

Staff Report

Subject: Article IV, 4.2 Zoning Map
Author: Steve Candler
Department: Development Services
Date: September 10, 2024
Item Description: Zoning Map

Summary Recommendation

The county is required to update the zoning map.

Executive Summary/Background

The county needs to update the official zoning map.

The zoning map reflects the changes in the rezonings the board of commissioners approved.

The updated zoning map reflects the new zoning districts approved in the table of permitted uses.

Alternatives

Approve an amendment to the Code of Ordinances **Part II Article IV, 4.2 Zoning Map**

Deny an amendment to the Code of Ordinances **Part II Article IV, 4.2 Zoning Map**

Recommended Alternative: 1

Other Alternatives: 2

Department Review: Development Services

FUNDING: N/A

Attachments: Article IV, 4.2

APPENDIX C – ZONING ORDINANCE

ARTICLE IV.

4.2. Official Zoning Map. The unincorporated area of Effingham County, Georgia is divided into zoning districts, as shown on the Official Zoning Map of Effingham County, Georgia which, together with all explanatory matter thereon, and accompanying pages, is hereby adopted by reference and declared to be a part of this Code.

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 from time to time by the Board of Commissioners, but no amendment shall become effective unless it shall have been proposed by or shall have first been submitted to the Planning Commission for review and recommendation in conformity with the procedures set forth in this Code. (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 of 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 the application of the aforementioned rules leaves a reasonable doubt as to the boundaries between two districts, the regulations of the more restrictive district shall govern the entire parcel in question, unless otherwise determined by the board of zoning adjustment.

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.