a nonconforming sign and shall be considered an illegal sign unless it is relocated or altered.

(Ord. No. 2024-673, 1-7-25)

13.6 Illegal signs.

Any commercial, residential, or existing sign that does not have a permit issued by Effingham County pursuant to this section is hereby deemed to be an illegal sign and such sign and the person or persons responsible for such sign shall be subject to the enforcement and penalty provisions in this-article.

(Ord. No. 2024-673, 1-7-25)

13.7 Signs exempt from regulation.

A. Governmental agency signs.

B. Property addresses up to 12 inches in height.

C. Incidental signs one square foot or less.

D. Political/election signs (see section 13.2).

E. Realtor signs (see section 13.2).

(Ord. No. 2024-673, 1-7-25)

13.8 Prohibited signs.

A. Any sign, except those erected by a governmental agency, in a public street or highway right-of-way.

B. Temporary business signs. (See Definition.)

C. Inflatable signs.

D. Fluttering ribbons, pennants, streamers, banners, and other animated signs are prohibited.

E. Signs mounted on a roof extending 25 feet above the elevation of the roofline.

F. Signs imitating traffic devices (signals) or warning signals are prohibited. No signs shall display lights resembling the flashing lights customarily used in traffic signals or in police, fire, ambulance, or rescue vehicles; nor shall any signs use the words, slogans, dimensional shape, and size, or colors of the governmental traffic signs.

G. Any light source on a sign that is directly visible from a vehicle or residence.

H. Any flashing or intermittent light.

I. Any sign attached to a telephone pole or utility pole.

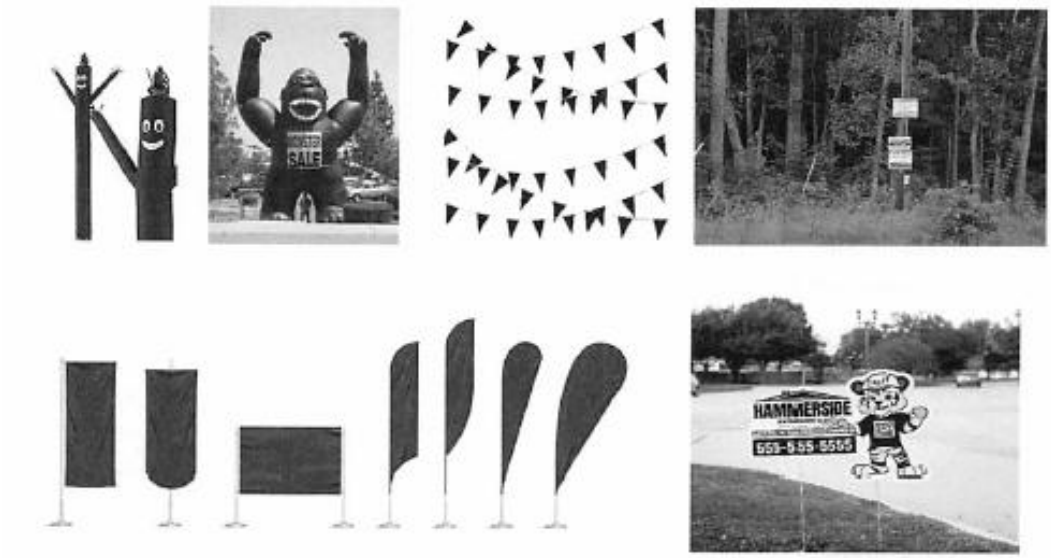
J. Any unpermitted sign attached to a permitted sign.

K. No sign shall be placed in or obstruct the view of an area of designated historic interest.

L. Signs within 300 feet of any officially designated historical site or monument, except signs pertaining to that particular site or monument, are prohibited.

M. Signs painted or attached to natural features, or man-made, such as trees or rocks, telephone poles, utility poles, or fence posts are prohibited.

N. Signs in wetlands unless appropriately delineated as required by this ordinance.



(Ord. No. 2024-673, 1-7-25)

13.9 Community event temporary signs.

Community event temporary signs are signs that are intended to strengthen social bonds, encourage local involvement, functions, festivals, events, non-profit functions, charities, cultural events, religious events, fairs, etc., and provide a platform with a focus on inclusivity and accessibility. Community event temporary signs do not include local business advertisements, commercial advertisements, sales, promotions, etc., and those signs must comply with all appropriate permitting, approval, etc.. Community event temporary signs must be permitted and must be displayed for a limited time. These signs must be constructed of wood, metal or other durable materials in such a manner as to resist high winds. Electricity or another power source is not allowed. Freestanding community event temporary signs shall be constructed in such a manner that incorporates a base from which no support or feet extend out or in such a way that may cause pedestrians to trip. No external cables, brackets, wires or props shall be permitted as support.

A. In the B-1, B-2, B-3, I-1, R-3, or R-4 Zoning Districts, one community event temporary sign may not exceed 24 square feet in size and shall not to be displayed for more than 30 days on each parcel. Temporary event signs in these districts must be secured to a building.

B. In all other zoning districts, each parcel is entitled to one community event temporary sign which shall not exceed six square feet in size. Such signs may be displayed for the length of the event. Each parcel may have no more than three such events per calendar year.

C. When there is the threat of a serious wind event, the County reserves the right to remove any community event temporary sign that it considers to be a hazard to public safety. It will be the responsibility of the sign owner to retrieve any impounded sign from the County zoning office.

D. Signs not removed within ten days following the occurrence of an event or expiration of the permitted period may be removed by the County's zoning office and impounded. The costs of removal shall be charged to the person owning or using the sign, or the owner of the building or premises.

E. Impounded signs will be held for ten days, after which they will be destroyed.

(Ord. No. 2024-673, 1-7-25)

13.10 Temporary subdivision signs.

Temporary signs, not exceeding 40 square feet in an area announcing a land subdivision development, are permitted on the premises of the land subdivision. Such signs shall be spaced not less than 300 feet apart. They shall be removed when 75 percent of the lots are conveyed.

(Ord. No. 2024-673, 1-7-25)

13.11 Temporary business signs.

Temporary business signs are not allowed in the County. A temporary business sign is not permanently attached to the ground or an object, and typically advertises a business or service, promotes a business, service, or

seasonal sale, and can be used to announce a new business or service. Typically, these signs can be installed or removed quickly.

(Ord. No. 2024-673, 1-7-25)

13.12 Billboards.

A. *Uniform size.* The outside measurements of all billboards shall be 12 feet in height and 25 feet in length.

B. *Location.* The billboard must be on commercial or industrial land. It must be located on a parcel with at least 200 feet of state or federal highway frontage.

C. *Illumination.* All illuminated billboards shall use base-mounted lights. The light source must not be visible from a vehicle or a residence. No additional lighting shall be allowed.

D. *Height.* All billboards shall be a minimum often feet above grade and a maximum of 30 feet above grade.

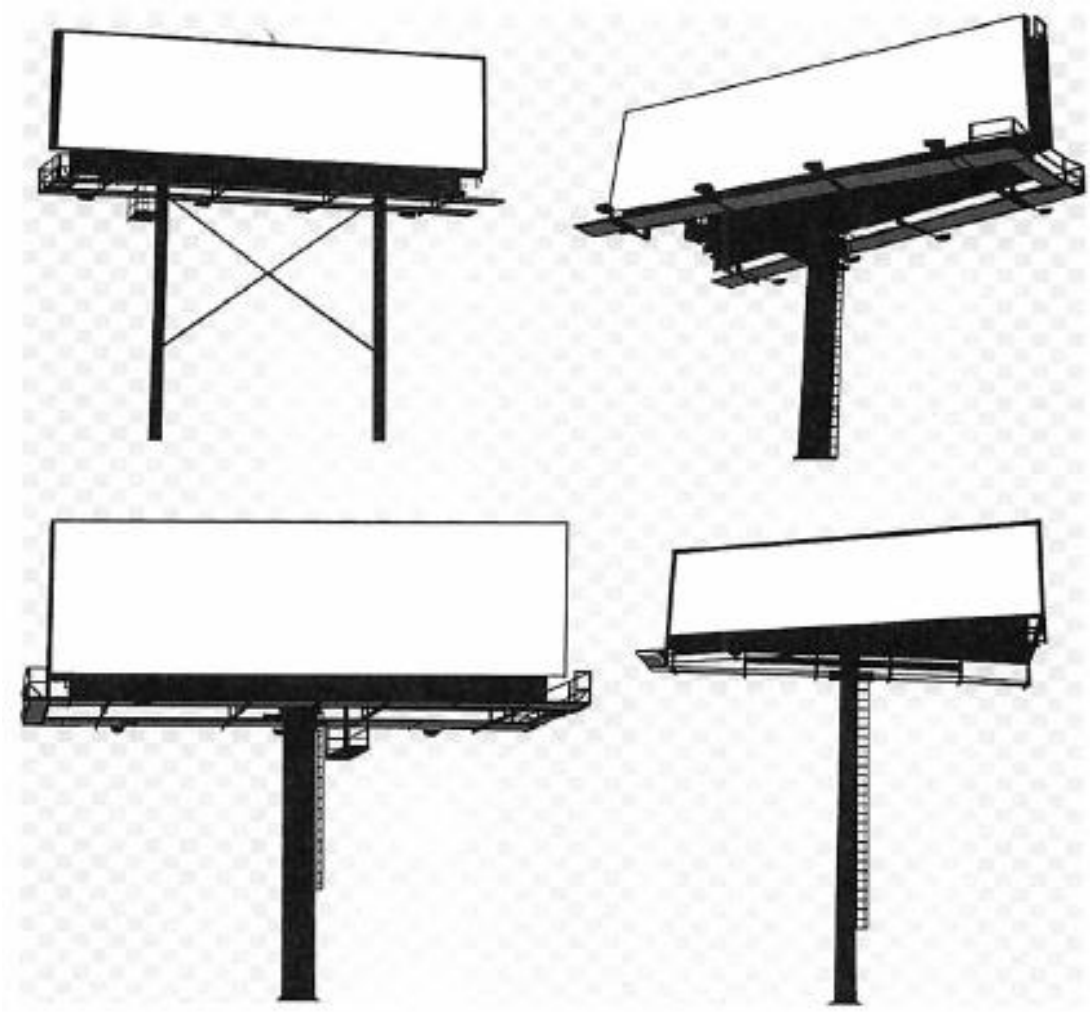
E. *Extrusions prohibited.* Extrusions beyond the face of the billboard, excluding aprons, are prohibited.

F. *Number of signs per location.* Only one billboard shall be allowed to face the same direction per location. This allows back to back or V formation billboards but prohibits two billboards facing the same direction.

G. *Spacing.* billboard location shall be no less than 500 feet from the nearest billboard measuring from the nearest point. No more than three billboards shall be permitted per mile when such billboards are located on the same side of the road.

H. *Distance from property line.* Billboard structures shall be no less than ten feet from any property line.

I. *State law.* All billboards must also comply with all aspects of the Georgia Outdoor Advertising Code.



J. *Changeable copy signs.*

1. General rule — Animated or changeable copy signs shall be erected, posted, displayed or modified only in accordance with the criteria hereunder as well as all other generally applicable standards of this ordinance related to the location, height, size, and other characteristics, billboards that move, flash or simulate movement are prohibited.

2. Each message displayed on any changing billboard display shall remain static for at least ten seconds following the completion of its transition from the previous message. As used in this subsection "static" shall mean a display that is fixed in one position with no portion of the display being in motion or changing in color or light intensity.

3. Changing of image shall be substantially instantaneous, two seconds or less, as seen by the human eye and shall not use fading, rolling, window shading, dissolving or similar effect as part of the change.

4. No display or other effect from any electronically changed billboard shall cause a glare or other condition that impairs the vision of the driver of any motor vehicle or which otherwise interferes with the safe operation of a motor vehicle.

5. Video technology in billboards shall use automatic level controls to reduce light levels at night and under cloudy or other darkened conditions, in accordance with the following standards. All electronic

or digital display unit message boards shall have installed ambient light monitors, and such monitors shall at all times automatically adjust the brightness level of the electronic billboard based on ambient light conditions. Maximum brightness levels for electronic or digital display boards shall not exceed ambient light levels by more than 0.3 foot candles.

6. Any billboard using video technology which malfunctions, fails, or ceases to operate in its usual or normal manner causing therein motion, movement, flashing or any other similar effects shall be repaired or disconnected within 48 hours by the owner or operator of such billboard, and shall be equipped so that it may be turned off by the county in the event of such malfunction or failure.

7. The county shall be permitted to post emergency notices on electronically changeable billboards on 24 hours' notice.

8. Conversion of an existing billboard to an automatic changeable copy video billboard or to add an automatic changeable copy video element to it is allowed only if the billboard as modified will conform with all standards in this section and with all other applicable standards related to the height, size, location and other characteristics of the billboard.

(Ord. No. 2024-673, 1-7-25)

13.13 Signs in commercial zones.

A. Each parcel in a commercial zone is entitled to one freestanding sign for up to 200 feet of street frontage.

B. Each parcel in a commercial zone may have an additional freestanding sign for each additional 200 feet of street frontage and must be separated by at least 200 feet from any other sign on the property.

C. A multi-unit building on a single commercial parcel may have multiple tenant panels on a single sign.

D. No sign shall encroach into the street right-of-way or be within 25 feet of an established street intersection and no sign or support thereof shall obstruct driver visibility.

(Ord. No. 2024-673, 1-7-25)

13.14 Number of signs.

In addition to any potential free-standing sign, each business in a commercial or industrial zone shall be limited to one facade sign, one projecting sign attached to the building and one wall sign for each exposed side of the building other than the front.

(Ord. No. 2024-673, 1-7-25)

13.15 Freestanding sign size.

The maximum size of the signable area of a freestanding sign is as follows:

A. In the B-2, B-3, and I-1 districts: 64 square feet for a single tenant parcel or 100 square feet for a multiple tenant parcel.

B. In the B-1 zoning district: 32 square feet.

C. In the R-3 and R-4 zoning districts: 50 square feet.

D. In the R-1, R-1A, and R-2 zoning districts: Six square feet excluding signs at the entrance to neighborhoods which may be up to 24 square feet.

E. In the CP zoning district: 16 square feet.

F. In the PD zoning district: Sign regulations not less stringent than the regulations herein must be included in the written development text required by section 5.15.3.3 of the Effingham County Zoning Ordinance.

(Ord. No. 2024-673, 1-7-25)

13.16 Height.

A. *Maximum height.* In all commercial and industrial districts no freestanding sign shall exceed 30 feet from grade.

B. *Clearance.* No hanging, suspended, or projecting sign shall have a vertical clearance of less than 14 feet over any vehicular public way, nor less than nine feet over any pedestrian public way. Public ways include privately owned sidewalks and drives customarily used by the public.

Permitted Freestanding Signs - By Land Use						
	Agricultural Property	Single and Two Family Residential	Multi-Family Residential	Commercial Property	Industrial Property	Public or Community Use Property
Principal Freestanding Sign — Depending on Zoning District						
Maximum Number	1 per lot	1 per lot	1 per street frontage	1 per 200 feet street frontage	1 per 200 feet street frontage	1 per 200 feet street frontage
Maximum Signable Area	16 square feet	6 square feet	50 square feet	64 square feet for single tenant, 100 square feet for multiple tenants	64 square feet for single tenant, 100 square feet for multiple tenants	64 square feet for single tenant, 100 square feet for multiple tenants
Maximum Height	6 feet	5 feet	30 feet	30 feet	30 feet	30 feet

(Ord. No. 2024-673, 1-7-25)

13.17 Institutional uses.

Institutional uses are allowed one sign per 200 feet of street frontage with a maximum signable area of 64 square feet regardless of which zoning district they are located in.

(Ord. No. 2024-673, 1-7-25)

13.18 Projections.

No sign shall project more than six feet from the wall of a building.

(Ord. No. 2024-673, 1-7-25)

13.19 Flags.

In the B1, B-2, B-3, and I-1 zoning districts no more than three flags are allowed per parcel. The combined square footage of all flags displayed on a parcel in these districts shall be no more than 64 square feet.

(Ord. No. 2024-673, 1-7-25)

13.20 Sign conditions.

A. *Unsafe signs.* Whenever a sign becomes structurally unsafe or otherwise endangers the safety of the building or the public, the zoning administrator shall order that such sign be made safe or removed. The person owning or using the sign or the owner of the building or premises on which such unsafe sign is affixed or erected shall comply with such order within ten days of receipt thereof.

B. *Unmaintained signs.* Whenever a sign is physically damaged or is not maintained and is determined by the zoning administrator to negatively impact the visual character of the surrounding area or pose an unsafe condition, the zoning administrator shall order that such sign be properly maintained or removed. The person owning or using the sign or the owner of the building or premises on which such unsafe sign is affixed or erected shall comply with such order within 60 days of receipt thereof.

(Ord. No. 2024-673, 1-7-25)

13.21 Nonconforming signs.

No nonconforming signs may be relocated or altered other than for routine maintenance without bringing the sign into conformance with the current sign ordinance. A temporary sign may not be considered as a nonconforming sign for purposes of grandfathering.

(Ord. No. 2024-673, 1-7-25)

13.22 Traffic visibility across corner lots.

On any corner lot in any district, no fence, structure, sign, or vegetation more than 30 inches high measured from the center of the road shall be erected or maintained within 20 feet of the corner so as not to interfere with traffic visibility across the corner.

(Ord. No. 2024-673, 1-7-25)

13.23 Interstate Signs.

A. This article shall apply to all outdoor advertising signs abutting or visible from the Interstate 16 and 95 right-of-way in the County.

B. No sign shall be erected or maintained unless it follows the regulations of this article.

C. Signs must be constructed of durable materials, maintained in good condition, and not permitted to become dilapidated.

D. All signs located on sites abutting or visible from the Interstate 16 and 95 rights-of-way shall conform with O.C.G.A. § 32-6-70 et seq., the Georgia Outdoor Advertising Code, and shall meet all federal and state

requirements necessary to obtain a permit under that code. In instances where the sign controls of this article are stricter, these regulations shall apply.

E. This article shall also apply to any sign which advertises an activity, business, product, or service.

(Ord. No. 2024-673, 1-7-25)

13.24 Regulation for specific types of signs.

(a) *Home occupation and residential business signs.* Only one nonilluminated sign not to exceed eight square feet is permitted, location to be approved by the zoning administrator. Said location must be at least 15 feet from all property lines.

(b) *Rural business signs.* Only one nonilluminated sign not to exceed 16 square feet is permitted, location to be approved by the zoning administrator. Said location must be at least 15 feet from all property lines.

(c) *Signs of work under construction.* One nonilluminated sign not exceeding 40 square feet in area displaying the name of the building, the contractors, the architects, the engineers, the owners, the financial, selling, and development agencies is permitted upon the premises of any work under construction, alteration, or removal. Such signs shall be removed from the site within 30 days after the completion of the project.

(d) *Roof signs.* No more than one roof sign structure may be erected on the roof of any building. No roof sign structure shall extend above the elevation of the roof.

(e) *Wall signs.* Signs on the walls of a building, including signs attached flat against the wall, painted wall signs, and projecting signs, shall meet the following requirements:

(1) *Signs on the front surface of a building.* The total area of signs on the exterior front surface of a building shall not exceed 25 percent of the front surface of the building.

(2) *Signs on the side and rear surface of a building.* The total area of signs on a side or rear surface of a building shall not exceed 50 percent of the exterior side or rear surface of the building, respectively.

(3) *Projecting signs.* Wall signs attached flat against a wall may extend not more than 24 inches from the wall. Signs attached at an angle to a wall may extend outward from the wall of a building not more than five feet.

(f) *Illuminated signs.* Illuminated devices shall be so placed and so shielded that light from the sign itself will not be cast directly into any residential district, sleeping rooms in any district, or the eyes of an automobile or vehicular driver.

(g) *Outdoor advertising signs.* Outdoor advertising signs shall meet the following requirements:

(1) *Uniform size.* The outside measurements of all such signs shall be 12 feet in height and 50 feet in length, with or without trim.

(2) *Illumination.* All illuminated signs shall use base-mounted lights and shall be activated by photoelectric cells. Additional lighting, including but not limited to neon, animation, and running lights, is prohibited.

(3) *Height above interstate grade.* All signs shall be a minimum of ten feet above adjacent interstate pavement measuring from the lower portion of the sign face. Signs shall not exceed 30 feet in height. Two signs in the same location (back-to-back) or V formation shall be the same height above the interstate's surface.

(4) *Extrusions prohibited.* Extrusions beyond the face of the sign, excluding aprons, are prohibited.

(5) *Number of signs per location.* Only one sign shall be allowed to face the same direction per location. This allows back-to-back or V formation signs but prohibits two signs (side-by-side) facing the same direction.

(6) *Spacing.* The sign location shall be no less than 500 feet apart measuring from the two closest points.

(7) *Distance from property lines.* Sign structures shall be no less than ten feet from any property or right-of-way line.

(8) *Number of signs per interchange quadrant.* Three outdoor advertising signs per quadrant of any interchange adjacent to the interstate highway are allowed. These signs must be within commercially or industrially zoned area as specified in state law and are restricted to an area 1,200 feet long beginning 500 feet from the point where the pavement widens on the main traveled way to accommodate the longest entrance or exit ramp.

(9) *Historic area locations are prohibited.* No sign shall be placed in or obstruct the view of an area of designated historic interest.

(h) *On-premises signs.* On-premises signs located within 100 feet of a regularly used part of the activity being advertised and located on the same property and for sale or for lease signs located on the property being advertised are permitted.

(i) *Nonconforming signs.* Any legally erected sign that would become nonconforming as a result of this article will be allowed to remain until purchased by the department of transportation or the county, provided that the sign owner meets the requirements of state laws and rules and regulations governing such signs.

(Ord. No. 2024-673, 1-7-25)

APPENDIX TO ZONING ORDINANCE
HOUSING ORDINANCE

ARTICLE I. PREAMBLE AND ENACTMENT

Section 1. Preamble and enactment.

1.1 Pursuant to the authority granted by the Constitution of the State of Georgia and for several purposes of promoting the health, safety, aesthetics, convenience, order, prosperity, and general welfare of the present and future inhabitants of Effingham County ("county"); of improving the county's appearance; providing fiscal stability and preventing unreasonable increases in county taxes; securing safety from fire, panic, and other dangers; facilitating the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements; protecting property against blight and depreciation; encouraging the most appropriate use of land and other structures throughout the county; securing economy in government expenditures; and for other purposes, all in accordance with the Effingham County Comprehensive Growth Management Plan ("comprehensive plan"), the board of commissioners of Effingham County, Georgia ("county commission") does hereby ordain and enact into law the following articles and sections as an appendix of the Effingham County Zoning Ordinance.

Section 2. Short title.

2.1 This ordinance shall be known and may be cited as the "Housing Ordinance of Effingham County, Georgia."

Section 3. Jurisdiction.

3.1 This ordinance shall apply to all land and structures within the unincorporated areas of the county.

Section 4. Relation to other ordinances or agreements.

4.1 This ordinance does not in any way repeal existing provisions of any other ordinances, except any provisions of the zoning ordinance in effect on the effective date of this ordinance which are in conflict with the provisions of this ordinance. Except as provided for herein, if the provisions of this ordinance impose greater restrictions or higher standards than are called for in other ordinances, then the provisions of this ordinance will take precedence over the others and will control. This ordinance shall be considered as an appendix of the Zoning Ordinance of Effingham County, Georgia.

ARTICLE II. DEFINITIONS

Section 1. Usage.

1.1 Words used in the present tense include the future tense. Words used in the singular number include the plural, and vice versa. The word "person" includes any individual, firm, organization, association, partnership, trust, or corporation. The word "lot" includes the word "plot" or "parcel." The word "shall" is mandatory. The word "used" or "occupied" as applied to any land or building shall be construed to include the words "intended, arranged, or designed to be used or occupied."

Section 2. Definitions.

2.1 The words and terms used herein shall be given the definition accorded them by the Zoning Ordinance of Effingham County, Georgia. Words and terms not defined in the Zoning Ordinance of Effingham County, Georgia shall be given their ordinary meaning.

ARTICLE III. DWELLINGS IN RESIDENTIAL ZONES

Section 1. Equal treatment.

1.1 Within each zoning district, all allowed residential uses shall be treated equally with respect to zoning ordinance and building code enforcement. To ensure compatibility, the standards contained herein shall be applied equally to all single-family detached dwellings.

Section 2. General provisions.

2.1 Upon placement, any means of transportation, such as towing devices, wheels, axles, and hitches, shall be removed, unless the removal of said transportation devices would affect the structural integrity of the structure.

2.2 All structures that require a certificate of occupancy, except historic structures, shall, at a minimum, be completely anchored, and each site-built or manufactured or mobile home installed after October 1, 1993, shall be completely underpinned or "skirted" either with approved masonry, approved treated wood (excluding latticework) or with approved manufacturer's underpinning kits. The underpinning shall be installed and maintained in such a manner as to permit adequate ventilation and to prohibit the intrusion of

small animals and rodents. Those structures qualifying under the compatibility standards in section 3 of this article must meet additional foundation requirements. Structures that are elevated more than 48 inches for more than 25 percent of the square footage will not have to be skirted if located in a floodplain area.

2.3 Prohibited uses.

2.3.1 No manufactured home, mobile home, or site-built single-family detached dwelling shall remain vacant for a period exceeding 120 days. This subsection does not apply to manufactured housing dealers or planned manufactured housing communities.

2.3.2 No manufactured home or mobile home may be used as a storage facility except as provided herein. A manufactured home or mobile home used as a storage facility as of the effective date of this ordinance may be used as storage facility for not more than two years following the effective date of this ordinance.

2.3.3 Failure to comply with the provisions of this section within 60 days of receipt of a certified letter from the zoning administrator will result in the removal of said structure at the real property owner's expense. The cost charged to the property owner for removal of said structure will be the actual removal cost and will be assessed against the land.

2.4 Each newly installed manufactured or mobile home that is not located in a planned manufactured home community shall conform to the minimum construction and safety standards required by the U.S. Department of Housing and Urban Development before being connected to any utility service. It is the intent of this section of this ordinance to prohibit moving manufactured or mobile homes into Effingham County that do not conform to the applicable Housing and Urban Development construction and safety standards.

2.5 Each mobile home and manufactured home in Effingham County shall have beneath and descending from each outside door of such home a platform and a set of steps descending to the ground or grade level. The steps and platform must be constructed of all-weather materials or manufactured kits. Furthermore, all construction and/or manufactured kits shall comply with the requirements of Georgia Administrative Code Chapter 120-3-7, Rules and Regulations for Manufactured Homes. Each newly installed mobile home and manufactured home in this county shall comply with the requirements of this subsection.

2.6 Each manufactured home qualifying as a class A single-family detached dwelling shall be assessed as real property for the purposes of ad valorem taxation.

2.7 Except as otherwise provided in this ordinance, all structures existing within the unincorporated areas of Effingham County as of the date of this ordinance [August 4, 1998] shall be considered nonconforming and exempt from the requirements of this ordinance, provided such structures are not relocated, replaced, or expanded.

2.8 Subject to the limitation set forth in section 2.55.2 of the Zoning Ordinance of Effingham County, Georgia, a nonconforming single-family dwelling which has been damaged by fire, explosion, act of God, or act of war may be repaired, reconstructed, or replaced with a nonconforming structure of the same dimensions and used as before the time of damage, provided such repair, reconstruction, or replacement is completed within one year of the date of such damage and provided that the structure meets all applicable county building and permitting requirements.

Section 3. Compatibility standards for single-family dwellings.

3.1 [Requirements.] All class A single-family detached dwellings shall meet or exceed the following requirements:

3.1.1 Foundation.

3.1.1.1 The structure shall be attached to a foundation to be installed according to the manufacturer's or architect's specifications and soil conditions.

3.1.1.2 The area beneath the ground floor of the structure shall be enclosed around the exterior of the structure with a curtain wall constructed of masonry at least four inches thick or enclosed by an approved manufacturers underpinning kit, penetrated only by openings for installed vents and access doors. If a masonry curtain wall is constructed a permanent foundation that is at least six inches deep and 12 inches wide must be constructed.

3.1.2 Exterior siding. Exterior siding materials shall consist of any combination of wood, brick, stone, stucco, or similar materials, or lap siding of hardboard, vinyl, vinyl covered or painted metal, or similar materials.

3.1.3 Roofs.

3.1.3.1 All roof surfaces shall have a minimum pitch of 2:12 (two feet of rise for every 12 feet of run);

3.1.3.2 All roof surfaces exposed to view shall be covered with asphalt or fiberglass shingles, wood shakes or shingles, standing seam (noncorrugated) tin, clay tiles, slate, or similar materials.

3.1.4 [Minimum width.] Except as may be provided by Section 3.2, the minimum width of the structure shall be 14 feet.

3.1.5 [Minimum dimension for landing.] Each structure must have a landing with a minimum dimension of 48 inches by 48 inches, steps, and handrails.

3.2 Exemptions from compatibility standards. Exemptions from the compatibility standards may be granted to place a class B single-family detached dwelling in a residential zoning district restricted to class A single-family detached dwellings if the structure appears to be compatible in appearance to other housing in the immediate general area within the same zoning or residential district or area. Approval to place the structure may be granted by the county commission, following a public hearing in accordance with article IX of the zoning ordinance, upon application and determination that the dwelling is substantially similar or superior in size, siding material, roof material, foundation, and general aesthetic appearance to:

3.2.1 Site-built or other forms of housing which may be permitted in the same general area under this ordinance;

3.2.2 Existing development; or

3.2.3 Proposed development in the same zoning classification or area, or as envisioned in the comprehensive plan of Effingham County.

3.2.4 Notwithstanding the criteria above, the county commission may grant a permit to place a manufactured home of less than 14 feet in width within a zoning district restricted to class A single-family detached dwellings during the construction of a site-built home. Said permit shall remain valid for a period which shall be the lessor of two years or issuance of the certificate of occupancy for the site-built home. Said permit may be extended for a period not to exceed one year upon approval of the county commission.

3.3 Process. The owner shall, prior to securing a building permit or placement of the structure, submit to the zoning administrator or designee an application containing the following:

3.3.1 Applicant's name and address and his or her representative, and the interest of every person represented in the application.

3.3.2 Documentation, which may include statements, pictures, or maps, of uses in the zoning district and the abutting district in which the structure is proposed to be placed.

3.3.3 A plat or sketch plan showing the configuration of the land on which the structure is to be placed and the location of placement, including distances of the structure from the property lines.

3.3.4 Specifications or pre-design plans which contain a complete description of the structure, including but not limited to square footage, siding material, roof material and pitch, foundation, and other evidence of the general aesthetic appearance required by the zoning administrator or designee and necessary to make a determination of compliance and compatibility as required by this ordinance.

3.3.5 Documents certifying that the structure is in compliance with the Standard Building Code, the National Manufactured Home Construction and Safety Standards, and any other codes, regulations, or manufacturing standards as required by this ordinance.

3.3.6 The applicant must carry the burden of proof to establish that the structure is compatible with surrounding structures. The criteria should include such factors as exterior material, square footage, foundation type, and other factors as deemed necessary for compliance and compatibility as required by this ordinance. The county commission shall further consider the possible negative effect of the structure on the property values of other properties in the immediate area and the possible effect the structure could have on the surrounding area in the event of inclement weather or high winds.

3.4. Exemptions by the county commission.

3.4.1 The county commission may approve an exemption from one or more of the compatibility standards provided herein on the basis of finding that the material to be utilized or the architectural style proposed for the structure will be compatible and harmonious with existing structures in the vicinity. The findings must be in writing and adopted by the county commission.

3.4.2 The applicant must apply for the exemption and carry the burden of proof to establish that the structure is compatible with surrounding structures. The criteria should include such factors as exterior material, square footage, foundation type, and other factors as deemed necessary for compliance and compatibility as required by this ordinance. The county commission shall further consider the possible negative effect of the structure on the property values of other properties in the immediate area and the possible effect the structure could have on the surrounding area in the event of inclement weather or high winds.

3.5 Violations. It shall be a violation of this ordinance to occupy any structure without first obtaining a certificate of occupancy from the zoning administrator or designee, who, before issuing said certificate of occupancy, shall determine that the structure is in compliance with the terms of this ordinance and all other zoning requirements and county ordinances. In the event the zoning administrator or designee is unable to determine whether the applicant meets the criteria established by this ordinance or other zoning requirements and county ordinances, the zoning administrator shall issue a written determination, which may be appealed to the county commission.

Section 4. Other structures.

4.1 Any person, firm, or corporation desiring to place a manufactured home or site-built single-family dwelling not complying with the standards in this article within the limits of the county may make an application for same to the zoning administrator. The zoning administrator shall schedule said application for a public hearing before the county commission in accordance with article IX of the zoning ordinance, and the county commission shall decide the application on the basis of the criteria set forth in section 4.2 of this article.

4.2 If, in the opinion of the county commission, it should become necessary as a temporary emergency or hardship or for security or protection, such permit may be granted on a limited basis for a period not exceeding one year from the date of permit. If, before the anniversary date of the permit, the emergency or other reasons for the structure ceases to exist, then said permit automatically shall be cancelled and said structure shall be removed by the owner. If said structure is not removed, it will be removed by the county at the owner's expense as provided in section 2.3 of article III of this ordinance.

ARTICLE IV. STRUCTURES IN NONRESIDENTIAL ZONES

Section 1. Procedure.

An exemption may be granted to locate a manufactured home, manufactured office, or industrialized structure in a nonresidential zoning district for nonresidential uses provided the following requirements are met:

1.1 An application for placement must be filed with the Zoning Administrator or his designee, said application containing the following:

1.1.1 Applicant's name and address and his representative, and the name and interest of every person represented in the application, and having an interest in the business or enterprise which shall use the structure, and in the land on which the structure shall be located.

1.1.2 A legal description of the property on which the structure is to be placed, together with a recent plat of the property prepared by an architect, engineer, or land surveyor, whose state registration is valid and whose seal shall be affixed to the plat. The plat must contain property lines, bearings, distances, adjoining streets with right-of-way and paving width, location of existing structures, creeks, easements, north arrow, and scale.

1.1.3 A statement of circumstances in the proposed district and the abutting districts.

1.1.4 A plat or sketch plan showing the configuration of the land on which the structure is to be placed and the location of placement, including distances of the structure from the property lines.

1.1.5 Specifications or pre-design plans which contain a complete description of the structure to include square footage, siding material, roof material and pitch, foundation, and other evidence of the general aesthetic appearance required by the zoning administrator or designee and necessary to make a determination of compliance and compatibility as required by this ordinance.

1.1.6 Documents certifying that the structure is in compliance with the Standard Building Code and any other codes, regulations, or manufacturing standards as required by this ordinance.

1.1.7 It shall be a violation of this ordinance to occupy or commence activity from any structure without first obtaining a certificate of occupancy from the zoning administrator or his designee, who shall determine, before issuing a certificate of occupancy, that the structure is in compliance with the terms of this ordinance and all other zoning requirements and county ordinances. In the event the zoning administrator or his designee is unable to determine whether the applicant meets the criteria established by this ordinance, the zoning administrator shall issue a written determination, which may be appealed to the county commission.

1.2 Manufactured homes or industrialized buildings may be permitted in nonresidential districts for nonresidential uses provided the following criteria are met:

1.2.1 Placement of said structure complies with the requirements and limitations generally applicable in such zoning districts, including but not limited to minimum lot size, yard and building spacing, square footage requirements, percentage of lot coverage, off-street parking requirements, and approved foundations as described herein;

1.2.2 The structure compares favorably to site-built and other structures in the immediate general area within the same zoning district. Approval to place the structure shall be granted by the zoning administrator or designee upon

application and determination that the structure is substantially similar in size, siding material, roof material, foundation, and general aesthetic appearance to:

(1) Site-built or other forms of structures which may be permitted in the same general area under this ordinance;

(2) Existing development; or

(3) Proposed development in the same zoning district or area, or as envisioned in the comprehensive plan of Effingham County.

1.2.3 In making a determination the zoning administrator or designee shall consider exterior materials, square footage, foundation type, and other factors as deemed necessary for compliance and compatibility as required by this ordinance.

1.2.4 All towing devices, wheels, axles, and hitches must be removed, unless the removal of said transportation devices would affect the structural integrity of the structure.

1.2.5 The structure shall be attached to a permanent foundation, to include foundation walls. Skirting of structures is not sufficient to comply with the requirements of this article.

1.2.6 The structure shall be constructed according to the standards established by the Standard Building Code adopted by the county and in effect at the time of erection or placement. A manufactured building unit must bear the label or seal of compliance with the National Manufactured Home Construction and Safety Standards issued by the Department of Housing and Urban Development. No manufactured home unit manufactured before June 15, 1976, shall be allowed within the county. The zoning administrator or designee shall report any manufactured home or building unit manufactured after June 15, 1976, that does not bear such seal or label to the state administrative agency having jurisdiction and shall not grant a certificate of occupancy. All modular or industrialized homes must bear any and all labels, stamps, or seals of compliance required by the department of community affairs or Effingham County.

1.3 The county commission, following a public hearing in accordance with article IX of the zoning ordinance, may approve an exemption from one or more of the development or architectural standards provided herein upon a finding that the material to be utilized or the architectural style proposed for the structure will be compatible and harmonious with existing structures in the vicinity. The applicant must apply for the variance and carry the burden of proof to establish that the structure is compatible with surrounding structures. The criteria should include such factors as exterior materials, square footage, foundation type, and other factors as deemed necessary for compliance and compatibility as required by this ordinance.

ARTICLE V. PLANNED MANUFACTURED HOME COMMUNITY

Section 1. Site plan.

A site plan shall be prepared by the applicant and approved by the county commission prior to development or expansion of any planned manufactured home community. The site plan shall be prepared by an architect, engineer, land surveyor, or landscape architect who currently holds state registration in Georgia and whose seal shall be affixed to the plan. Eight copies of the site plan shall be submitted at a scale not to exceed one inch equals 100 feet, showing:

1.1 The name and address of the applicant and architect, engineer, surveyor, or designer.

1.2 Names and addresses (as listed by the county tax assessor) of all owners of land adjacent to the site.

1.3 Graphic scale, north arrow, and date of survey.

1.4 Full name of the proposed planned manufactured housing community.

1.5 Total acreage in the tract.

1.6 Proper identification of the boundaries of the tract with all bearings and distances indicated. The boundary survey shall be to such a degree of accuracy that the error is not greater than 1:7,500.

1.7 Location and date of each percolation test, soil boring, and well in the proposed planned manufactured housing community.

1.8 Topographic survey by contours at vertical intervals of not more than three feet or if the property does not have a five-foot change in elevation, a certification from a professional engineer shall be required stating that the drainage from the property will not affect adjacent property owners.

1.9 Existing and proposed zoning district classification.

1.10 Zoning district classification of adjoining land.

1.11 Location of natural features such as streams, lakes, swamps, and land subject to flood based on a 100-year flood frequency.

1.12 Location of existing adjoining property lines and existing buildings.

1.13 Locations and widths of rights-of-way of streets, roads, railroads, and utility lines either on or adjacent to the property. The plan shall specify whether utility lines are in easements or rights-of-way and show location of poles and/or tower.

1.14 Size and location of existing sewers, water mains, drains, culverts, or other underground facilities within the street or within the right-of-way of streets or roads adjoining the tract. Grades and invert elevations of sewer lines shall be shown.

1.15 Acreage of each drainage area affecting the proposed planned manufactured housing community.

1.16 Location of city limit lines and county lines, if applicable.

1.17 Layout of streets, roads, alleys, and public crosswalks, including widths, road names or designations, grade, and cross-sections.

1.18 Profile of proposed streets showing natural and finished grades.

1.19 Detailed layout of all lots, including building setback lines, scaled dimensions on lots, lot and block numbers, and utility easements with width and use.

1.20 Construction drawings of sanitary sewers (if applicable) with grade, pipe size, location of manholes, and points of discharge, and percolation tests, soil borings, and wells as specified by the Health Department or State of Georgia Environmental Protection Division (EPD).

1.21 Construction drawings of storm sewer system with grade, pipe size, and location of outlet. Storm sewers shall be sized to accommodate runoff for a 25-year frequency rainfall.

1.22 Plans of all drainage provisions, retaining walls, curbing, planting, anti-erosion devices, or other protective devices to be constructed in connection with, or as part of the proposed work together with a map showing the drainage area of land tributary to the site and estimated runoff of the areas served by any drains.

1.23 Construction drawings of water supply system with pipe sizes and location of hydrants and valves.

1.24 Designation of all land to be reserved or dedicated for public use.

1.25 Designation of proposed use of all lots to be used for other than single-family residential purposes (if any).

1.26 Proposed major contour changes in areas where substantial cut and/or fill is to be done.

1.27 A timing/phasing schedule indicating the anticipated starting and completion dates of the development sequence.

1.28 Total number of lots, total acreage, and total length of new streets.

1.29 Name, registration number, and seal of registered surveyor or civil engineer.

1.30 The location and dimensions of all buffers, recreation areas, office structures, and support facilities.

Section 2. Vicinity map.

2.1 Vicinity map drawn to a scale of not less than one inch equals one mile showing the relationship of the proposed planned manufactured housing community to surrounding development.

Section 3. Minimum acreage.

3.1 The minimum area for a planned manufactured home community shall be five contiguous acres. Each community shall have a minimum frontage of 150 feet on a street having minimum classification of major collector. The community shall be connected to and utilize the county sanitary system for water and sewage, if available; however, if unavailable, any septic or other individual waste disposal methods used by the community must be approved by the Effingham County Health Department.

Section 4. Density.

4.1 The maximum overall density of a planned manufactured home community shall not exceed four units per gross acre.

Section 5. Pad requirements.

5.1 Each individual structure pad shall be clearly delineated and shall abut a paved street of not less than 22 feet in width.

5.2 Each manufactured home space shall contain a minimum of 10,000 square feet when using an approved septic system; or 5,000 square feet when using an approved sanitary sewerage system.

Section 6. Setbacks.

Minimum setback and location requirements for structure pads shall be as follows:

6.1 Front yard—20 feet except when adjacent to a county or state road, in which case front yard setback shall be 50 feet.

6.2 Side yards—20 feet on each side of the dwelling.

6.3 Rear yard—20 feet.

6.4 No manufactured home shall be located closer than 25 feet to any permanent principal structure.

6.5 No manufactured home shall be located closer than 25 feet to any community property boundary.

6.6 No additions shall be made to a dwelling that will violate setback requirements.

Section 7. Streets, driveways, and walkways.

7.1 All dwelling spaces shall be served by an all-weather surface walkway of not less than three feet in width.

7.2 All driveways and walkways shall be lighted at night by not less than 25 watt fixtures spaced not more than 100 feet apart.

7.3 All streets and driveways shall be laid out and paved, and shall have a minimum pavement width of 22 feet.

7.4 All private streets or driveways within the community shall be lighted between sunset and sunrise with electric lights emitting light at an intensity of at least 5,000 lumens, and the light poles shall be not more than 250 feet apart.

Section 8. Manufactured and mobile homes.

8.1 Manufactured or mobile home tie-downs shall be provided for all units in accordance with the requirements of Appendix "A" of the Georgia Manufactured Housing Rules and Regulations or the manufacturer's specifications.

8.2 No dwelling unit shall be admitted to any community unless it can be demonstrated that it meets the State of Georgia and National Manufactured Home Construction and Safety Standards and federal and state regulations.

8.3 Each dwelling unit shall be installed on a concrete block foundation, of which the base block shall be solid and equal in size to the pier-block size (a minimum of 4 inches by 16 inches by 16 inches). Top course of said parts of foundation shall be a solid cap block with a minimum dimension of 4 inches by 8 inches by 16 inches. The dwelling unit shall be installed true and plumb.

8.4 No space shall be rented for residential use of a manufactured or mobile home in any such community except for periods of 30 days or more, and no manufactured or mobile home shall be admitted to any community unless it can be demonstrated that it meets all requirements prescribed by applicable laws and regulations.

Section 9. Utilities.

The following utilities are required:

9.1 An electrical service supplying 200 amperes of service shall be provided for each dwelling space. All such outlets shall be weather proof, and installations shall meet the requirements of the National Electrical Code.

9.2 An adequate supply of pure, potable water for drinking and domestic purposes shall be supplied by pipes to all buildings and dwelling lots within the planned manufactured home community. Each dwelling stand shall be provided with an approved cold water connection and a tap, constructed in accordance with the plumbing standards adopted by the county.

9.3 Approved fire hydrants with isolation valves shall be located at least every 500 feet and at every intersection or as designated by fire officials of the county. They shall be located and designed in accordance with the National Fire Protection Codes.

9.4 Waste from shower, bathtubs, flush toilets, urinals, lavatories, slop sinks, and laundries in service and other buildings within the planned manufactured home community shall be discharged into a public or private sewer and disposal plant or septic tank system of such construction and in such manner as approved by the Effingham County Health Department or State of Georgia Environmental Protection Division (EPD).

9.5 Each dwelling stand shall be provided with a trapped sewer at least four inches in diameter, which shall be connected to receive the waste from the shower, bathtub, flush toilet, lavatory, and kitchen sink of the manufactured home harbored in such dwelling space. The trapped sewer in each space shall be connected to discharge the dwelling waste into a public sewer system in compliance with applicable ordinances or into a private sewer and disposal plant or septic tank system of such construction and in such manner as approved by the Effingham County Health Department.

9.6 If public water is available within 1,000 feet of the proposed planned manufactured home community, the owner shall connect into the existing public system. If public water becomes available within one thousand feet of an existing manufactured home community, the owner may connect into the system.

9.7 If public sewerage service becomes available to an existing planned manufactured housing community, a revised planned manufactured housing community plan reflecting proposed density increases, layouts, etc. shall be submitted to the county commission for review and approval at a public hearing in accordance with article IX of the zoning ordinance prior to obtaining sewerage service. Notwithstanding the availability of public sewerage, the county commission is under no obligation to grant increased density at any community. The county commission reserves the right to require that manufactured and mobile homes using septic tanks connect to public sewerage service when available.

Section 10. Sanitation.

The following conditions regarding sanitation shall be complied with:

10.1 The area around and underneath each dwelling unit shall be kept clean and free from collections of refuse, rubbish, glass bottles, or other unsightly material.

10.2 Each dwelling space shall be provided with an approved garbage container with a tight-fitting cover. The container shall be kept in a sanitary condition and shall be stored at least three inches off the ground, preferably on a metal rack or hanger for such purpose. Waste shall be removed from the premises and disposed of often enough to prevent a nuisance or health hazard and to insure that the garbage containers shall not overflow. With the approval of the building inspector the use of a central garbage collection system may be permitted as an alternative.

10.3 Each dwelling shall be provided with sanitary sewage lateral of at least four inches in diameter, which shall be fitted with accessible connections to receive waste from the shower, bathtub, flush toilet, lavatory, and kitchen sink of the dwelling stand and shall be connected to discharge the waste into a sewer system which meets the health requirements of the State of Georgia and Effingham County.

10.4 The sewage laterals shall be made of approved semi-rigid four-inch SDR 35 PVC sewer pipe. While a dwelling stand is unoccupied or the drain not in use, the sewer opening shall be closed with an approved closure plug or cap.

10.5 No planned manufactured home community shall be served by a privy.

Section 11. Parks.

11.1 A minimum of ten percent of the gross acreage of the planned manufactured home community shall be set aside for the recreational use by residents of the community, and maintained by the community owner, transferee, or assignee. Said recreational park shall be one contiguous tract or several tracts each no smaller than one-half acre and located within the planned manufactured home community in such manner as to be convenient to all its residents. The recreational park shall be located on land suitable for park development and may contain a sufficient amount of play equipment designed for pre-school and elementary school age children.

Section 12. Drainage.

12.1 Each planned manufactured housing community shall be graded and drained so that rain water will not stand in pools or puddles; physical layout subject to board of commissioners approval.

Section 13. Buffers.

13.1 Planted buffers shall be required and shall be installed as follows:

13.1.1 Planned manufactured home communities shall be surrounded by planted buffers at least 15 feet in depth on the sides and rear and 25 feet in depth along the front of any structure contained therein, provided, however, that no side and rear buffer is required between adjacent developments.

13.1.2 The buffer shall be densely planted with shrubs and/or trees at least three feet high at the time and of such a nature as to produce a dense, compact evergreen planting screen capable of growing to a height of at least six feet within three years. A site plan identifying all plants to be incorporated in the buffer strip must be approved by the county commission prior to any site construction. The county commission may require additional planting to acquire a uniform buffer strip.

13.1.3 Such buffers shall be erected and maintained by the owners of the park property.

Section 14. General.

14.1 Coin-operated laundries for the use of the residents of the planned manufactured home community shall be permitted within enclosed buildings inside the community. Building structures containing said laundries may also contain vending machines and recreational rooms and activities. More intensive commercial uses than these specified herein are strictly prohibited.

14.2 The regulations governing planned manufactured home communities prescribed by the health department, as well as other Effingham County or state regulations, shall be complied with.

14.3 Before the dedication of any street, water or sewer line, or system, or other utility within any planned manufactured home community will be accepted by Effingham County, said improvements must be manufactured and installed in compliance with all then-existing specifications and standards of Effingham County. Further, the owner of the property making the dedication shall warranty such improvements and shall agree to indemnify the county against defects for a period of one year for all design, materials, workmanship, and equipment associated with the dedication.

14.4 The developer shall certify that the street naming and addressing system is not confusingly similar to other existing named streets; and furthermore, each manufactured or mobile home shall be clearly numbered or identified by some means visible to visitors or delivery persons.

Section 15. Recordkeeping.

15.1 The manufactured housing community owner or designee must submit to the tax assessor on a quarterly basis detailed information regarding occupancy of the community. This information must include year, make, and model of each manufactured or mobile home, name and mailing address of owner, name and address of resident if different from owner, 911 address of home location, and date of arrival and departure of each home.

Section 16. Communities existing prior to the date of enactment of this ordinance.

16.1 Before the expansion or alteration of any planned manufactured home community which is in existence at the time of the enactment of this ordinance, the existing community must be brought into compliance with all requirements for planned manufactured home communities established by this ordinance.

16.2 All manufactured housing communities of ten or more dwelling spaces which are in existence on the effective date of this ordinance shall be required to meet all the conditions set forth in sections 7.4, 9, and 15 of this article within 12 months of the date of enactment of this ordinance. At the request of the property owner, extensions and exceptions for extenuating circumstances may be granted at the discretion of the county commission.

ARTICLE VI. ADMINISTRATION AND ENFORCEMENT

Section 1. Administration.

1.1 The provisions of this ordinance shall be administered by the zoning administrator as per section 8.1 of the Effingham County Zoning Ordinance.

1.2 Subject to the provisions of this ordinance, the tax commissioner is hereby authorized and empowered to prescribe application, moving permit, and location decal forms and thereafter to alter and change the same, and said tax commissioner is empowered to require that applicants furnish such information in writing as may be reasonably required to effectuate the purpose thereof.

Section 2. Moving permits.

2.1 No mover, hauler, person, firm, corporation, or other entity shall move a manufactured or mobile home or other structure to any location within Effingham County beyond the limits of the lot or parcel of land upon which it is presently located, without first obtaining from the tax commissioner's office of Effingham County a moving permit authorizing such relocation. No moving permit shall be issued unless the person, firm, corporation, or other entity moving such structure specifies the new location to which it is to be moved.

2.2 It is a violation of this ordinance for any mover, hauler, person or other entity to move, or to have moved, a manufactured or mobile home or other structure into Effingham County whose destination is within Effingham County or to move a manufactured or mobile home or other structure out of Effingham County whose location has been in Effingham County without first obtaining a moving permit from the tax commissioner of Effingham County authorizing such relocation.

2.3 If the entity requesting the mover or hauler's services has not applied for a moving permit from the tax commissioner, the mover or hauler shall contact the tax commissioner prior to moving the manufactured or mobile home and obtain a moving permit number and provide the information necessary for updating records and locating the owner of the manufactured or mobile home. The issuance of this permit number to the mover or hauler does not release the owner(s) of their responsibilities under this article; however, the mover or hauler shall be released from their liability related to the nonissuance of a moving permit provided a moving permit number was obtained.

2.4 The moving permit authorizing the relocation of a manufactured or mobile home shall be a designated color and shall be affixed to the manufactured home or mobile home or other structure at all times such structure is being transported within the confines of the county.

2.5 It shall be a condition precedent to issuance of any permit required by this ordinance that the owner of said manufactured or mobile home submit to the aforesaid tax commissioner proof that all state and county

taxes theretofore accruing and payable with respect to such manufactured or mobile home have in fact been paid.

Section 3. Building permits.

3.1 Before any person shall locate or relocate a manufactured home or mobile home within the limits of the county, said person shall apply for and obtain from the zoning administrator a building permit authorizing such location or relocation if such manufactured or mobile home is to be used as a residence by the owner thereof, as a residence for others, or for any other purpose.

3.2 The application for a building permit must be in compliance with section 8.2.1 of the Effingham County Zoning Ordinance.

3.3 The owner of a manufactured home or mobile home or any other structure which is located within the limits of the county may not relocate the structure either within the confines of the county without first obtaining a building permit from the zoning administrator authorizing such relocation.

3.4 It shall be a condition precedent to the issuance of any permit required by this article that the owner of the manufactured or mobile home shall submit to the tax assessor proof that all state and county taxes theretofore accruing and payable with respect to such mobile or manufactured home have in fact been paid; and if the manufactured or mobile home which is to be located or relocated is then located within any portion of the county that lies within the limits of a municipality therein, such owner shall likewise submit proof that all applicable municipal taxes have been paid before a permit may be issued.

3.5 A building permit shall not be required before delivery of a manufactured or mobile home from the factory to a manufactured housing dealer's lot. A building permit shall be required before delivery of a manufactured or mobile homes from the factory or dealer to a private parcel of land.

Section 4. Location permits and decals.

4.1 Location permits and decals are required as per the Uniform Procedures for Manufactured Homes, Chapter 560-11-7, Rules of the Department of Revenue, Tax Division.

4.2 Manufactured homes that are currently classified as storage buildings do not require a yearly decal. Manufactured homes qualifying under this classification shall not be used as either a temporary or permanent residence.

4.3 The tax commissioner shall collect all ad valorem taxes imposed on manufactured or mobile homes. No other official or constable shall be authorized to collect ad valorem taxes.

4.4 Homestead and nonhomestead manufactured and mobile homes are required to display current year decals showing proof of tax paid. Failure to comply will result in the notification, citation, and prosecution as follows:

4.4.1 The property appraisal staff or the agent authorized by the Effingham County governing authority shall leave a notice on those mobile or manufactured homes to which a decal is not affixed giving notification of violation of O.C.G.A. § 48-5-492, failure to secure and display current year decal and the penalty for failure to do so as set forth in O.C.G.A. § 48-5-493 or serve a citation to the occupant. If notice is tacked to the structure, the property appraisal staff shall mail a copy of the notice to the property owner's last address as listed in the tax records.

4.4.2 The property appraisal staff shall forward to the tax commissioner a list of mobile and manufactured homes not in compliance with O.C.G.A. 48-5-492 at the end of each month. The list shall contain information set out in 560-11-7-12 (uniform procedures for mobile homes adopted by the state commissioner).

a. Owner's name and address;

b. Map and parcel number;

c. Physical location of mobile or manufactured home including the 911 street address, lot number and planned manufactured housing community name, when known;

d. Tax district; and

e. Any prior year decal numbers found on home including what county it was issued from.

4.4.3 The tax commissioner shall review the list received from the property appraisal staff and void notices issued in bankruptcy cases and cases where the owner had already made and kept payment arrangements prior to receiving notice. The burden of proof for these circumstances rests with the property owner.

4.4.4 The Tax Commissioner shall forward a copy of the list received from the property appraisal staff to the magistrate 45 days after receipt of the listing from the property tax appraisal staff. The list forwarded from the tax commissioner to the Magistrate shall contain a detailed history of tax and penalty amounts outstanding.

4.4.5 Citations issued for the illegal moving of a manufactured or mobile home shall be sent directly to the magistrate and shall be prosecuted in accordance with O.C.G.A. § 48-5-493(b)(1). It shall be unlawful for any person to move or transport any manufactured or mobile home that is required to and that does not have attached and displayed thereon the decal provided for in O.C.G.A. § 48-5-492.

4.5 Decals shall be the color and form prescribed each year by the state tax commissioner and shall reflect the county and calendar year of issuance.

4.6 Decals shall be displayed in a prominent location that can readily be seen on the manufactured or mobile home upon entering the driveway or entrance to the property.

Section 5. Certificates of occupancy.

5.1 All structures must be in compliance with the requirements of section 8.2.2 of the Effingham County Zoning Ordinance with reference to certificates of occupancy.

Section 6. Development of forms and procedures.

6.1 The county administrator is authorized to develop, approve, and modify forms and procedures necessary to apply for and approve the required permits, decals, and certificates.

ARTICLE VII. INTERPRETATION AND VALIDITY

Section 1. Interpretation.

1.1 In interpreting and applying the provisions of this ordinance, they shall be held to be minimum requirements for the promotion of the public safety, health, convenience, comfort, morals, prosperity and general welfare. It is not intended by this ordinance to interfere with or abrogate or annul any ordinance, rules, regulations, or permits previously adopted or issued and not in conflict with any of the provisions of this ordinance, or which shall be adopted or issued, pursuant to law relating to the use of buildings or premises and likewise not in conflict with this ordinance nor is it intended by this ordinance to interfere with or abrogate or annul any easements, covenants, or other agreements between parties not in conflict with this ordinance.

Section 2. Severability and conflict.

2.1 If any article, section, subsection, sentence, clause, phrase, or portion of this ordinance is declared invalid or unconstitutional by any court of competent jurisdiction, or if the provisions of any part of this ordinance as applied to a particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect or invalidate the remainder of this ordinance. It is hereby declared that this ordinance would have been adopted had such invalid portions not been included herein.

Section 3. Repeal.

3.1 All ordinances or parts thereof which are in conflict with the provisions of this ordinance are hereby repealed.

Section 4. Effective date of this ordinance.

4.1 This ordinance shall become effective from and after the date of its adoption by the board of commissioners of Effingham County.

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

This ___ day of _____, 20__.

BOARD OF COMMISSIONERS,

EFFINGHAM COUNTY, GEORGIA

BY: _____

DAMON M. RAHN

CHAIRMAN

ATTEST:

_____

STEPHANIE JOHNSON

EFFINGHAM COUNTY CLERK

FIRST READING _____

SECOND READING _____